

**Democratic Services Section
Chief Executive's Department
Belfast City Council
City Hall
Belfast
BT1 5GS**



**Belfast
City Council**

5th March, 2019

MEETING OF PLANNING COMMITTEE

Dear Alderman/Councillor,

The above-named Committee will meet in the Banqueting Hall - City Hall on Tuesday, 12th March, 2019 at 5.00 pm, for the transaction of the business noted below.

You are requested to attend.

Yours faithfully,

SUZANNE WYLIE

Chief Executive

AGENDA:

1. **Routine Matters**
 - (a) Apologies
 - (b) Minutes (Pages 1 - 12)
 - (c) Declarations of Interest
2. **Quarter 3 Finance Update Report (Pages 13 - 16)**
3. **Planning Appeals Notified (Pages 17 - 18)**
4. **Planning Decisions Issued (Pages 19 - 44)**
5. **Planning Applications**
 - (a) LA04/2018/2157/F - new children's hospital and associated infrastructure incorporating the demolition of Bostock House on the Royal Group of Hospitals site, 274 Grosvenor Road (Report to follow)
 - (b) LA04/2017/2780/F - 7 storey residential development comprising 38 apartments on lands between 55-71 Ormeau Road and 163-169 Donegall Pass (Report to follow)

- (c) LA04/2018/0408/F - Demolition of existing building and construction of new 3/4 storey apartment block containing 23 apartments at Porters Annex, Apsley Street (Report to follow)
- (d) LA04/2017/2302/F and LA04/2017/2300/DCA - Extension to seventh floor to accommodate hotel gym, Scottish Amicable House, 11 Donegall Square South (Report to follow)
- (e) LA04/2018/0620/F - residential development of 39 dwellings, comprising 9 detached and 30 semi-detached dwellings, garages, car parking, public open spaces, landscaping, and associated site works on lands to the south of Blackdam Court, east of Thornberry Hill and approx. 115m north west of Mill Valley Way (Pages 45 - 58)
- (f) LA04/2018/2679/F - External alterations and reduction in the office footprint from the previously approved (extant permission) under planning references Z/2011/0358/O and LA04/2015/0144/RM on site between Boucher Place and Blackstaff River (Pages 59 - 68)
- (g) LA04/2018/0832/F - Mixed use development comprising 2 retail units, 1 café unit, 23 apartments, access, parking, amenity space, landscaping and site works on Lands at 155 171-177 Lisburn Road and 16 Ashley Avenue (Pages 69 - 86)
- (h) LA04/2018/0059/F - Demolition of 2 storey rear return, external steps and single storey outbuilding of former Parochial House, demolition of existing vestry entrance porch, external steps, single storey boiler house and part of internal wall to tower and spiral staircase of former Holy Rosary Church, Change of use to hotel and licensed restaurant on lands at 348-350 Ormeau Road (Pages 87 - 100)

6. **Miscellaneous Item**

- (a) Planning Portal Update (Report to follow)

Planning Committee

Tuesday, 19th February, 2019

MEETING OF PLANNING COMMITTEE

Members present: Councillor Garrett (Chairperson);
Alderman McGimpsey;
Councillors Armitage, Campbell, Canavan,
Carson, Dorrian, Hussey, Hutchinson,
Johnston, Mullan and Nicholl.

In attendance: Mr. A. Thatcher, Director of Planning and
Building Control;
Ms. N. Largey, Divisional Solicitor;
Mr. E. Baker, Development Engagement Manager;
Mr. S. McCrory, Democratic Services Manager; and
Mrs. L. McLornan, Democratic Services Officer.

Apologies

An apology for inability to attend was reported from Councillor Bunting.

Minutes

The minutes of the meeting of 15th and 17th January were taken as read and signed as correct. It was reported that those minutes had been adopted by the Council at its meeting on 4th February, subject to the omission of those matters in respect of which the Council had delegated its powers to the Committee.

Declarations of Interest

No declarations of interest were recorded.

Motion – Street Furniture

(Councillor Boyle attended in connection with this item)

The Committee was advised that, at the meeting of the Council held on 4th February, the following motion which had been proposed by Councillor Boyle and seconded by Councillor Dudgeon, had, in accordance with Standing Order 13(f), been referred to the Committee for consideration:

“This Council recognises that it is difficult to contact those responsible for the maintenance of street furniture, utility boxes, phone boxes and masts, post boxes, advertising facilities and any other structure that sits on or in the footpath or in a public place throughout the City.

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The Council supports the need for people to be able to contact those responsible for the cleaning and maintaining of these structures. Accordingly, the Council will undertake a piece of work to identify whose ownership these are in and will encourage those responsible for maintaining and cleaning same to put their details on these structures and ensure their details remain on these structures so that they can be contacted when needed. Furthermore, the Council agrees that any future planning approvals for street furniture, boxes etc. as listed above, will include a condition requiring the contact details of those responsible for cleaning and maintaining and servicing them to be prominently displayed.”

The Chairperson invited Councillor Boyle to speak to the Committee on the Motion. He explained that he wanted contact details for utility companies to be more easily accessible in order that the public could report incidents of graffiti or damage to street furniture to the companies directly.

The Director confirmed to the Committee that not all items of street furniture required planning permission and that the requirement to provide contact details was not a material planning consideration. However, he explained to the Members that, where an application was in front of the Committee, it could add an informative on the consent requiring the owners of the equipment to include contact details on the piece of street furniture. He outlined to the Committee that cross-departmental meetings were taking place to look at the issue of graffiti on street furniture.

In response to a Member’s question, he confirmed to the Committee that it could, by condition, require that owners maintained street furniture in good order, whereby the enforcement team would ensure that those conditions were upheld.

After discussion, the Committee:

1. agreed that a report be submitted to a future meeting on the outcomes of any cross-departmental discussions relating to the issues of graffiti/defacing of street furniture;
2. noted that it could add an informative on any future planning consents, which would require the owners of such equipment to provide contact details;
3. noted that it could add a condition on any future planning consents, which would require the owners of such equipment to maintain it in good order, which can be regulated by the enforcement team as necessary; and
4. agreed that contact details for utility companies would be provided in a future issue of the City Matters magazine.

Planning Appeals Notified

The Committee noted the receipt of correspondence in respect of a number of planning appeals which had been submitted to the Planning Appeals Commission,

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together with the outcomes of a range of hearings which had been considered by the Commission.

Planning Decisions Issued

The Committee noted a list of decisions which had been taken under the delegated authority of the Director of Planning and Building Control, together with all other planning decisions which had been issued by the Planning Department between 8th January and 11th February, 2019.

Vesting Order

The Committee noted the receipt of correspondence from the Northern Ireland Housing Executive in relation to an application for a Vesting Order for the purpose of effecting improvement of the amenities of the area by upgrading the footpath leading from Glen Road to Hawthorne Glen and Lenadoon Estates.

Miscellaneous Items

Listed Building

The Committee considered correspondence which had been received from the Historic Environment Division (HED) regarding the proposed listing of Ballynaveigh National School, Florenceville Drive, BT7 3GY.

The Committee supported the proposed listing.

Notice of Article 4 Directions on Adelaide Park and Malone Park Conservation Areas

(Mr. D. O’Kane, Principal Planning Officer, attended in connection with this item)

The Committee was advised that Article 4 Directions enabled the Council to restrict permitted development rights associated with householder development that could currently be undertaken without the need for planning permission.

The Principal Planning Officer reminded the Committee that two public consultation exercises had been carried out, in 2016 and 2017, to ascertain the level of support for Article 4 Directions to be issued within Adelaide Park and Malone Park Conservation Areas. A significant majority of residents supported the introduction of the Directions covering the following:

- Replacing window frames and doors to front elevations and side elevations;
- Painting the exterior of houses;
- The creation of porches to external doors;
- The erection of gates, fences, walls or other means of enclosure within the curtilage of a property. This would apply anywhere within

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the curtilage of the property in the case of Adelaide Park and from the front building line of the property to the front boundary in the case of Malone Park; and

- The creation of hardstanding to front lawns.

The Committee had agreed, at its meeting on 19th September, 2017, to support the serving of Article 4 Directions within those Conservation Areas and a formal request was subsequently submitted to the Department for Infrastructure seeking the necessary approvals.

The Principal Planning Officer advised the Members that, in January 2019, the Department had issued approval of both Directions under Article 4(2) of Planning (General permitted Development) Order (Northern Ireland) 2015, without modification and that the Council would therefore progress with the implementation of the Directions in both areas.

The Committee noted:

1. the Department for Infrastructure's approval and the Council's intention to progress with final implementation of Article 4 Directions in Adelaide Park and Malone Park Conservation Areas; and
2. that notice would be served to all residents affected by the Directions.

Restricted Items

The information contained in the reports associated with the following items is restricted in accordance with Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014.

Resolved – That the Committee agrees to exclude the members of the Press and public from the Committee meeting during discussion of the following two items as, due to the nature of the items, there would be a disclosure of exempt information as described in Section 42(4) and Section 6 of the Local Government Act (NI) 2014.

Update on Sprucefield

(Mr. K. Sutherland, Development Planning and Policy Manager, attended in connection with this item)

The Development Planning and Policy Manager provided the Committee with an update on the retail planning application for Sprucefield which had recently been submitted to Lisburn and Castlereagh City Council.

The Committee noted that the Strategic Policy and Resources Committee had, at its meeting on 25th January, agreed to:

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1. submit a formal objection to the Sprucefield planning application;
2. continue work on a retail analysis survey; and
3. seek a formal position from those organisations which would be affected by the application.

Planning Service Review

The Director of Planning and Building Control provided the Committee with an overview of the outcome of the structural review of the Planning Service. He explained that he was seeking the Committee's agreement for the creation of 2.5 Planning Officers instead of the previously agreed three Technical Support Officers. The Members were advised that the costs associated with the service review were covered from within existing budgets.

The Committee noted an update on the alignment of a number of former Department of the Environment (DOE) posts, the re-designation of a further number of Council posts and the creation of a number of posts. The Director explained that a small number of DOE post-holders would remain within the structure, as they had not volunteered to align to the new structure at that time and, as such, would remain on their former Northern Ireland Civil Service terms and conditions.

The Committee noted the update and agreed to the reallocation of funding towards the creation of 2.5 Planning Officer posts instead of the previously agreed 3 Technical Support Officers.

Planning Applications

THE COMMITTEE DEALT WITH THE FOLLOWING ITEMS IN PURSUANCE OF THE POWERS DELEGATED TO IT BY THE COUNCIL UNDER STANDING ORDER 37(e)

Withdrawn Items

The Committee noted that the following items had been withdrawn from the agenda:

- LA04/2018/2679/F - External alterations and reduction in the office footprint from the previously approved (extant permission) under planning references Z/2011/0358/O and LA04/2015/0144/RM on site between Boucher Place and Blackstaff River;
- LA04/2018/1271/F - Detached Garden Store at Plot 67 Downshire Hall, Harberton Park;
- LA04/2018 /1274/F - Detached garage with part roof space storage Plot 67 Downshire Hall, Harberton Park; and
- LA04/2018/1292/F - Detached Store Plot 53 Nugent Hall, Harberton Park.

(Reconsidered item) LA04/2018/1998/F - Demolition of existing building and erection of a new purpose-built facility including retention of existing chimney at Ardoyne Youth Club, Old Beltex Mill, Flax Street

The Committee was reminded that the application had been withdrawn from the previous month's agenda to allow the Planning Authority to consider a revised scheme which had been submitted following a review of operational requirements.

The case officer provided the Committee with an overview of the application and advised that the amendments had been considered acceptable. He explained that the existing building was a mix of single, two and three storeys, and that the proposed replacement building was predominantly two storeys in height, with a three storey void element.

The Committee was advised that the application had been re-advertised on 25th January, and that neighbours had been re-notified.

The Members were advised that one representation had been received in relation to the original proposals but that the objection had since been withdrawn after clarification had been provided.

The case officer explained that Rivers Agency, NIEA, Environmental Health, the Department for Communities' (DfC) Historic Environment Division and DfI Roads Service had offered no objections to the proposals.

The Committee granted approval to the application, subject to the imposing of the conditions set out in the case officer's report and delegated power to the Director of Planning and Building Control for the final wording of the conditions.

LA04/2018/1991/F & LA04/2018/1968/LBC - Demolition of existing non-listed buildings and redevelopment of site to accommodate office led mixed use development comprising office, industrial floorspace, active ground floor uses retail, restaurants, cafes and basement parking and associated access and circulation ; proposals include the retention and restoration of the listed Seaver building comprising façade restoration, new roof and reintroduction of dormers, replacement windows and reinstatement of original entrance to southern façade at Former Belfast Telegraph complex at 124-144 Royal Avenue and 1-29 Little Donegall Street, Belfast

The Committee was provided with a detailed overview of the proposals. The case officer explained that the proposed building had evolved through a number of design iterations and that the final scheme comprised the listed Seaver building bolstered on both sides by new-build offices with an internal arcade feature.

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The case officer explained that the Council was the applicant and that a full pre-Application Discussion had taken place in relation to the proposals.

The Committee was advised of the main issues which had been considered, which, amongst others, included the principle of demolition of the non-listed buildings, the height and design of the proposed new building, the impact on traffic and parking and consideration of developer contributions. She explained to the Members that the proposal had been assessed against the Belfast Urban Area Plan 2001 (BUAP) and the draft development plan (dBMAP 2015).

The case officer drew the Committee's attention to the Late Items pack, where two objections had been received previous to the most recent scheme and had not been referenced within the report. She advised the Members that one related to concerns regarding possible structural damage, and access issues, to an adjoining building during demolition and building works.

In response to a Member's query, the case officer clarified that the agent had been encouraged to ensure arrangements were made with adjacent landowners to address those concerns and that the Building Control application would address any further issues.

The Members were advised that the second objection was in reference to the initial proposal being out of character with the listed building and that, after re-notification of the amended scheme, no objections had been received.

The case officer also highlighted that a late objection had been received from Ulster Architectural Heritage Society (UAHS), as outlined in the Late Items pack, and she confirmed to the Committee that the issues raised had been duly considered and that conditions had been recommended where appropriate.

The case officer outlined to the Committee the responses from a number of consultees, including Transport NI, HED, NI Water, Environmental Health, Rivers Agency and the Northern Ireland Environment Agency (NIEA). A number of those consultees had recommended conditions and informatives.

The Committee received representation from Mr. P. Beacom, BeITel LLP, and Mr. M. Kininmonth, Senior Architect in Allford Hall Monaghan Morris. Together they outlined to the Committee that the design sought to respect and enhance the listed Seaver Building as well as integrate it with the series of different roof heights to suit the wider topography of the site. Mr. Kininmonth advised that they had engaged in a positive and well attended public consultation as part of the process.

The Committee granted approval to the application, subject to the imposing of the conditions set out in the case officer's report and delegated power to the Director of Planning and Building Control for the final wording of the conditions.

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LA04/2018/2451/F - Refurbishment of existing play area with the proposed introduction of MUGA playing surface with goal posts & basketball nets & perimeter fencing with outdoor play park equipment, 30 metres south west of 9 Britannic Terrace

(Councillor Armitage left the meeting at this point)

The Committee was provided with an overview of the proposal for the refurbishment of an existing play area to include a Multi-Use Games Area and a paved BBQ area.

The case officer explained that the Council was the co-applicant.

He advised the Committee that the application complied with the Development Plan and Planning Policy context. He also explained that DfI Roads and Environmental Health had been consulted and had expressed no objections to the proposal. The Members were also advised that the application had been neighbour notified and advertised in the press and that no third party representations had been received.

The Committee granted approval to the application, subject to the imposing of the conditions set out in the case officer's report and delegated power to the Director of Planning and Building Control for the final wording of the conditions.

LA04/2018/2378/F - Public realm improvements comprising the re-surfacing of existing footways and on-street parking areas with natural stone, granite and asphalt; granite kerbs; boundary enhancements; new/replacement street trees and furniture; realignments to existing pedestrian crossings; minor junction improvements at Century Street and Manor Street and advisory cycle lanes on Lower Oldpark Road

(Councillor Armitage returned to the Committee table at this point)

The Committee considered the aforementioned application for public realm improvements to include re-surfacing of footways, replacement street furniture and advisory cycle lanes.

The case officer advised the Members that the Department for Communities (DfC) was the applicant.

He explained that HED, NIEA, NI Water and the Council's Tree and Landscape Team had been consulted and had offered no objections to the scheme.

The Committee was advised that no further response had been received from DfI Roads following its response to the initial plans. The Committee noted that amended plans had since been submitted by the applicant to address technical issues which had been raised by DfI Roads.

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The case officer highlighted that one objection had been received in relation to an unsafe tree and he confirmed to the Members that the tree would be removed as part of the proposals.

In response to a Member's question relating to future-proofing the works, the case officer confirmed to the Committee that, where possible, the applicant would align its works with other agencies working in the area.

The Committee granted approval to the application, subject to the imposing of the conditions set out in the case officer's report and delegated power to the Director of Planning and Building Control for the final wording of the conditions.

LA04/2017/0308/F - Apartment development comprising 14 two bed social housing apartments and associated car parking at 123 Barnett's Road

The Committee was apprised of the principal aspects of the application for an apartment development containing 14 two bedroom social housing apartments, associated car parking and the widening of existing vehicular access to Barnetts Road.

The case officer explained to the Members that the proposal would fulfil the main objectives of Draft BMAP and the SPPS, with the provision of much-needed social housing in a sustainable location.

She confirmed to the Committee that DAERA, Rivers Agency, NI Water, Shared Environmental Services, Environmental Health and the Council's Tree Officer had been consulted and had offered no objections to the proposal. The Committee noted that the final response from Transport NI was outstanding. It had offered no objection in principle and it was therefore considered that any technical matters could be dealt with through conditions.

The case officer advised the Members that 21 objections had been received in relation to the original proposals, with two objections received in response to the amended plans. She explained that the responses cited issues with residential amenity, impact on traffic and parking, impact on the area, impact on the environment, the Human Rights Act and measures during the construction period. She clarified to the Committee that each of the issues had been addressed within the report.

In response to a Member's question regarding the provision of car parking spaces, the case officer confirmed that the apartments would be for those aged 55 and over where, generally, the requirement for parking spaces was lower than average and that a parking survey demonstrated that sufficient on street parking in the area could accommodate the shortfall.

Proposal

Moved by Councillor Armitage, and
Seconded by Councillor Nicholl,

F694

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That the Committee, given the issues which had been raised regarding the availability of parking, agrees to defer consideration of the application to enable a site visit to take place.

On a vote by show of hands three Members voted for the proposal and nine against and it was accordingly declared lost.

The officer's recommendation to approve the application, subject to imposing the conditions as set out in the case officer's report, was thereupon put to the Committee and agreed. The Committee agreed to delegate power to the Director of Planning and Building Control for the final wording of the conditions.

**LA04/2018/2278/F - Amendment to previously approved
LA04/2017/1779/F at Sacred Heart Parochial Hall to include
new entrance from Gracehill Court**

The case officer provided the Committee with the principal aspects of the application, which was an amendment to a previously approved scheme, which included the relocation of the approved men's shed and new mezzanine craft and activity rooms.

The Committee noted that the Council was the co-applicant.

The case officer advised the Committee that twenty neighbours had been notified and that it had been advertised in the press, with no representations having been received.

She advised the Committee that the proposal complied with planning policies and the development plan.

The Committee granted approval to the application subject to the imposing of the conditions set out in the case officer's report.

**LA04/2018/1940/F Re Location of garden centre from northern
to southern side of building including demolition of existing
garden centre buildings, amendments to elevations on
southern(Balmoral Road) side of building, service yard
alterations and fencing, amendments to footways on
Balmoral Road to create service vehicle temporary parking
and alterations to car park at 38 Boucher Road.**

The Committee was apprised of the principal aspects of the major application on the Boucher Road.

The case officer advised the Committee that the key issues in the assessment of the proposal included the principle of demolition and relocation on the site, access, movement, parking and transportation, flood risk and impact on built heritage.

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He explained that the proposal had been assessed against, and was considered to comply with, the Strategic Planning Policy Statement (SPPS), BUAP, BMAP, PPS3, PPS6, PPS15 and Parking Standards.

The Members were advised that Environmental Health, NI Water, HED Historic Monuments, Rivers Agency, DAERA Water Management Unit and DAERA Regulation Unit had raised no issues of concern. The case officer reported that a response from DfI Roads Service was outstanding.

The case officer drew the Committee's attention to the Late Items pack, where a number of issues had been raised by Braniff Associates relating to the access plan for the site. He outlined the response of the Planning Department to the aforementioned issues raised.

The Committee granted approval to the application, subject to the imposing of the conditions set out in the case officer's report and delegated power to the Director of Planning and Building Control for the final wording of the conditions.

LA04/2017/1682/F - 33 dwellings, garages and all other associated site works to include 16. apartments, 4. town-houses, 8 semi-detached dwellings and 5 detached dwellings on Lands at Lacefield, Campbell College, lands to the rear of Cabin Hill Court

The case officer provided the Committee with the principal aspects of the application.

She reported that the proposal related to the revision of a previous approval Z/2010/1313/F, where 14 dwellings had been completed. She explained that the proposal in front of the Committee would result in an overall total of 47 dwellings on the site, three units fewer than the original approval.

The Members were advised that the key issues in the assessment of the proposal included the principle of development and the impact on the character, residential amenity, access and parking and on the adjacent listed building.

She explained that one objection had been received relating to the impact of the proposed development on the objector's second access point to an existing dwelling and relating to additional noise generated from the proposal. She clarified to the Committee that the issues raised had been addressed within her report.

The Committee was advised that NIEA, NI Water and HED had been consulted and had expressed no objections to the proposals, subject to the conditions as detailed within the report.

The case officer pointed out that the Planning Service was awaiting a final response from DfI Roads but that an informal response had indicated that it was content with the proposed development in principle.

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In response to a Member's question as to whether the parking standards had been met for the application, the case officer stated that the DfI Roads consultation was outstanding and, if approved, delegated authority should be given to the Director to confirm those conditions.

The Committee granted approval to the application, subject to the imposing of the conditions set out in the case officer's report and delegated power to the Director of Planning and Building Control for the final wording of the conditions.

**LA04/2018/2402/F - Change of use from dwelling to HMO
at 79 Great Northern Street**

The case officer outlined the details of an application for the change of use from a single occupancy dwelling to a House of Multiple Occupation (HMO).

She clarified to the Members that the application was within the Meadowbank HMO Policy Area (2/15), which meant that permission would only be granted where the number of HMO dwellings did not exceed 30% of all dwellings within the area.

She confirmed that the Council's records indicated that the 30% figure had been exceeded and that the principle of the conversation to an HMO at that location was therefore unacceptable.

The Committee agreed to refuse the application as it was contrary to Policy HMO1, as the 30% limit for HMOs within the area had already been exceeded.

**LA04/2018/1890/F - Upgrade to open space to allow for
more diverse recreational uses, introduction of a new
playground, and an upgrade to path network, West of
Stewartstown Road and South of Pantridge Road**

The Committee was apprised of the principal aspects of the application, which sought permission for the upgrading of the existing open space to allow for more diverse recreational use, the introduction of a new playground and an upgrade of the path network.

It was noted that it was a Major application and that the Council was the applicant.

The case officer highlighted that, as detailed within the Late Items pack, responses had since been received from the Council's Tree Officer and from the Department for Infrastructure Roads Service confirming that they had no objections to the application.

The Committee granted approval to the application and delegated power to the Director of Planning and Building Control for the final wording of the conditions.

Chairperson

F697



Subject:	Financial Reporting – Quarter 3 2018/19
Date:	5 March 2019
Reporting Officer:	Aidan Thatcher, Director of Planning and Building Control
Contact Officer:	David Orr; Business Manager, Place and Economy Department

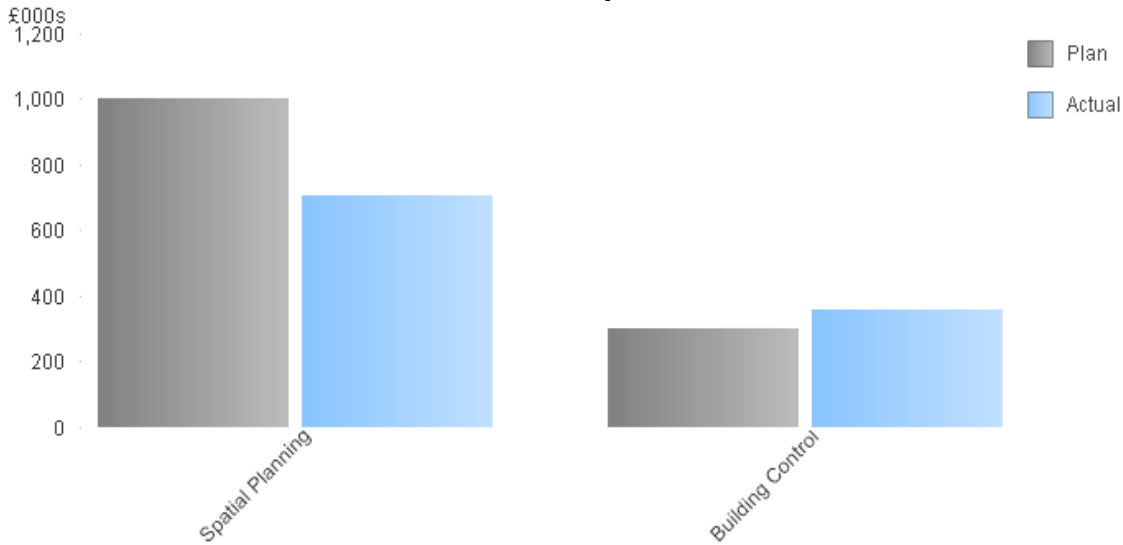
Restricted Reports	
Is this report restricted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If Yes, when will the report become unrestricted?	
After Committee Decision	<input type="checkbox"/>
After Council Decision	<input type="checkbox"/>
Some time in the future	<input type="checkbox"/>
Never	<input type="checkbox"/>

Call-in	
Is the decision eligible for Call-in?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

1.0	Purpose of Report or Summary of main Issues
1.1	This report presents the Quarter 3 financial position for the Planning Committee including a forecast of the year end outturn. It includes a reporting pack which contains a summary of the financial indicators and an executive summary (Appendix 1). It also provides a more detailed explanation of each of the relevant indicators and the forecast outturn for the year.
2.0	Recommendations
2.1	Members are asked to note the report and the associated financial reporting pack.

3.0	Main report
3.1	<p data-bbox="256 226 820 253">Committee Financial Position 2018/2019</p> <p data-bbox="256 293 1417 356">The Quarter 3 position for the Committee is a net under spend of £236k with the forecast year end position remaining an under spend of £236k</p> <p data-bbox="256 396 1449 524">The main reasons for the Committee under spend relate to planning fees received exceeding the anticipated level at Quarter 3 by £309k and underspends across expenditure budgets in Building Control of £109k mainly in employee costs, dangerous structures/dilapidations and services relating to signage.</p>
3.2	<p data-bbox="256 562 1366 624">This underspend position for the Committee has been offset by underachievement of Building Control income by £166k.</p>
3.3	<p data-bbox="256 696 703 723"><u>Financial & Resource Implications</u></p>
	<p data-bbox="256 763 911 790">The report sets out the 2018/19 quarter 3 position.</p>
3.4	<p data-bbox="256 866 1114 893"><u>Equality or Good Relations Implications/Rural Needs Assessment</u></p>
	<p data-bbox="256 934 906 960">There are no equality implications with this report.</p>
4.0	Appendices
4.1	Quarter 3 Performance Report

Committee Net Revenue Expenditure: Year to Date Position



Planning Committee's overall position at the end of Quarter 3 is an under spend of £236k.

The Belfast Planning Service operates on annual estimated expenditure of £3.5m which is offset by estimated annual fee income of £2.1m.

Planning fees are paid in full on application and apportioned as income at various stages of completion, the allocation being calculated by a facility within the portal.

At the end of Quarter 3 the planned fee income from applications had been over-achieved by £309k This has driven a net underspend position of £295k for the service.

The Building Control Service operates on annual estimated expenditure of £4.1m which is offset by estimated annual fee income of £3.7m.

At the end of Quarter 3 the planned expenditure of £3m was £109k underspent across a number of areas including employee costs, dangerous structures/dilapidations and services relating to signage.

However, the estimated fee income of £2.7m for Quarter 3 was underachieved by £166K due to a reduction in income associated with Plan fees, Building Notices and Regularisation applications, which has been offset against fee income associated with Inspection fees and Energy Performance in Buildings.

The quarter 3 position for Building Control Service is overspent of £59k.

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PLANNING COMMITTEE – 12 MARCH 2019

APPEALS NOTIFIED

COUNCIL: BELFAST

ITEM NO 1 PAC REF: 2018/A0224

PLANNING REF: LA04/2018/2282/O

APPLICANT: Mrs Noelle McAuley

LOCATION: Lands adjacent and to the side garden of 1 Fortwilliam Drive, Belfast

PROPOSAL: Demolition of existing single storey garage and replacement with proposed 1.5 storey dwelling

PROCEDURE:

ITEM NO 2 PAC REF: 2018/A0226

PLANNING REF: LA04/2018/1440/F

APPLICANT: Ms Claire Kidd

LOCATION: 1 Houston Park, Castlereagh

PROPOSAL: Proposed extension to residential dwelling

PROCEDURE:

APPEAL DECISIONS NOTIFIED

ITEM NO 1 PAC REF: 2018/A0070

PLANNING REF: LA04/2017/1505/F

RESULT OF APPEAL: Dismissed

APPLICANT: South Ulster Housing Association

LOCATION: 1-3 Eia Street, Belfast, BT14 6BT

PROPOSAL: Construction of 15 No residential apartments (11 No 3PB and 4 No 2P1B) together with associated communal garden space. Bin storage and cycle parking provision.

Planning Decisions issued between 12 Feb and 4 March 2019

Reference Number	Applicant Name & Address	Location	Proposal	Application Status
LA04/2015/0672/DCA	Killultagh Estates LTD Alfred House 19-20 Alfred Street Belfast BT2 8ED	13-23 Clarence Street Clarence Gallery Linenhall Street 26 Linenhall Street and 28 Linenhall Street Belfast BT2	Demolition of 13-23 Clarence Street, Demolition of Restaurant at 26 Linenhall Street and Demolition of Vacant Unit at 28 Linenhall Street	PERMISSION GRANTED
LA04/2015/0674/F	Killultagh Estates LTD Alfred House 19-21 Alfred Street Belfast BT2 8ED	Existing buildings at 13-23 Clarence Street and 26-28 Linenhall Street Belfast BT2 8ED and adjacent footpaths plus footpath to the north of 25 Clarence Street	Demolition of existing buildings and construction of new 8 storey office building, with roof plant, and associated public realm works comprising upgrade to existing footpaths on Linenhall Street and Clarence Street	PERMISSION GRANTED
LA04/2017/0998/LDP	Belfast Harbour Harbour Office Corporation Square Belfast BT1 3AL	Northern Road Belfast Harbour	Construction of transit cargo shed	PERMITTED DEVELOPMENT

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Reference Number	Applicant Name & Address	Location	Proposal	Application Status
LA04/2017/1033/F	Renaissance Properties North LLP 19 Clarendon Road Belfast BT1 3BG	Lands to the east of 14-20 Ballygomartin Park and 183-187 West Circular Road and to the South of 14 - 54 Ballygomartin Road Belfast	Variation of condition 18 of Planning approval Z/2008/2057/F from: The development hereby permitted shall not be commenced until a Street Lighting scheme design has been submitted and approved by the Department for Regional Development Street Lighting Section, (located at 40a Benson Street, Lisburn, Co Antrim, BT28 2BG); to, The development hereby permitted shall not be occupied until a Street Lighting scheme design has been submitted and approved by the Department for Regional Development Street Lighting Section, (located at 40a Benson Street, Lisburn, Co Antrim, BT28 2BG).	PERMISSION REFUSED

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Reference Number	Applicant Name & Address	Location	Proposal	Application Status
LA04/2017/1055/F	Renaissance Properties North LLP 19 Clarendon Road Belfast BT1 3BG	Lands to the east of 14-20 Ballygomartin Park and 183-187 West Circular Road and to the south of 14-54 Ballygomartin Road Belfast	Vary condition 14 planning application Z/2008/2057/F from: The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992. No part of the development hereby permitted shall commence until all drawings for the Determination of the Development under Article 3 of the Private Streets (Northern Ireland) Order 1980 have been submitted to and approved by the Department and thereafter implemented; to: The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992. No part of the development hereby permitted shall commence until all drawings for the Determination of the Development under Article 3 of the Private Streets (Northern Ireland) Order have been submitted to and approved by the Department. No more than 4 dwellings shall be occupied until the access arrangements and improvement of the West Circular Road, Belfast (as shown generally on drawing no.60049641/C(94) L100 Rev C) have been completed.	PERMISSION REFUSED

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Reference Number	Applicant Name & Address	Location	Proposal	Application Status
LA04/2017/1068/DC	Barnish Homes	Lands to the east of 14-20 Ballygomartin Park and 183-187 West Circular Road and to the south of 14-54 Ballygomartin Road Belfast	Discharge of conditions 14 and 15 planning application Z/2008/2057/F	CONDITION NOT DISCHARGED
LA04/2017/1216/F	Choice Housing Association 37-41 May Street Belfast BT1 4DN	Lands at Upper Dunmurry Lane Belfast BT17 0HG (Lands between and to rear of 142 Upper Dunmurry Lane and No. 1 Dunmurry Close)	Residential development comprising 45 dwellings and 8 apartments and associated access road, parking and landscaping (53 units in total)	PERMISSION GRANTED
LA04/2017/1682/F	Antrim Construction Company Ltd 130-134 High Street Holywood BT18 9HW	Lands at Lacefield Campbell College Lands to the rear of Cabin Hill Court Upper Newtownards Road Belfast	Proposed development of 33 dwellings, garages and all other associated site works. Dwellings comprise of 16No. apartments, 4No. town-houses, 8No. semi detached dwellings and 5No. Detached dwellings. Reduction in numbers from previous approval Z/2010/1313/F. Minor alterations to constructed entrance road.	PERMISSION GRANTED
LA04/2017/2472/F	Mr McCormack 34 St.James Park Belfast BT12 6DT	454-458 Donegall Road Belfast BT12 6HS	Proposed 4 storey building incorporating 10 No. Apartments (Amended description and scheme)	PERMISSION GRANTED

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Reference Number	Applicant Name & Address	Location	Proposal	Application Status
LA04/2017/2646/F	Department Of Communities 4th Floor Lighthouse Building Gasworks Business P 1 Cromac Place Belfast BT7 2JB	Lands surrounding Ballymacarrett Road and Titanic Halt Train Station including Titanic Halt Underpass extending to Slip Road leading to Bridge Street.	Environmental Improvement Public Realm Scheme consisting of new landscaping works including removal of existing planting, new tree and shrub planting, feature paving, off street car parking, safety railings, directional signage and street lighting improvements.	PERMISSION GRANTED
LA04/2018/0465/DC	Titanic Quarter Ltd	Lands at Queens Road adjacent to Abercorn Basin and junction of Sydenham Road and Old Channel Road Belfast	Discharge of conditions 17 and 18 - Z/2005/1758/RM	CONDITION DISCHARGED
LA04/2018/0761/F	Paul Morrow 51 Ballyhanwood Road Dundonald BT5 7SW	51 Ballyhanwood Road Dundonald BT5 7SW	Retrospective side extension, proposed re-siting and amendments to previously approved garage (Y/2009/0146/F) and two storey rear extension to dwelling (AMENDED PLANS)	PERMISSION GRANTED
LA04/2018/1044/F	Belfast Health & Social Care Trust C/O David Porter Redevelopment Royal Hospitals Grosvenor Road Belfast BT12 6BA	West of existing Children's Hospitals Royal Group Of Hospitals site Belfast BT12 6BA	Demolition of buildings and provision of temporary plant, service road and associated site works.	PERMISSION GRANTED
LA04/2018/1262/HSC	Short Brothers PLC Airport Road Belfast BT3 9DZ	Airport Road West Belfast BT3 9ED	Hazardous Substances.	PERMISSION GRANTED

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Reference Number	Applicant Name & Address	Location	Proposal	Application Status
LA04/2018/1453/F	Cromac Quay Ltd Ground Floor 1 Cromac Quay Belfast BT7 2JD	Lands at and adjacent to plot 4 Cromac Place The Gas Works Belfast BT7 2JD	Erection of 6No. storey Grade A office development, incorporating a ground floor coffee bar, associated car parking, part retention and reconfiguration of existing car park, and all ancillary site works and landscaping.	PERMISSION GRANTED
LA04/2018/1487/LBC	SMFD Ltd C/O 263 Falls Road Belfast	103 Royal Avenue Belfast	Internal alterations to the existing building, comprising: Removal of internal staircases and provision of replacement staircases creation of circulation core; Removal of internal walls to create open plan. Removal of external staircase.	PERMISSION GRANTED
LA04/2018/1494/DC	Titanic Quarter Ltd 41-43 Waring Street Belfast BT1 2DY	Lands at junction of Sydenham Road and Queens Road at Queens Island Belfast.	Discharge of conditions 17 and 18 of Z/2005/1720/RM	CONDITION DISCHARGED
LA04/2018/1515/DC	Northside Regeneration Ltd Balfour Beatty Investments 46 Cadogan Park Belfast BT9 6HH	140 Donegall Street Belfast BT1 2GX.	Discharge of conditions 15 and 16 of LA04/2015/0609/F	CONDITION NOT DISCHARGED
LA04/2018/1522/DC	Mercedes Benz Of Belfast 6 Boucher Crescent Belfast BT12 6HU	Site at Sydenham Road Bounded by Cuming Road and Hamilton Road Belfast BT3 9DU.	Discharge of condition 8 LA04/2016/0089/F	CONDITION DISCHARGED
LA04/2018/1574/LBC	Chris Adgey 89 Balmoral Avenue Belfast BT9 9NZ	89 Balmoral Avenue Belfast BT9 9NZ.	Refurbishment of kitchen and family area to open up walls between rooms to form open space.	PERMISSION REFUSED

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Reference Number	Applicant Name & Address	Location	Proposal	Application Status
LA04/2018/1689/F	BRAEFOOT LTD 124 Ardmore Avenue Belfast BT10 0JP	94 University Street Malone Lower Belfast BT7 1HE	Alteration and Conversion of Existing Offices to form 5 Apartments (amended description and scheme)	PERMISSION REFUSED
LA04/2018/1718/F	Mr R Kennedy 27 Abbey Road Tynan BT60 4QX	Adjacent to 64 Earlswood Road Belfast BT4 3DZ.	Detached 3 storey dwelling with single storey return to rear (Amended)	PERMISSION GRANTED
LA04/2018/1774/DC	Castlehill Developments Limited 14 Holywell Row London EC2A4JB	Lands at Castlehill South of Woodcroft Heights and East of Glenview Avenue and Castlegrange Belfast BT5 7GU.	Discharge of condition 7 relating to provision of samples of LA04/2017/0510/RM.	CONDITION DISCHARGED
LA04/2018/1811/F	Amstel Developments Ltd 4th Floor Arena Building 85 Ormeau Road Belfast BT7 1SH	Site abutted by Ibis hotel and College Central apartments at King Street Belfast BT1 6AD.	9 storey apartment building.	PERMISSION GRANTED

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Reference Number	Applicant Name & Address	Location	Proposal	Application Status
LA04/2018/1832/F	The Flax & ABC Trust 333 Crumlin Road Belfast BT14 7EA	Lands at and surrounding St Gemma's School & The Flax Centre Ardoyne Avenue Belfast.	Demolition of existing school buildings and erection of a community-led mixed use regeneration scheme comprising the erection of a community hub; 3 retail units (class A1) and 2 retail service units (sui generis); 54 residential units in a mix of 30 dwellings and 24 apartments; the retention, refurbishment and change of use of the Flax Centre to provide business incubation space and education facilities; public realm improvements along Ardoyne Avenue, the creation of a public space, and associated landscaping; car parking; and other ancillary development.	PERMISSION GRANTED
LA04/2018/1890/F	Belfast City Council 9 Adelaide Adelaide Street Belfast BT2 8DJ	Open space west of Stewartstown Road and south of Pantridge Road Belfast BT170FB.	Upgrade to open space to allow for more diverse recreational uses, introduction of a new playground, and an upgrade to path network.	PERMISSION GRANTED
LA04/2018/1940/F	Easton Securities Ltd 43 Waring Street Belfast BT1 2DY	38 Boucher Road Belfast BT12 6HR.	Re Location of garden centre from northern to southern side of building including demolition of existing garden centre buildings, amendments to elevations on southern(Balmoral Road) side of building, service yard alterations and fencing, amendments to footways on Balmoral Road to create service vehicle temporary parking and alterations to car park.	PERMISSION GRANTED

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Reference Number	Applicant Name & Address	Location	Proposal	Application Status
LA04/2018/1966/LBC	Braefoot Ltd 124 Ardmore Avenue Finaghy Belfast BT10 0JP	94 University Street Malone Lower Belfast BT7 1HE.	Alterations and conversion of existing offices to form 5 No. apartments (amended scheme)	PERMISSION REFUSED
LA04/2018/1968/LBC	BeITel LLP C/O McAleer & Rushe Group 17-19 Dungannon Road Cookstown BT80 8LT	Former Belfast Telegraph complex at 124-144 Royal Avenue and 1-29 Little Donegall Street Belfast BT1 1DN.	Demolition of attached structures, retention and restoration of the listed Seaver building comprising internal reconfiguration works, façade restoration of dormers, replacement windows and reinstatement of original entrance to southern façade.	PERMISSION GRANTED
LA04/2018/1991/F	BeITel LLP C/O McAleer & Rushe 17-19 Dungannon Road Cookstown BT80 8LT	Former Belfast Telegraph complex at 124-144 Royal Avenue and 1-29 Little Donegall Street Belfast BT1 1DN.	Demolition of existing non listed buildings and redevelopment of site to accommodate office led mixed use development comprising Class B1 (a) office, ancillary Class B2 industrial floorspace, active ground floor uses retail (A1), restaurants, cafes and bars (sui generis); basement parking and associated access and circulation . Proposals include the retention and restoration of the listed Seaver building comprising façade restoration, new roof and reintroduction of dormers, replacement windows and reinstatement of original entrance to southern façade [amended scheme].	PERMISSION GRANTED

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Reference Number	Applicant Name & Address	Location	Proposal	Application Status
LA04/2018/1998/F	Ardoyne Youth Club Old Beltex Mill Flax Street Belfast BT14 7EJ	Ardoyne Youth Club Old Beltex Mill Flax Street Belfast BT14 7EJ.	Demolition of existing building and erection of a new purpose-built facility including retention of existing chimney	PERMISSION GRANTED
LA04/2018/2047/LBC	Queens University Belfast University Road Belfast BT7 1NN	2-8 Fitzwilliam Street Belfast BT9 6AW.	1. Internal alterations including creating of openings in 2 ground floor partitions. 2. Infilling of 8 no. internal door openings. 3. Enclose of central rear courtyard of numbers 4 and 6 with flat roof, incorporating rooflights, and reconstructed boundary wall. Dry lining the existing render to the enclosed space. 4. Floor strengthening works to the 3rd floor to accommodate office loadings. 5. Removal of existing spine partitions to each of the 3rd offices.	PERMISSION GRANTED
LA04/2018/2079/F	Queens University Belfast University Road Belfast BT7 1NN	2-8 Fitzwilliam Street Belfast BT9 6AW	Enclosure of central rear courtyard of No 4 and 6 with flat roof, incorporating rooflights and reconstructed boundary wall. Dry lining the existing render of enclosed space.	PERMISSION GRANTED
LA04/2018/2109/F	Thomas and Tracy McAdam 24 Tweskard park Belfast BT4 2JZ	24 Tweskard Park Belfast BT4 2JZ.	Application for approval of variations of condition 2 LA04/2016/2671/F (to amend the materials of the external surfaces of the extension) (Amended)	PERMISSION GRANTED

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Reference Number	Applicant Name & Address	Location	Proposal	Application Status
LA04/2018/2198/F	Teresa Drayne 18 Broomhil Park Belfast BT9 5JB	16-18 Broomhill Park Belfast BT9 5JB	Erection of a two storey dwelling	PERMISSION REFUSED
LA04/2018/2224/F	Sharon Kirk 33 Ormiston Crescent Belfast BT4 3JP	33 Ormiston Crescent Belfast BT4 3JP.	New vehicle entrance to existing dwelling.	PERMISSION GRANTED
LA04/2018/2256/F	James Golden 70 Martinez Avenue Belfast BT5 5LY	8 Cyprus Avenue Belfast BT5 5NT	Partial demolition of existing single storey extension. Two storey rear extension and rear porch (amended plans and description)	PERMISSION GRANTED
LA04/2018/2285/F	Mr Richard Acheson Acheson Homes Ltd 104A Circular Road Belfast BT4 2GF	Former Dundela FC Training ground opposite 25-45 Dundela Avenue Belfast BT4.	Proposed minor changes to floor plans & elevations of blocks B & C of approved apartment development, permission Ref. LA04/2016/2291/RM, to include the provision of a new entrance door to Block C & pedestrian access from Dundela Avenue.	PERMISSION GRANTED
LA04/2018/2294/F	Mrs M Hughes 21 Glandore Avenue Belfast BT15 3FB	Land to rear of 21 Glandore Avenue Belfast BT15 3FB.	New dwelling (amended drawings)	PERMISSION GRANTED
LA04/2018/2313/F	Belfast Harbour Harbour Office Corporation Square Belfast BT1 3AL	5 Westbank Drive Harbour Estate Belfast BT3 9LA.	Change of use to accommodate UK Border Force facility.	PERMISSION GRANTED

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Reference Number	Applicant Name & Address	Location	Proposal	Application Status
LA04/2018/2318/LDE	Norton Cross Limited 4 Chichester Park Central Belfast BT15 5DU	4 Chichester Park Central Belfast BT15 5DU.	Development in relation to operations undertaken to implement planning permission Z/2009/1598/F for amendments to the design of a dwelling previously approved under Z/2008/2063/RM. Works include implementation of site access and construction of foundation & block footings.	APPLICATION REQUIRED
LA04/2018/2344/F	Ligoniel Developments Limited 50 Bedford Street Belfast BT2 7FW	Lands to the north east of 29 to 35 (odds) Wolfhill Link Belfast BT14 8DY.	Residential development comprising 3No. dwellings and all associated site works (Change of house types at site No's 27-29 approved under Ref: Z/2012/1279/F)	PERMISSION GRANTED
LA04/2018/2380/DCA	Mr James Golden 70 Martinez Avenue Belfast BT5 5LY	8 Cyprus Avenue Belfast BT5 5NT	Partial demolition of rear return single storey extension and break through existing stair landing window.	PERMISSION GRANTED
LA04/2018/2402/F	Mel O'Harte 132 Ulsterville Avenue Belfast BT9 7AR	79 Great Northern Street Belfast BT9 7FL	Change of use from dwelling to HMO	PERMISSION REFUSED
LA04/2018/2424/DC	R.J McDermott & Sons Builders Ltd C/o Castleton Design Services 242A Woodstock Road Belfast BT6 9DL	Land opposite No's 229-259 Whiterock Road Belfast BT12 7PX.	Discharge of conditions 7,8,9,10,11 and 12 of Z/2007/0264/F	CONDITION NOT DISCHARGED
LA04/2018/2429/F	Mr Damien Vaugh 1 Antrim Road Belfast BT15 2BE	1 Antrim Road Belfast BT15 2BE.	Proposed extension and alterations to rear including proposed sun lounge and external staircase with roof garden/amenity space (amended description).	PERMISSION REFUSED

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Reference Number	Applicant Name & Address	Location	Proposal	Application Status
LA04/2018/2451/F	Sandy Row Community Forum in Conjunction with Belfast City Council. 63/75 Sandy Row Belfast BT12 5ER	30 metres south west of 9 Britannic Terrace Belfast BT12 5HS.	Refurbishment of existing play area with the proposed introduction of MUGA playing surface with goal posts & basketball nets & perimeter fencing with outdoor play park equipment on wetpour rubber safety surfacing. Introduction of paved BBQ area, with retention & modification of some of the existing perimeter fencing.	PERMISSION GRANTED
LA04/2018/2455/LBC	Hearth Historic Buildings Trust The Old Museum 7 College Square North Belfast BT1 6AR	Riddels Warehouse 87-91 Ann Street Belfast BT1 3HU.	Creation of new vehicular access to Ann Street. Removal of redundant backing structure. Addition of temporary access ramp.	PERMISSION GRANTED
LA04/2018/2457/F	Hearth Historic Buildings Trust The Old Museum 7 College Square North Belfast BT1 6AR	Riddels Warehouse 87-91 Ann Street Belfast BT1 3HU.	Creation of new vehicular access to Ann Street. Removal of redundant backing structure. Addition of temporary access ramp.	PERMISSION GRANTED
LA04/2018/2488/F	Dr Clare Matthews 22 Belvedere Park Belfast BT9 5GS	22 Belvedere Park Belfast BT9 5GS.	Loft conversion with rear dormer	PERMISSION GRANTED
LA04/2018/2526/LDE	Joseph Hughes 138 Stewartstown Road Belfast BT11 9GN	Lands at 138 Stewartstown Park Belfast BT11 9GN.	Existing car sales business.	PERMITTED DEVELOPMENT
LA04/2018/2529/A	Blazin Digital 4b& 5b Willowbank Business Park Millbrook Larne BT40 2SF	51-55 Sydenham Road Belfast BT3 9DJ	LED Advertisement sign.	PERMISSION REFUSED

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Reference Number	Applicant Name & Address	Location	Proposal	Application Status
LA04/2018/2569/NMC	Mr & Mrs Donald Woodrow 8 Broomhill Park Central Belfast BT9 5JD	222 Upper Malone Road Belfast BT17 9JZ	Non material change LA04/2017/0959/F	NON MATERIAL CHANGE GRANTED
LA04/2018/2588/DC	Downshire Estate	Lands at Quarry Hill South of Woodcroft Heights and East of Glenview Avenue and Castlegrange Belfast BT5 7GU.	Discharge of condition 14 relating to storm water and foul sewage details of approval Y/2014/0372/O	CONDITION DISCHARGED
LA04/2018/2594/F	Sean Rice 1 Aberfoyle Park Belfast BT10 0DY	1 Aberfoyle Park Belfast BT10 0DY.	Single storey rear extension and first floor side extension over existing.	PERMISSION GRANTED
LA04/2018/2637/A	Wooden Floor Company 3 Falcon Road Belfast BT12 6BF	Corner of Apollo Road and Boucher Road Belfast BT12 6BF.	Hoarding mounted on metal frame fixed to ground.	PERMISSION REFUSED
LA04/2018/2652/DC	Colin Glen Trust 163 Stewartstown Road Belfast BT17 0HW	Colin Park 115 Blacks Road Belfast BT10 0NF.	Discharge of condition 5 of LA04/2017/0919/F	CONDITION NOT DISCHARGED
LA04/2018/2654/LBC	Pete Boyle Ormiston House 51A Hawthornden Road Belfast BT4 3JW	Ormiston House 51A Hawthornden Road Belfast BT4 3JW.	Retention of remedial works and erection of single red brick skin to Ormiston House estate perimeter wall.	PERMISSION GRANTED
LA04/2018/2656/F	Pete Boyle Ormiston House 51A Hawthornden Road Belfast BT4 3JW	Ormiston House 51A Hawthornden Road Belfast BT4 3JW.	Retention of remedial works and erection of single red brick skin to Ormiston House estate perimeter wall.	PERMISSION GRANTED

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Reference Number	Applicant Name & Address	Location	Proposal	Application Status
LA04/2018/2657/F	William Manley 53 Middle Braniel Road Belfast BT5 7DR	53 Middle Braniel Road Belfast BT5 7DR	Retrospective application for the erection of shed to be used for parking & maintenance of lorries & diggers.	PERMISSION GRANTED
LA04/2018/2678/RM	Mr John Crowe 10 Belfield Heights Belfast BT12 7GN	60m South East of 9 Glenside Road Belfast BT17 0LH.	Dwelling on a farm	PERMISSION GRANTED
LA04/2018/2696/F	Mr R Colhoun 44 Onslow Parade Belfast BT6 0AS	44 Onslow Parade Ballymaconaghy Belfast BT6 0AS.	Proposed single storey rear kitchen extension and internal WC accommodation.	PERMISSION GRANTED
LA04/2018/2698/F	Beth Milligan 23 Kimberley Drive Belfast BT7 3EE	23 Kimberley Drive Belfast BT7 3EE.	1st floor rear extension	PERMISSION GRANTED
LA04/2018/2706/F	Ms Jill Kerry 24 Sycamore Grove Belfast BT4 2RB	1 Charters Avenue Gilnahirk Belfast BT5 7QH.	Demolition of existing garage, alterations to existing bungalow, widening of existing drive gateway.	PERMISSION GRANTED
LA04/2018/2720/F	Mr P Gilmore/Ms A Magennis 22 Orpen Avenue Belfast BT10 0BS	22 Orpen Avenue Belfast BT10 0BS	Demolition of existing single garage and construction of single rear/side extension to include new patio and decking.	PERMISSION GRANTED
LA04/2018/2739/F	Deidre Smylie 102 Mount Eagles Avenue Belfast BT17 0GN	102 Mount Eagles Avenue Belfast BT17 0GN.	Change of use from residential to child care facility	PERMISSION GRANTED

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Reference Number	Applicant Name & Address	Location	Proposal	Application Status
LA04/2018/2741/F	Stuart Lutton 743-745 Lisburn Road Belfast BT9 7GW	743-745 Lisburn Road Belfast.	Change of use from existing second floor apartment, to provide laboratory, milling room, cad cam room and office space to existing dental practice located on the ground floor and first floors.	PERMISSION GRANTED
LA04/2018/2750/F	Mr Sean McKee 73 Clowney Street Belfast BT12 7LZ	73 Clowney Street Belfast BT12 7LZ.	Two storey rear extension	PERMISSION GRANTED
LA04/2018/2756/F	Dr J G Toner 3 Myrtlefield Park Belfast BT9 6NE	3 Myrtlefield Park Belfast BT9 6NE.	Single storey rear extension	PERMISSION GRANTED
LA04/2018/2757/DCA	Dr J G Toner 3 Myrtlefield Park Belfast BT9 6NE	3 Myrtlefield Park Belfast BT9 6NE.	Single storey rear extension and demolition of wall	PERMISSION GRANTED
LA04/2018/2763/A	Wirefox Flatiron Ltd 2 Downshire Road Holywood Bt18 9LU	64 66 68 and 70 Upper Church Lane Belfast BT1 4QL	Projecting internally illuminated sign (retrospective)	PERMISSION GRANTED
LA04/2018/2776/F	John Smith 5 Newforge Dale Belfast BT9 5QD	5 Newforge Dale Belfast BT9 5QD.	Increase in height of existing retainer wall and erection of fence on retainer wall.	PERMISSION GRANTED
LA04/2018/2777/F	Anthony Young 3 Loughview Meadows Belfast BT14 8QD	3 Loughview Meadows Belfast BT14 8QD.	Alterations to dwelling to change existing integral garage to extended habitable area and provision of two new bay type windows to front elevation.	PERMISSION GRANTED

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Reference Number	Applicant Name & Address	Location	Proposal	Application Status
LA04/2018/2794/F	Mary McGrath 9 Queensbury Park Belfast BT6 0HN	37 Knockbreda Road Belfast BT6 0JD.	Extension to the rear of dwelling with first floor extension to front bay window, a garden studio/shed and widening of vehicular access.	PERMISSION GRANTED
LA04/2018/2800/F	Education Authority 3 Charlemont Place The Mall Armagh BT619AX	Ligoneil Primary School Ligoneil Road Belfast BT14 8RW.	1 prefabricated building	PERMISSION GRANTED
LA04/2018/2817/F	Matthew McCartney 3 Mill Road Limavady BT49 0NN	93 Rosebery Road Belfast BT6 8JB.	First floor rear extension to existing dwelling.	PERMISSION GRANTED
LA04/2018/2821/DC	Castlehill Developments Limited 14 Holywell Row London EC2A 4JB	Lands at Castlehill south of Woodcroft Heights and east of Glenview Avenue and Castlegrange Belfast BT5 7GU.	Discharge of condition no 15 relating to flood mitigation measures of LA04/2017/0510/RM (for Phase 1)	CONDITION DISCHARGED
LA04/2018/2822/F	Mac Naughton Blair Ltd 10 Falcon Road Belfast BT12 6RD	72 Knockbreda Road Belfast BT6 0JB.	New low level railing at the entrance to the MacBlair builders centre and new bitmac path.	PERMISSION GRANTED
LA04/2018/2823/DC	Springfield Charitable Association SCA Monague Centre Day Centre 2 Fallswater Road Belfast BT12 6BZ	16 Cupar Street Lower Falls Road Belfast.	Discharge of condition 2 of LA04/2015/1449/F	CONDITION NOT DISCHARGED

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Reference Number	Applicant Name & Address	Location	Proposal	Application Status
LA04/2018/2831/F	Department of Communities Level 4 Lighthouse Building Gasworks Business Park Ormeau Road Belfast BT7 2JB	Whiterock Leisure Centre Whiterock Close Whiterock Road Belfast BT7 2JB	Temporary changing facility in the form of a 40ft container to provide facilities for existing 3g pitches within the Whiterock Leisure Centre site.	PERMISSION GRANTED
LA04/2018/2838/F	Department Of Communities Level 4 Lighthouse Building Gasworks Business Park Ormeau Road Belfast BT7 2JB	Girdwood Community Hub 10 Girdwood Avenue Belfast BT14 6EG.	2No. Temporary changing facilities in the form of 40ft containers. Changing facilities for existing 3g pitches within Girdwood Community Hub Site. Each container to house, 3No. toilets, 3No. wash hand basins and 8No. showers.	PERMISSION GRANTED
LA04/2018/2845/F	Colin Carswell 7 Cabin Hill Gardens Ballycloughan Belfast BT5 7AP	7 Cabin Hill Gardens Belfast BT5 7AP	Two storey rear extension	PERMISSION GRANTED
LA04/2018/2856/NMC	Clonrose Developments (Ormeau) Ltd 21-23 Sydenham Road Belfast BT3 9HA	Lands at 163 Ormeau Road Belfast BT7 1SP.	Non material change of La04/2016/2531/F	NON MATERIAL CHANGE GRANTED
LA04/2018/2867/F	Joy + Brendan McAleer 47 Clara Park Belfast BT5 6FE	Land to the rear of 47 Clara Park Belfast BT5 6FE.	One private dwelling with shed.	PERMISSION GRANTED
LA04/2018/2875/F	Mr & Mrs J McGettrick 12 Knockbracken Park Belfast BT6 0HL	12 Knockbracken Park Belfast BT6 0HL.	Single storey rear and side extension and reduction to size of existing garage (Amended Description).	PERMISSION GRANTED

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Reference Number	Applicant Name & Address	Location	Proposal	Application Status
LA04/2018/2882/F	Mr Gus Vaughan 11 Castlegrange Belfast BT5 7GT	11 Castlegrange Belfast BT5 7GT.	Single storey rear extension.	PERMISSION GRANTED
LA04/2018/2883/F	Patrick and Denise McFarlane 7 Knockdarragh Park Belfast BT4 2LU	7 Knockdarragh Park Belfast BT4 2LE.	Single storey rear extension	PERMISSION GRANTED
LA04/2018/2884/DC	N B Housing 282-290 Crumlin Road Belfast BT14 7EE	Corner site to south of junction of Forthriver Road and Forthriver Way Belfast BT13 3SQ.	Discharge of condition 14 LA04/2016/1439/F	CONDITION NOT DISCHARGED
LA04/2018/2887/F	K McCrum & M Browne 1 Galwally Avenue Belfast BT8 7AJ	1 Galwally Avenue Breda Belfast BT8 7AJ	2 Storey side and rear extension.	PERMISSION GRANTED
LA04/2018/2893/F	Kelly Bowden 8 Malwood Park Belfast BT9 6QF	8 Malwood Park Belfast BT9 6QF.	Single storey side extension to form granny annex.	PERMISSION GRANTED
LA04/2018/2894/F	Mr A Kinney 12 Ravenhill park Belfast	12 Ravenhill Park Belfast.	Alterations to existing window layout as previously approved under LA04/2016/1280/F	PERMISSION GRANTED
LA04/2018/2902/F	Oxford Street Capital Limited 5th Floor Craig Plaza 51-55 Fountain Street Belfast BT1 5EA	Lanyon Plaza (Tower 2 (floors 5-11)) No 8 Lanyon Place Belfast BT1 3LP.	Change of use of 5th to 11th floor of tower 2 from residential (as approved) to office use.	PERMISSION GRANTED

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Reference Number	Applicant Name & Address	Location	Proposal	Application Status
LA04/2018/2906/F	Sean McCloskey 36 Lagmore Grove Dunmurry BT17 0TD	36 Lagmore Grove Dunmurry BT17 0TD.	Single storey rear extension.	PERMISSION GRANTED
LA04/2018/2915/F	Roisin McLaughlin 50 Windermere Gardens Belfast BT15 5EN	50 Windermere Gardens Cavehill Belfast BT15 5EN.	Internal alterations , change in internal openings & rebuilding of existing external outbuilding on footprint.	PERMISSION GRANTED
LA04/2018/2931/A	Exterion Media Ltd Unit D Second Floor Lanyon Quay Belfast BT1 3LG	Lands at the corner of Bruce Street & Great Victoria Street Belfast BT12 5EE.	Renewal of temporary planning permission for lightbox advertising hoarding.	PERMISSION GRANTED
LA04/2018/2942/F	Claire & Robert McLean 7 Clare Heights Belfast BT14 8LG	7 Clare Heights Belfast BT14 8LG.	Extension /alteration at first floor level of existing house above double garage to provide additional bedroom accommodation and lift access.	PERMISSION GRANTED
LA04/2018/2955/F	Mr Mick Gallagher 19 Mount Eagles Way Belfast BT17 0WT	19 Mount Eagles Way Belfast BT17 0WT.	Roofspace conversion creating dormer to rear of property and proposed single storey extension to side and rear.	PERMISSION GRANTED
LA04/2018/2963/A	Ducales Asset No.1 Limited 6 Talbot Street Belfast BT1 2NF	Ramada Encore Hotel 20 Talbot Street Belfast BT1 2LD.	Replacement of all existing signs due to hotel chain re- branding.	PERMISSION GRANTED
LA04/2018/2973/F	Ms Mary Lavery 45 Riverdale Park West Belfast BT11 9DA	45 Riverdale Park East Belfast BT11 9DA.	Single storey rear extension to dwelling	PERMISSION GRANTED
LA04/2019/0028/DC	Avenue Recycling One Advantage Way Ballygomartin Road Belfast BT13 3LZ	1 Ballygomartin Industrial Estate Ballygomartin Road Belfast BT13 3LZ.	Discharge of condition 14 LA04/2016/0563/F	CONDITION DISCHARGED

Planning Decisions issued between 12 Feb and 4 March 2019

Reference Number	Applicant Name & Address	Location	Proposal	Application Status
LA04/2019/0035/F	Kamakura Sushi & Ramen Ltd 69 Donegall Pass Belfast BT7 1DR	Ground Floor 69 Donegall Pass Belfast BT7 1DR.	Change of use to licensed hot food restaurant and takeaway.	PERMISSION GRANTED
LA04/2019/0037/LBC	Queens University Belfast University Road Belfast BT7 1NN	David Kerr Building 39-123 Stranmillis Road Belfast BT9 5AG.	Formation of new internal door opening and erection of internal partition wall to sub-divide existing office 01.421. Alteration of existing data and local power distribution to room 01.421 & 01.423.	PERMISSION GRANTED
LA04/2019/0047/LBC	Varsity Estates 71 Galwally Avenue Belfast BT8 7AJ	2-6 Bradbury Place Shaftesbury Square Belfast BT7 1RX	Removal of internal walls	PERMISSION GRANTED
LA04/2019/0048/F	Mr and Mrs McKay 17 Houston Park Belfast BT5 6AT	17 Houston Park Belfast BT5 6AT	Single storey rear extension to dwelling to provide living/kitchen area	PERMISSION GRANTED
LA04/2019/0051/F	Sean Ronan Sinead Tierney 4 Knockbracken Park Belfast BT6 0HL	4 Knockbracken Park Belfast BT6 0HL	Proposed 2 storey and single storey extension to side and rear of dwelling and replacement garage/store in rear garden	PERMISSION GRANTED
LA04/2019/0069/F	AIB Group (UK) PLC 92 Ann Street Belfast BT1 3HH	92 Ann Street Belfast BT1 3HH	Replacement plant at roof level and changes to elevations, including relocation of existing entrance on Ann Street to corner of Ann Street/Victoria Street	PERMISSION GRANTED
LA04/2019/0075/F	Mr James Mallon 48 Orchardville Crescent Belfast BT10 0JT	48 Orchardville Crescent Belfast BT10 0JT	Single storey rear extension.	PERMISSION GRANTED

Planning Decisions issued between 12 Feb and 4 March 2019

Reference Number	Applicant Name & Address	Location	Proposal	Application Status
LA04/2019/0076/NMC	Chris and Rachel Pimlott 56 Grangeville Gardens Finaghy Belfast BT10 0HL	56 Grangeville Gardens Finaghy Belfast BT10 0HL	NMC to LA04/2018/2228/F	NON MATERIAL CHANGE GRANTED
LA04/2019/0088/DC	Todd Architects and Planners 2nd Floor Titanic House 6 Queens Road Belfast BT3 9DT	34-36 Chichester Street Belfast	Discharge of condition no.2 of LA04/2016/1789/f	CONDITION DISCHARGED
LA04/2019/0092/DC	Clanmill Developments Ltd	89 Durham Street Belfast BT12 4GB.	Discharge of condition 4 Z/2014/0202/F	CONDITION NOT DISCHARGED
LA04/2019/0098/F	Katie MCloskey 12 Greystown Avenue Belfast BT9 6UJ	12 Greystown Avenue Belfast BT9 6UJ	Proposed attic conversion with rear dormer and front rooflight to existing dwelling	PERMISSION GRANTED
LA04/2019/0100/DC	AMD Architectural Design 8 Canvy Manor Drumnacanvy Portadown BT63 5LP	Lands to the rear of nos 127-145 Kingsway Road and nos 6-28 Kingsway Avenue Belfast BT5 7DP	Discharge of condition 5 of planning application Y/2014/0080/f	CONDITION DISCHARGED
LA04/2019/0106/LBC	Ciara Daley 397 Lisburn Road Belfast BT9 7EW	397 Lisburn Road Belfast BT9 7EW	Provision of a shop sign	PERMISSION GRANTED
LA04/2019/0107/A	Bravo Outdoor c/o agent	Vacant land at junction between Millfield and North Street BT1 1QS	Renewal of approval for advertising lightbox	PERMISSION GRANTED
LA04/2019/0135/DC	Kirk Bryson and Co Ltd	Rosepark House Upper Newtownards Road Belfast BT4 3NR	Discharge of Condition 9 of planning approval La04/2017/0235/f	CONDITION DISCHARGED

Planning Decisions issued between 12 Feb and 4 March 2019

Reference Number	Applicant Name & Address	Location	Proposal	Application Status
LA04/2019/0152/F	David Scallon Leap property Investments Ltd 1 Maple Hill Belfast BT10 0PZ	137 Albertbridge Road Belfast BT5 4PS.	Retrospective change of use from bookmakers to tanning/beauty salon.	PERMISSION GRANTED
LA04/2019/0157/F	Mr & Mrs Kevin Gallagher 13 Ormonde Park Belfast BT10 0LS	13 Ormonde Park Ballyfinaghy Belfast BT10 0LS.	Proposed demolition of existing garage and rear return. Construction of two storey rear extension and single storey rear and side extension	PERMISSION GRANTED
LA04/2019/0160/LDE	William Manley 53 Middle Braniel Road Belfast BT5 7TU	53 Middle Braniel Road Belfast BT5 7TU.	Yard & outbuildings used for the parking & maintenance of vehicles associated with landscaping business.	PERMITTED DEVELOPMENT
LA04/2019/0163/F	EE and Hutchison 3G C/O MBL Thames Tower Reading RG1 1LX	Existing mobile telecommunications mast adjacent to contractors entrance gate Depot Road Car Park North East of George Best City Airport Sydenham Bypass Belfast BT3 9JH.	Proposed replacement of existing 20m monopole mast with a new 25m lattice mast hosting 12No. antenna and 4No. dishes and 11No. cabinets and all associated ancillary equipment	PERMISSION GRANTED
LA04/2019/0175/F	Michael McKee 34 Kensington Drive Belfast BT5 6NU	34 Kensington Drive Belfast BT5 6NU.	2 storey rear extension and single storey rear extension with associated site works.	PERMISSION GRANTED
LA04/2019/0201/F	Sean & Jane Fox 67 Knockvale Park Belfast BT5 6HJ	67 Knockvale Park Belfast BT5 6HJ.	2 storey rear extension	PERMISSION GRANTED

Planning Decisions issued between 12 Feb and 4 March 2019

Reference Number	Applicant Name & Address	Location	Proposal	Application Status
LA04/2019/0205/F	Lowry Construction 30 Carncorn Road Castlederg BT81 7RH	Lands at 336-344 Old Park Road Belfast BT14 6QE.	Application under section 54 of the Planning Act (Northern Ireland) 2011 in respect to planning permission LA04/2015/1420/F (Erection of 14 apartments and 8 dwellings with parking, landscaping, associated site works and access arrangements) to develop land without complying with condition 9 (seeking variation of the type of remediation measures to be implemented in respect to contaminated land).	PERMISSION GRANTED
LA04/2019/0230/CONT	Broadleaf Tree Services 11A Upper Braniel Road Belfast BT5 7TS	3 Harberton Drive Belfast.	Felling of 1 douglas fir	WORKS TO TREES IN CA - AGREED
LA04/2019/0244/F	Commercial Court Inns Ltd 7-11 Commercial Court Belfast BT1 2NB	30-34 Hill Street Commercial Court Belfast BT1 2LB.	Removal of an aluminium framed, glazed screen and replacement with hardwood framed glazed Bi-Fold doors.	PERMISSION GRANTED
LA04/2019/0261/LDE	Mr David Smyth 31 Donegall Street Belfast	41 Donnybrook Street Belfast BT9 7DB.	HMO (House in multiple occupation).	PERMITTED DEVELOPMENT
LA04/2019/0290/CONT	Martin Gillespie 19 Windsor Avenue Belfast	19 Windsor Avenue Belfast	Removal of tree No.5	WORKS TO TREES IN CA - AGREED

Planning Decisions issued between 12 Feb and 4 March 2019

Reference Number	Applicant Name & Address	Location	Proposal	Application Status
LA04/2019/0292/CONT	McKibben Commercial Property Consultants Callender House 58-60 Upper Arthur Street Belfast BT1 4GJ	MacNeice House 75/77 Malone Road Belfast.	Remove broken branch on damaged tree.	WORKS TO TREES IN CA - AGREED
LA04/2019/0303/DC	Clanmil Developments Ltd Northern Whig House 3 Waring Street Belfast BT1 2DX	Lands at 336-344 Oldpark Road Belfast BT14 6QE.	Discharge of parts (b) (c) and (d) of condition 9 LA04/2015/1420/F.	CONDITION DISCHARGED
LA04/2019/0377/DC	Pan Residential	Peter Pan Complex 90-120 Springfield Road Adjoining Springfield Avenue Belfast.	Discharge of condition 9 Z/2014/1665/F	CONDITION DISCHARGED
Z/2015/0176/F	McAleer and Rushe Ltd 17- 19 Dungannon Road Cookstown BT80 8TL	21-29 Corporation Street and 18-24 Tomb Street Belfast BT1 3BA	construction of basement carpark, 250 bed hotel including; bar, conference facilities and ancillary acommodation, and demolition of 2 storey structure and multi deck carpark	PERMISSION GRANTED

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Belfast
City Council

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date:	Item Number:
Application ID: LA04/2018/0620/F	Target Date:
Proposal: Residential development of 39 dwellings, comprising 9 detached and 30 semi-detached dwellings, garages, car parking, public open spaces, landscaping, and associated site works (Amended Plan & Ownership Cert.)	Location: Lands to the south of Blackdam Court east of Thornberry Hill and approx. 115m north west of Mill Valley Way Belfast
Referral Route: Objection received	
Recommendation:	Approval
Applicant Name and Address: Beechview Developments 5 Larne Road Ballyclare BT39 9UA	Agent Name and Address: TSA Planning 20 May Street Belfast BT1 4NL
<p>Executive Summary:</p> <p>Full permission is sought for a Residential development of 39 dwellings, comprising 9 detached and 30 semi-detached dwellings, garages, car parking, public open spaces, landscaping, and associated site works</p> <p>The key issues in the assessment of the proposed development include;</p> <ul style="list-style-type: none"> • Principle of development and use; • Height, scale, massing, layout and design; • Provision of parking and access; • Provision of amenity space; • Provision of open space; • Impact on residential amenity of neighbours; • Consideration of representation; • Other environmental factors. <p>The principle of the development is considered acceptable at this location and complies with the draft Belfast Metropolitan Area Plan which zones it for housing NB 05/15 and 03/12 in the purported to be adopted Belfast Metropolitan Area Plan 2015. The adopted Belfast Urban Area Plan 2001, included the site within the development limit as white un-zoned land.</p> <p>The proposed height, scale, massing, design and finishes of the proposed dwellings are considered to be acceptable and in keeping with adjacent residential dwellings. The architectural approach is modern yet sympathetic to its context, taking cues from the architecture in the context of the area. The proposed design and architectural treatment and materials are acceptable.</p>	

The proposed development will not detrimentally impact on the residential amenity of neighbouring dwellings in the adjoining developments or prospective residents, due to sufficient separation distances, boundary treatment and landscaping.

One objection was received, raising concern regarding biodiversity and natural heritage. NIEA Natural Heritage were consulted and have no objection to the proposal.

Environmental Health, NIEA – Land, Soil and Air and Water Management Unit, Shared Environmental Services, Transport NI, and Rivers Agency have no objection to the proposal subject to conditions.

Recommendation:

Having regard to the policy context and other material considerations above, the proposal is considered acceptable and planning permission is recommended for approval subject to conditions. It is recommended the final wording of the conditions is delegated to the Director of Planning and Building Control.

Signature(s):

Case Officer Report

Site Location Plan



Consultations:

Consultation Type	Consultee	Response
Non Statutory	Environmental Health	No objection
Statutory	NIEA	No objection
Non Statutory	Shared Environmental Services	No objection
Statutory	DFI Roads - Hydebank	No objection
Statutory	Rivers Agency	No objection

Representations:

Letters of Support	None Received
Letters of Objection	1
Number of Support Petitions and signatures	No Petitions Received

Number of Petitions of Objection and signatures	No Petitions Received
<p>Summary of Issues</p> <p>The key issues in the assessment of the proposed development include;</p> <ul style="list-style-type: none"> • Principle of development and use; • Height, scale, massing, layout and design; • Provision of parking and access; • Provision of amenity space; • Provision of open space; • Impact on residential amenity of neighbours; • Consideration of representation; • Other environmental factors. 	

Characteristics of the Site and Area	
1.0	<p>Description of Proposed Development</p> <p>The proposal is for full planning permission for a residential development of 39 dwellings, comprising 9 detached and 30 semi-detached dwellings, garages, car parking, public open spaces, landscaping, and associated site works.</p>
2.0	<p>Description of Site</p> <p>The site is rectangular in shape and is bounded to the north west by the existing Thornberry Hill Development and to the north east by Blackdam Court. Construction adjacent to the north east and south east of the site is ongoing. The site is accessed via the existing Thornberry development with the road left open to continue into the proposal site. The land falls from the north west to the south east and is elevated compared to lands to the north east and south east. The north western boundary is defined by an existing hedgerow, the north eastern boundary was undefined on the ground at time of inspection with the site being used for the movement of materials in association with the ongoing development to the north east. The south eastern boundary is defined by a timber fence along an existing retaining structure. The south western boundary of the site is defined by a post and wire fence.</p>
Planning Assessment of Policy and other Material Considerations	
3.0	<p>Site History</p> <p>3.1 Z/2007/2847/F - Erection of new housing development consisting 53no new dwellings to include 11no apartments, 42no houses, and associated site works – Granted</p> <p>3.2 Z/2007/1531/RM - Erection of new housing development with mix of 85 houses and 87 apartments – Granted</p> <p>3.3 Z/2005/0518/F - Phase 2 of Housing Development with erection of 43 No. dwellings - Granted</p> <p>3.4 Z/2004/2758/O - Residential Development - Granted</p> <p>3.5 Z/2003/2105/O - Residential Development - Granted</p>
4.0	Policy Framework
4.1	Draft Belfast Metropolitan Area Plan 2015
4.2	Belfast Urban Area Plan 2001
4.3	<p>4.3.1 Strategic Planning Policy Statement for Northern Ireland (SPPS)</p> <p>4.3.2 Planning Policy Statement 2: Natural Heritage</p> <p>4.3.3 Planning Policy Statement 3: Access, Movement and Parking</p> <p>4.3.4 Planning Policy Statement 7: Quality Residential Environments</p>

	<p>4.3.5 Addendum to Planning Policy Statement 7: Safeguarding the Character of Established Residential Areas</p> <p>4.3.6 Planning Policy Statement 8: Open Space, Sport and Recreation</p> <p>4.3.7 Planning Policy Statement 12: Housing in Settlements</p> <p>4.3.8 Planning Policy Statement 15: Planning and Flood Risk</p>
5.0	Statutory Consultees Responses
5.1	Transport NI – No objection subject to condition
5.2	Rivers Agency – No objection subject to condition
5.3	NIEA – No objection subject to condition
6.0	Non Statutory Consultees Responses
6.1	Environmental Health – No objection
6.2	Shared Environmental Services – No objection subject to condition
7.0	Representations
7.1	<p>The application has been neighbour notified and advertised in the local press. It was re-neighbour notified and one representation has been received, raising the following issues;</p> <ul style="list-style-type: none"> • Detrimental impact of land clearing and house building on the wildlife in the area, including field mouse, shrew, hedgehogs, foxes, badgers, birds, butterflies, owls, birds of prey, bees, frogs and bats; • Habitats of above mentioned species has shrunken dramatically over the past 14 years; • Queries whether Environmental/wildlife surveys are carried out to assess the impact of taking away the habitat on the surrounding bird life and animal population; • Housing developments removing green fields and biodiversity being reduced at an alarming rate; • More housing developments to be constructed at Wolfhill Mill site and Mill Avenue – query if an impact survey on wildlife and biodiversity has been carried out of this area and the environmental damage to the conservation of the area.
8.0	Other Material Considerations
8.1	<p>8.1.1 Creating Places</p> <p>8.1.2 Development Control Advice Note 15: Vehicular Access Standards</p>
9.0	Assessment
9.1	<p>The key issues in the assessment of the proposed development include;</p> <ul style="list-style-type: none"> • Principle of development and use; • Height, scale, massing, layout and design; • Provision of parking and access; • Provision of amenity space; • Provision of open space; • Impact on residential amenity of neighbours; • Consideration of representation; • Other environmental factors.

9.2	The adopted Belfast Metropolitan Area Plan 2015 (BMAP) has been quashed as a result of a judgement in the Court of Appeal delivered on 18 May 2017. As a consequence of this, the Belfast Urban Area Plan 2001 is now the statutory development plan for the area.
9.3	Section 45 (1) of the Planning Act (NI) 2011 requires regard to be had to the Development Plan, so far as material to the application and to any other material considerations. Section 6 (4) states that where regard is to be had to the Development Plan, the determination must be made in accordance with the Plan unless material considerations indicate otherwise.
9.4	As the decision to adopt BMAP has been quashed in its entirety, it is as though the draft BMAP has never been adopted, however, the version of draft BMAP which was purported to be adopted remains a material consideration.
9.5	The site is located within the settlement development limit for Belfast under the Draft Belfast Metropolitan Area Plan 2015. Given that the Belfast Metropolitan Area Plan was adopted and subsequently quashed weight is afforded to the version purported to be adopted. The site is on zoned housing land.
9.6	Under the SPPS, the guiding principle for planning authorities in determining planning applications is that sustainable development should be permitted, having regard to the development plan and all other material considerations, unless the proposed development will cause demonstrable harm to interests of acknowledged importance. It is considered that this proposal will not result in demonstrable harm to nearby residents or the environmental quality of the area.
9.7	<p><u>Principle of development and use</u></p> <p>The principle of the development is considered acceptable at this location and complies with the draft Belfast Metropolitan Area Plan which zones it for housing NB 05/15 and 03/12 in the purported to be adopted Belfast Metropolitan Area Plan 2015. The adopted Belfast Urban Area Plan 2001, included the site within the development limit as white unzoned land.</p>
9.8	The PAC in their public inquiry report agreed with the then Department of the Environment, that the planning consents had been granted on all of the zoned lands (NB 05/15) and that the attached conditions were considered sufficient to allow for a satisfactory form of development and that Key Site Requirements were no longer necessary. The PAC stated that it would be inappropriate to exclude NB 05/15 from the settlement limit given the planning consents granted and the principle of residential development has been established as being acceptable at this site.
9.9	The site is located on the edge of the development limit for Belfast. Para. 4.28 of Planning Policy Statement 7 sets out that those developments located adjacent to the settlement development limit must provide a buffer of planting between 8-10m between the proposal site and the edge of the development limit with the countryside. The applicant amended the original submission to provide a landscape buffer varying along its length from 7m extending to 10m at its widest, with the exception of plot 174 which has a 5m buffer. This is in keeping with other residential developments adjacent to the settlement limit and it is considered that this along with the proposed planting will act as a sufficient buffer with the development limit.
9.10	<p><u>Height, Scale, Massing, Layout and Design</u></p> <p>The proposed development includes the following house types:</p> <p style="text-align: center;">House Type RJ 1019 – Detached – Dual Aspect (Handed) Plot 166 & 167 Two storey, 3 bedroom, 5 person dwelling</p>

Height – 9.2m from FFL
 Gable Depth – 8.9m
 Length – 6.3m
 Floor space – 94.62m² approx.

House Type RJ 1019 – Semi-detached – Plots 158 – 161, 180 & 181

Two storey, 3 bedroom, 5 person dwelling
 Height – 9.2m from FFL
 Gable Depth – 8.9m
 Length – 12.2m
 Floor space – 94.62m² approx.

House Type RR1247 – Detached – Plots 188 - 191

Two storey, 4 bedroom, 6 person dwelling
 Height – 9.6m from FFL
 Gable Depth – 10.3m
 Length – 6.3m
 Floor space – 115.74m² approx.

House Type SV 908 – Detached – Plot 157 & 168

Two storey, 3 bedroom, 5 person dwelling
 Height – 9.3m from FFL
 Gable Depth – 9.3m
 Length – 5.5m
 Floor space – 84.39m² approx.

House Type SV 908 – Semi-detached – Plots 162 – 165, 176-179, 182-187

Two storey, 3 bedroom, 5 person dwelling
 Height – 9.3m from FFL
 Gable Depth – 9.3m
 Length – 10.5m
 Floor space – 84.39m² approx.

House Type SW1052 – Detached – Plot 175

Two storey, 3 bedroom, 5 person dwelling
 Height – 8.8m from FFL
 Gable Depth – 5.8m
 Length – 10m
 Floor space – 97.76m² approx.

House Type SV 908 & SW 1052 – Semi-detached

Two storey, 3 bedroom, 5 person dwelling

SV – Plot 156

Height – 9.3m from FFL
 Gable Depth – 9.3m
 Length – 5m
 Floor space – 84.39m² approx.

SW – Plot 155

Height – 8.8m from FFL
 Gable Depth – 5.8m
 Length – 10m
 Floor space – 97.76m² approx.

House Type CE 1239 – Semi-detached – Plots 169 & 170

Two storey, 3 bedroom, 5 person dwelling

	<p>Height – 8.5m from FFL Gable Depth – 7.5m Length – 9.4m Floor space – 115.12m² approx.</p> <p>House Type SV2 908– Semi-detached – Plots 171 - 174 Two storey, 3 bedroom, 5 person dwelling Height – 9.3m from FFL Gable Depth – 9.3m Length – 10.5m Floor space – 84.39m² approx.</p> <p><u>Garages</u></p> <p>Single Garage Height – 5.4m from FFL Gable Depth – 6m Length – 3.6m Floor space – 17.92m² approx.</p> <p>Double Garage Height – 5.4m from FFL Gable Depth – 6m Length – 7.1m Floor space – 17.92m² approx.</p> <p>9.11 The proposed height, scale, massing, design and finishes of the proposed dwellings are considered to be acceptable and in keeping with adjacent residential dwellings. The architectural approach is modern yet sympathetic to its context, taking cues from the architecture in the context of the area. The proposed design and architectural treatment and materials are acceptable. In terms of outlook all dwellings outlook on to the public access road and adequate separation distances are proposed between each of the proposed dwellings to ensure no unacceptable overlooking shall result.</p> <p>9.12 The proposed layout acknowledges the sloping topography of the site from the north west to the south east, the dwellings work with the site levels gradually stepping down with no more than a 0.9m difference in levels between adjoining dwellings. Retaining structures are in place for driveways and gardens at every second plot. The retaining structures do not exceed 1m at their highest point and comprise a brick finish to match the proposed dwellings with a 1.2m timber fence on top. To the rear of plots 175-194 gabion walls, at 0.8m above the proposed ground level with a graded slope and planting behind, provide the landscape buffer between the development and the settlement boundary. Along the south eastern boundary of the site at plots 169-174, an existing retaining wall at the bottom of the bank and a close boarded fence of 2.5m is being retained with landscaping proposed inside the gardens of plots 169-174. The north eastern boundary of plots 155-168 will be defined by a new 1.8m high close boarded fence.</p> <p>9.13 It is considered that the proposal complies with criterion (a) and (b) of policy QD 1 of Planning Policy Statement 7 – Quality Residential Environments.</p> <p>9.14 Policy LC 1 of the Addendum to PPS 7 – Safe Guarding the Character of Established Residential Areas applies in this instance. The proposed layout and density of the proposed development is considered to be acceptable and in keeping with the surrounding context, in that all dwellings are to be two storey, with front and rear gardens and in curtilage parking.</p>
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	The proposal meets all the required minimum standards in respect of private amenity provision and parking provision.
9.15	The majority of the proposed dwellings all meet and exceed the space standards as set out in Annex A of the Addendum to Planning Policy Statement 7 – Safeguarding the Character of Established Residential Areas. A small number are marginally below however are not indifferent to existing dwellings in the surrounding area.
9.16	<p><u>Parking Provision and Access</u></p> <p>Transport NI were consulted and have no objection to the proposal subject to conditions. Incurtilage parking for each of the dwellings is provided with additional parking spaces being on street. Private Street Determination drawings have been agreed with Transport NI to adopt the carriageway and footways. A new footway link is proposed between plots 166 and 167 linking through to the adjacent development to the north east and through to Wolfhill Link Road.</p>
9.17	<p><u>Provision of amenity space</u></p> <p>The applicant has provided the following private amenity space as set out below;</p> <p>Plot 155 – 53.61m² approx. Plot 156 – 62.97m² approx. Plot 157 – 97.84m² approx. Plot 158 – 83.62m² approx. Plot 159 – 78.62m² approx. Plot 160 – 66.44m² approx. Plot 161 – 70.77m² approx. Plot 162 – 61.4m² approx. Plot 163 – 57.4m² approx. Plot 164 – 58.42m² approx. Plot 165 – 54.53m² approx. Plot 166 – 91.66m² approx. Plot 167 – 90.26m² approx. Plot 168 – 71.67m² approx. Plot 169 – 216.14m² approx. Plot 170 – 305.38m² approx. Plot 171 – 112.17m² approx. Plot 172 – 110.01m² approx. Plot 173 – 100.18m² approx. Plot 174 – 103.76m² approx. Plot 175 – 80.43m² approx. Plot 176 – 59.98m² approx. Plot 177 – 63.61m² approx. Plot 178 – 60.59m² approx. Plot 179 – 58.02m² approx. Plot 180 – 72.59m² approx. Plot 181 – 65.54m² approx. Plot 182 – 63.08m² approx. Plot 183 – 60.89m² approx. Plot 184 – 64.35m² approx. Plot 185 – 65.81m² approx. Plot 186 – 63.65m² approx. Plot 187 – 61.36m² approx. Plot 188 – 104.79m² approx. Plot 189 – 125.41m² approx. Plot 190 – 122.88m² approx.</p>

	<p>Plot 191 – 94.34m² approx. Plot 193 – 62.3m² approx. Plot 194 – 126.32m² approx.</p>
9.18	<p>All of the proposed dwellings exceeded the minimum requirement of 40m², with 20 out of the 39 dwellings exceeding the recommended 70m² private amenity space as set out in Creating Places. The private amenity areas are to be defined by 1.8m close boarded timber fencing or brick wall. It is considered that the proposal complies with criterion (c) of policy QD 1 of Planning Policy Statement 7 – Quality Residential Environments.</p>
9.19	<p><u>Provision of Open Space</u> Two areas of open space are provided in the north western corner of the site and the south eastern portion of the site. The north western area of open spaces is approximately 839.54m² and the south eastern portion of the site is 605.75m². This equates to approx. 10% of the site and therefore complies with Policy OS 2 of PPS 8 in the requirement for new developments to provide 10% of the proposal site as open space and will be secured through Conditions.</p>
9.20	<p><u>Impact on residential amenity of neighbours</u> The proposed development will not detrimentally impact on the residential amenity of neighbouring dwellings in the adjoining developments, due to sufficient separation distances, boundary treatment and landscaping. Within the proposed development itself the proposed dwellings have adequate separation distances between one another with gable windows limited to bathrooms or stairs as opposed to habitable rooms. It is considered that the proposal complies with criterion (a) and (h) of policy QD 1 of PPS 7.</p>
9.21	<p><u>Consideration of representations</u> The issues raised by objector are addressed below;</p> <ul style="list-style-type: none"> • Detrimental impact of land clearing and house building on the wildlife in the area, including field mouse, shrew, hedgehogs, foxes, badgers, birds, butterflies, owls, birds of prey, bees, frogs and bats – The applicant submitted a biodiversity checklist. NIEA Natural Heritage were consulted and has no objection to the proposal; • Habitats of above mentioned species has shrunken dramatically over the past 14 years – Noted; • Environmental/wildlife surveys carried out to assess the impact of taking away the habitat has on the surrounding bird life and animal population - – The applicant submitted a biodiversity checklist. NIEA Natural Heritage were consulted and has no objection to the proposal; • Housing developments removing green fields and biodiversity being reduced at an alarming rate – Noted; • More housing developments to be constructed at Wolfhill Mill site and Mill Avenue – query if an impact survey on wildlife and biodiversity has been carried out of this area and the environmental damage to the conservation of the area – The applicant submitted a biodiversity checklist. NIEA Natural Heritage were consulted and has no objection to the proposal. An Environmental Impact Assessment Screening was carried out and it was determined that an Environmental Statement was not required.
9.22	<p><u>Other environmental factors</u> Environmental Health and Shared Environmental Services were both consulted and have no objection to the proposal. Rivers Agency were consulted and have no objection to the proposal subject to the requirement for a French drain to be installed at the outset of the development to the rear of plot 170; a drainage condition has been recommended accordingly. The applicant has provided a 5m working strip to the culverted watercourse</p>

9.23 9.24	<p>along the north western boundary of the site within plot 194 in line with policy FLD 2 of PPS 15. It is considered that the proposal is compliant with FLD 3 of PPS 15</p> <p>NIEA Water Management Unit provided standing advice. NIEA Land, Soil and Air have no objection to the proposal subject to conditions.</p> <p>NIEA Natural Heritage considered the biodiversity checklist submitted by the applicant and advised that the proposed development is unlikely to significantly impact protected or priority species or habitats and recommended the attachment of a condition in relation to a buffer of 10m between construction works and materials and the watercourse.</p>
9.25	Having regard to the policy context and other material considerations above, the proposal is considered acceptable and planning permission is recommended subject to conditions.
10.0	Summary of Recommendation: Approval
11.0	<p>Conditions</p> <ol style="list-style-type: none"> 1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission. <p style="margin-left: 40px;">Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> 2. No dwelling shall be occupied until related curtilage hard surfaced areas have been constructed in accordance with the approved Drawing No. 17-1550-001 Rev B bearing Belfast Planning Service date stamp 7/11/18 to provide adequate facilities for parking. These spaces shall be permanently retained. <p style="margin-left: 40px;">Reason: To ensure adequate parking in the interests of road safety and the convenience of road users.</p> 3. The access gradients to the dwellings hereby permitted shall not exceed 8% (1 in 12.5) over the first 5 m outside the road boundary. Where the vehicular access crosses footway or verge, the access gradient shall be between 4% (1 in 25) maximum and 2.5% (1 in 40) minimum and shall be formed so that there is no abrupt change of slope along the footway. <p style="margin-left: 40px;">Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.</p> 4. The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992. The Department hereby determines that the width, position and arrangement of the streets, and the land to be regarded as being comprised in the streets, shall be as indicated on Drawing No:17-1550-001 Rev B bearing the Department for Infrastructure determination date stamp 5/2/19. <p style="margin-left: 40px;">Reason: To ensure there is a safe and convenient road system to comply with the provisions of the Private Streets (Northern Ireland) Order 1980.</p> 5. All redundant accesses from the site to the public road shall be permanently closed off and the footpath reinstated to the satisfaction of the City Council. <p style="margin-left: 40px;">Reason: In order to minimise the number of access points on to the public road in the interests of road safety and the convenience of road users.</p>

	<p>6. A Silt Fence shall be erected between the construction works and the onsite field drain prior to and for the duration of the construction phase.</p> <p>Reason: To avoid adverse effects on the integrity of any European designated site.</p> <p>7. If during the development works, new contamination or risks to the water environment are encountered which have not previously been identified, works should cease and the City Council shall be notified immediately. This new contamination shall be fully investigated in accordance with the Model Procedures for the Management of Land Contamination (CLR11). In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the City Council in writing, and subsequently implemented and verified to its satisfaction.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p> <p>8. After completing all remediation works under Condition 7 and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with the City Council. This report should be completed by competent persons in accordance with the Model Procedures for the Management of Land Contamination (CLR11). The verification report should present all the remediation and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and achieving the remedial objectives.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p> <p>9. A suitable buffer of at least 10m must be maintained between the location of all construction works including refuelling, storage of oil/fuel, concrete mixing and washing areas, storage of machinery/material/spoil etc and the watercourse.</p> <p>Reason: To prevent contamination of the watercourse.</p> <p>10. No development shall commence on site until details of foul and surface water drainage, including a programme for implementation of these works, have been submitted to and approved in writing by Belfast City Council. The development shall not be carried out unless in accordance with the approved details.</p> <p>Reason: To ensure appropriate foul and surface water drainage of the site. Approval is required upfront because the design of the drainage is an integral part of the development and its acceptability.</p> <p>Informatives</p> <p>1. The developer should consider all consultees comments prior to commencing this proposal. All comments can be viewed on the planning portal quoting the application reference number.</p>
<p>Notification to Department (If relevant): N/A</p>	
<p>Representations from Elected Members: Cllr Murphy</p>	

ANNEX	
Date Valid	14th March 2018
Date First Advertised	13th April 2018
Date Last Advertised	13th April 2018
Details of Neighbour Notification (all addresses) The Owner/Occupier, 1 Blackdam Court,Belfast,Antrim,BT14 8GY, The Owner/Occupier, 17 Blackdam Close,Belfast,Antrim,BT14 8GW, The Owner/Occupier, 2 Blackdam Court,Belfast,Antrim,BT14 8GY, The Owner/Occupier, 26 Thornberry Glen,Belfast,Antrim,BT14 8EQ, The Owner/Occupier, 3 Blackdam Court,Belfast,Antrim,BT14 8GY, The Owner/Occupier, 4 Blackdam Court,Belfast,Antrim,BT14 8GY, The Owner/Occupier, 5 Blackdam Court,Belfast,Antrim,BT14 8GY, The Owner/Occupier, 53 Thornberry Hill,Belfast,Antrim,BT14 8EP,	
Date of Last Neighbour Notification	14th January 2019
Date of EIA Determination	4 th April 2018
ES Requested	No
Drawing Numbers and Title	
Drawing No. 01a -24, drawing no's. RR 1247 (1) and RR 1247 (2)	

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Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 12 March 2019	
Application ID: LA04/2018/2679/F	
Proposal: External alterations and reduction in the office footprint from the previously approved (extant permission) under planning references Z/2011/0358/O and LA04/2015/0144/RM along with associated development.	Location: Site adjacent to number 58 Boucher Place located on lands at the corner junction of Boucher Place with Boucher Crescent Belfast
Referral Route: Site within land controlled by Belfast City Council	
Recommendation: Approve subject to conditions	
Applicant Name and Address: Gilbert Ash NI Ltd c/o Unit 2B Alanbrooke House 478 Castlereagh Road Belfast BT5 6BQ	Agent Name and Address: Clyde Shanks Ltd 5 Oxford Street Belfast BT1 3LA
<p>Executive Summary:</p> <p>The principle of an office building on this site was established under Outline Planning Permission Z/2011/0358/O and the detail was subsequently approved under LA04/2015/0144/RM.</p> <p>The applicant has obtained a Certificate of Lawful Development for operations undertaken to date.</p> <p>The current application seeks external alterations and a reduction of the footprint of the offices which have been previously approved.</p> <p>Since the approval of the original outline consent in May 2012 a new policy context is in place with The Strategic Planning Policy Statement for NI (SPPS) adopting a “town centre first” approach for future retailing and other main town centre uses (including <i>inter alia</i> businesses). An application for new offices would, within the current policy context, be directed to the City Centre in the first instance, edge of centre and lastly out of centre; where it is established that an alternative sequentially preferable site exists a development on a less sequentially preferred site should be refused. The application site is on an out of centre location and as such is on a less sequentially preferred site. The applicant has not submitted any information to demonstrate that sequentially preferable alternatives are not available; as such the sequential test is not met. However, this failure of the sequential test must be balanced against the previous permission which has been implemented on site and presents a legitimate fall-back position.</p> <p>Within this context it is considered that the application for amendments to an implemented consent, to reduce the footprint and alter external façade treatment, is considered acceptable.</p> <p>The proposal is considered to be acceptable in terms of scale, massing, design and layout with landscaping retained.</p> <p>DfI Roads, Environmental Health, NIEA, NI Water and Rivers Agency have no objections to the application subject to relevant conditions.</p>	

No third party objections have been made.

It is recommended that delegated authority is given to the Director of Planning and Building Control to grant planning permission including the final wording of conditions.

Case Officer Report

Site Location Plan



Characteristics of the Site and Area

1.0

Description of Site

The site is located 52-54 Boucher Road, Belfast. The site is currently used as a compound by Gilbert Ash for the storage of vehicles, machinery and materials. The site is accessed from Boucher Place. To the south east of the site is the Blackstaff River, the south west Boucher Crescent and to the west Boucher Place. Adjacent to the north of the site is existing warehousing and associated parking. The site is relatively level throughout and is bounded by fencing approximately 2m in height. Along the north western boundary is existing vegetation and trees.

2.0	Description of Proposed Development The proposal is for full planning permission for offices. The proposal is for a reduced footprint to that scheme and associated works, previously approved under LA04/2015/0144/RM and Z/2011/0358/O.
Planning Assessment of Policy and other Material Considerations	
3.0	Site History
3.1	LA04/2018/0299/LDE - Implementation of approved relocated office building with associated parking as granted permission under planning reference Z/2011/0358/O & Z/2015/0144/RM – Permitted Development
3.2	Z/2011/0358/O - Proposed relocated office building with associated parking - Granted
3.3	LA04/2015/0144/RM - Proposed relocation of office buildings and associated parking - Granted
4.0	Policy Framework
4.1	Regional Development Strategy
4.2	Belfast Urban Area Plan 2001
4.3	Draft Belfast Metropolitan Area Plan 2004
4.4	Purported to be adopted Belfast Metropolitan Area Plan 2015
4.5	Strategic Planning Policy Statement for Northern Ireland (SPPS)
4.6	Planning Policy Statement 3: Access, Movement and Parking
4.7	Planning Policy Statement 4: Planning and Economic Development
4.8	Planning Policy Statement 15: Planning and Flood Risk
5.0	Statutory Consultees Responses
5.1	Transport NI were consulted and have no objection subject to conditions.
5.2	Rivers Agency were consulted and have no objection to the proposal.
5.3	NIEA were consulted and have no objection subject to conditions.
5.4	NI Water were consulted and have no objection subject to conditions
6.0	Non Statutory Consultees Responses
6.1	BCC Environmental Health were consulted and have no objection subject to conditions.
7.0	Representations
7.1	The application has been neighbour notified and advertised in the local press, no representations have been received.
8.0	Other Material Considerations
8.1	Planning Service (DoE) Parking Standards February 2005
9.0	Assessment

9.1	<p>The key issues are</p> <ul style="list-style-type: none"> • The principle of the development • Scale, massing, design and layout; • Access and Parking; • Other Environmental Factors.
9.2	<p>The adopted Belfast Metropolitan Area Plan 2015 (BMAP) has been quashed as a result of a judgement in the Court of Appeal delivered on 18 May 2017. As a consequence of this, the Belfast Urban Area Plan 2001 (BUAP) is now the statutory development plan for the area.</p>
9.3	<p>Section 45 (1) of the Planning Act (NI) 2011 requires regard to be had to the Development Plan, so far as material to the application and to any other material considerations. Section 6 (4) states that where regard is to be had to the Development Plan, the determination must be made in accordance with the Plan unless material considerations indicate otherwise.</p>
9.4	<p>As the decision to adopt BMAP has been quashed in its entirety, it is as though the draft BMAP has never been adopted, however, the version of draft BMAP which was purported to be adopted remains a material consideration. Given the advanced stage it had reached in the adoption process, BMAP 2015 is considered to hold significant weight.</p>
9.5	<p>The site is located within the settlement limit for Belfast as designated by the draft Belfast Metropolitan Area Plan 2015. In draft BMAP 2004 (pre-enquiry) the site is designated as BT 11/20 Major Area of existing Employment/Industry. In the BUAP the site is in an area zoned for "Industry and Commerce". In the purported to be adopted BMAP the site is unzoned whiteland.</p>
9.6	<p>The Principle of the Development –</p> <p>The Outline Planning Permission assessed the principle of the Class B1(a) development under PPS4 Policy PED 1. Supporting documentation was submitted at that time advising that the proposal was for the relocation of an existing office on an adjacent site with no space for expansion and that the development proposal was of a firm nature, there was an absence of alternative suitable sites and a need to operate from the current site utilised by the company for temporary storage of plant and parking of company vehicles. The application was considered to have distinguishing factors relating to the nature of the business and relocation of an established use and approval was recommended. Reserved Matters were approved in January 2016. A Certificate of Lawfulness of Existing Use or Development was issued on 13 March 2019 certifying that operations in the implementation of approved relocated office building with associated parking as granted under planning reference Z/2011/0358/O and Z/2015/0144/RM benefitted from planning approval.</p> <p>The applicant has submitted a Supporting Planning Statement with the current application which addresses Policy PED1 within the context of the current proposal amending a previous approval in terms of a reduced footprint, height and revised elevations and therefore having no greater impact than the fall-back position.</p> <p>Since the approval of the original outline consent in May 2012 a new policy context is in place with The Strategic Planning Policy Statement for NI (SPPS) adopting a "town centre first" approach for future retailing and other main town centre uses (including <i>inter alia</i> businesses). An application for new offices would, within the current policy context, be directed to the City Centre in the first instance, edge of centre and lastly out of centre; where it is established that an alternative sequentially preferable site exists a development on a less sequentially preferred site should be refused. The application site is on an out of centre</p>

	<p>location and as such is on a less sequentially preferred site. The applicant has not submitted any information to demonstrate that sequentially preferable alternatives are not available because they are relying on the fall-back position; as such the sequential test is not met. The failure of the sequential test must be balanced against the previous permission which has been implemented on site and presents a legitimate fall-back position. It is considered that the fall-back should be given significant overriding weight in this case.</p> <p>Within this context it is considered that the application for amendments to an implemented consent, to reduce the footprint and alter external façade treatment, is considered acceptable.</p>
9.7	<p>Scale, Massing, Design and Layout – The proposed extension is to measure 14.7m from ground level, 51.3m in length and 19.2m wide. This is a reduction in height and length from the previous approval, removing the northern portion of the original proposal, resulting in an overall reduction in the footprint. This will provide approximately a gross floor space of 3324m², over four levels, with ground floor level accommodating reception and covered parking. The design has been altered but is mostly in keeping with the previous approval with the exception of northern elevation which is to be finished in off white resin concrete cladding panel with the entrance to the reception now located on this elevation. The proposal is considered to be acceptable in terms of scale, massing, design and layout. Landscaping is retained.</p>
9.8	<p>Access and Parking - DFI Roads were consulted with proposal and have no objection to the proposal, which includes a new vehicular access from the site onto Boucher Place and parking. The proposal therefore complying with policies AMP2, AMP6 and AMP7 of Planning Policy Statement 3 – Access, Movement and Parking and Parking Standards.</p>
9.9	<p>Other Environmental Factors – NI Water were consulted and have no objection to the proposal. Environmental Heath and NIEA were consulted, both have no objection to the proposal subject to conditions. Rivers Agency were consulted and advised that a recently updated model of the Blackstaff River indicates that the Q100 level for this site is 7.40m A.O.D. Rivers Agency recommended that the proposed floor level is set a minimum of 600mm above the predicted Q100 level. The applicant has shown a proposed finished floor level of 8.0m, therefore complying with Rivers Agency’s recommendation.</p>
9.10	<p>Taking all factors into consideration on balance, the proposal is considered acceptable and planning permission is recommended with conditions.</p>
11.0	<p>Summary of Recommendation: Approval subject to conditions</p> <p>It is recommended that delegated authority is given to the Director of Planning and Building Control to grant planning permission including finalising the wording of conditions.</p>
12.0	<p>Conditions:</p> <p>1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission. Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <p>2. The vehicular access, including visibility splays and any forward sight distance, shall be provided in accordance with Drawing No.03A bearing date stamp 12th November 2018, prior to the operation of any other works or other development hereby permitted .</p> <p>Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.</p>

3. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250mm above the level of the adjoining carriageway before the development hereby permitted becomes operational and such splays shall be retained and kept clear thereafter.

Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.

4. The development hereby permitted shall not become operational until the redundant vehicular access from the site to the public road at Boucher Crescent has been permanently closed and the footway reinstated in accordance with details that shall have first been submitted to and approved in writing by the Council.

Reason: In order to minimise the number of access points onto the public road in the interests of road safety and the convenience of road users.

5. The development hereby permitted shall not become operational occupied until hard surfaced areas have been constructed and permanently marked in accordance with Drawing No.04C bearing the date stamp 30th November 2018 to provide for parking, servicing and traffic circulation within the site. No part of these hard surfaced areas shall be used for any purpose at any time other than for the parking and movement of vehicles in connection with the approved development.

Reason: To ensure adequate provision has been made for parking, servicing and traffic circulation within the site.

6. The development hereby permitted shall not become operational until sheltered cycle parking facilities have been provided in accordance with Drawing No.03A bearing the date stamp 12th November 2018. The sheltered cycle parking facilities shall be retained as such at all times.

Reason: To promote the use of alternative modes of transport in accordance with sustainable transportation principles.

7. If during the development works, new contamination or risks are encountered which have not previously been identified, works should cease and the Planning Authority shall be notified immediately. This new contamination shall be fully investigated in accordance with the Model Procedures for the Management of Land Contamination (CLR11). In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Planning Authority in writing, and subsequently implemented and verified to its satisfaction.

Reason: Protection of environmental receptors to ensure the site is suitable for use.

8. After completing the remediation works under Condition 7; and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with Planning Authority. This report should be completed by competent persons in accordance with the Model Procedures for the Management of Land Contamination (CLR11). The verification report should present all the remediation and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and achieving the remedial objectives.

Reason: Protection of environmental receptors to ensure the site is suitable for use.

<p>9. Prior to the occupation of the proposed development, the applicant shall provide to Planning Service, for approval in writing, a Verification Report. This report must demonstrate that the remediation measures outlined in Section 3 – Proposed Remedial Works of the RSK letter report dated 1/10/18 – Site between Boucher Place and Blackstaff River, Belfast – Letter updating the former contaminated land risk assessment, Ref: 602395_LI have been implemented.</p> <p>The Verification Report shall demonstrate the successful completion of remediation works and that the site is now fit for end-use (commercial). It must demonstrate that the identified potential pollutant linkages are effectively broken. The Verification Report should be in accordance with current best practice and guidance as outlined by the Environment Agency. In particular, this Verification Report must demonstrate:</p> <ul style="list-style-type: none"> - gas protection measures in accordance with CIRIA C665 Characteristic Situation 2/British Standard 8485: 2015 have been installed throughout the buildings of the proposed development. - the site layout and areas of hardstanding is in accordance with Belfast City Council Drawing No 03: Proposed Site Layout date stamped 03/11/2018. <p>Reason: In the interest of human health.</p> <p>Informatives</p> <ol style="list-style-type: none"> 1. The developer should consider all consultees comments prior to commencing this proposal. All comments can be viewed on the planning portal quoting the application reference number. 	
Notification to Department (if relevant)	
N/A	
Representations from Elected members:	
None	
ANNEX	
Date Valid	2 November 2018
Date First Advertised	23 November 2018
Date Last Advertised	1 st March 2019
Details of Neighbour Notification (all addresses)	
The Owner/Occupier 23 Boucher Place, Belfast, Antrim, BT12 6HT	
The Owner/Occupier 34-44 ,Boucher Crescent, Belfast, BT12 6HU	
The Owner/Occupier 49 Boucher Road, Belfast, Antrim, BT12 6HR	

<p>The Owner/Occupier 53 Boucher Road,Belfast,Antrim,BT12 6HR</p> <p>The Owner 56-58 ,Boucher Place,Belfast,Antrim,BT12 6HT</p> <p>The Owner/Occupier Unit 8 ,Enterprise House,66 Boucher Crescent, Belfast, Antrim BT12 6HU</p> <p>The Owner/Occupier Unit 4,Enterprise House,35 Boucher Place, Belfast, Antrim BT12 6HT</p>	
Date of Last Neighbour Notification	04 December 2018
Date of EIA Determination	N/A
ES Requested	No
<p>Drawing Numbers and Title 01 Site Location Plan 03A Proposed Site Layout 04A Proposed Ground Floor Plan 05 Proposed First, Second & Third Floor Plans 06 East and West Elevations 07 Section, North and South Elevations 08 Boundary Fences / Gates</p>	

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Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 12 March 2019	
Application ID: LA04/2018/0832/F	
Proposal: Mixed use development comprising 2 retail units, 1 café unit, 23 apartments, access, parking, amenity space, landscaping and site works (amended scheme)	Location: Lands at 155 171-177 Lisburn Road and 16 Ashley Avenue Belfast
Referral Route: Scheme exceeds 12 residential units and a third party representation has been received that conflicts with case officer's recommendation.	
Recommendation:	Approval
Applicant Name and Address: Clear Rosemount 157 Roden Street Belfast BT12 5QA	Agent Name and Address: TSA Planning 20 May Street Belfast BT1 4NL
Executive Summary: Planning permission is sought for the demolition of an existing vacant bank building and erection of mixed use development comprising 2 retail units, 1 café unit, 23 apartments, access, parking, amenity space, landscaping and site works. The site is located within the development limits for Belfast in both the Belfast Urban Area Plan 2001 (BUAP); and the draft Belfast Metropolitan Plan 2015 (BMAP). The site is unzoned whiteland in the BUAP 2001; and zoned for housing and on an Arterial Route in draft BMAP 2015. The main issues to be considered in this case are; <ul style="list-style-type: none"> - The principle of the proposal at this location; - The impact of the development on the character and appearance of the surrounding area; and draft Lisburn Road Area of Townscape Character; - Loss of the existing building on the site; - The impact on the setting of nearby listed buildings; - Potential for intrusion on nearby residential properties; - Potential for Noise, nuisance and pollution on neighbouring residential properties; - The impact on traffic and parking; and - Third party representations. The principle of the proposal is acceptable on the basis that the site is within the development limits in both the extant and draft plans, is on land zoned for housing in the draft plan; and is within an existing commercial street frontage that favours active commercial at ground floor and residential on upper floors. The impact on the character of the surrounding area is considered to be acceptable. The Council's Environmental Health Services Dept. has no concerns in relation to the potential for noise, nuisance	

and disturbance. In respect of the impact on parking and traffic, DfI Roads are content. Historic Environment Division of DfC has no concerns regarding the impact of the proposal on nearby listed buildings.

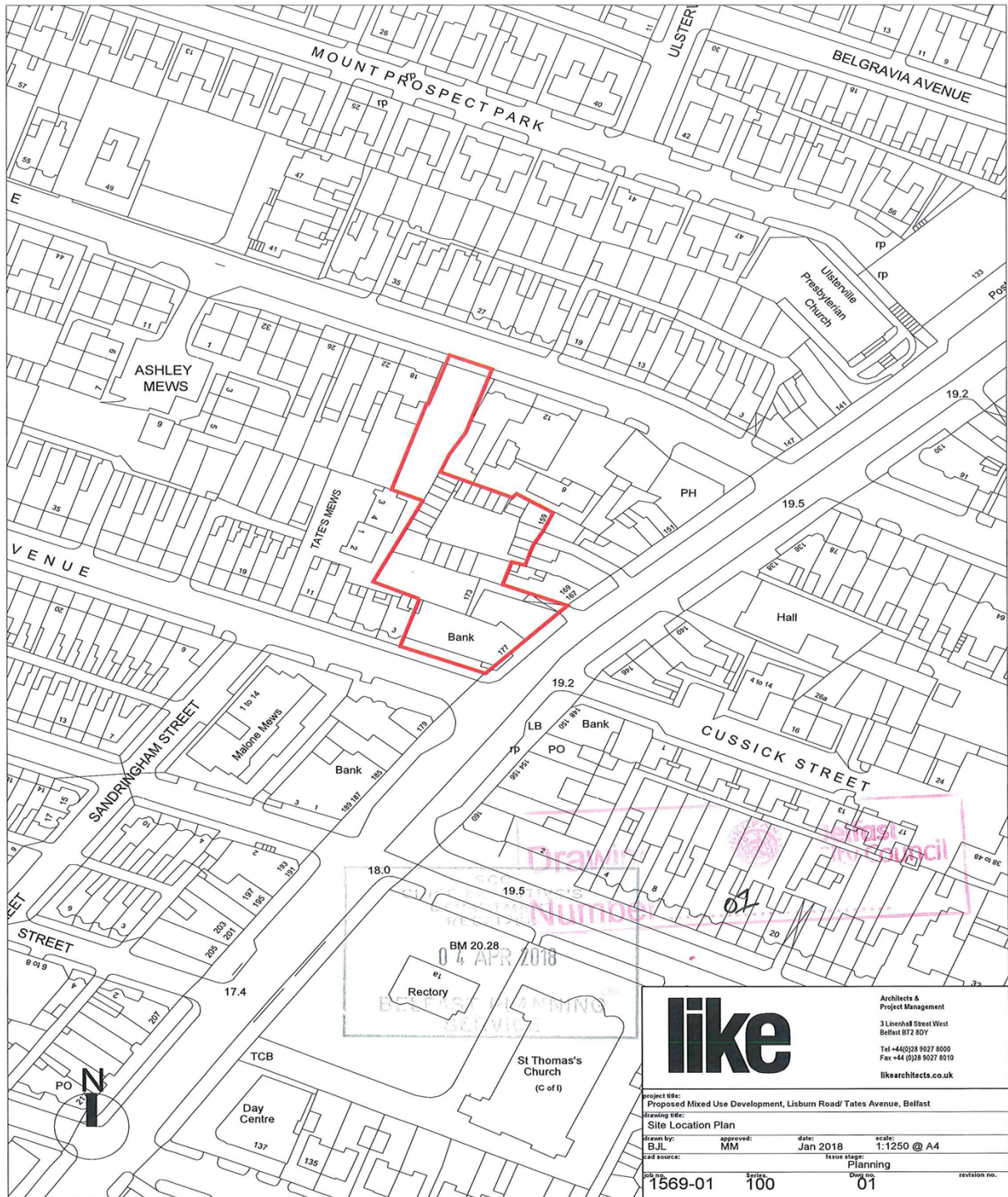
Concerns raised by third party representations refer only to parking issues. This is addressed in the body of the case officer report.

Recommendation

Having had regard to the development plan and other material considerations it is recommended that the application is approved subject to conditions. It is requested that the final wording of conditions is delegated to the Director of Planning and Building Control.

Case Officer Report

Site Location Plan



Representations:

Letters of Support	None Received
Letters of Objection	1
Number of Support Petitions and signatures	No Petitions Received
Number of Petitions of Objection and signatures	No Petitions Received

Characteristics of the Site and Area	
1.0	Description of Proposed Development
1.1	Demolition of existing vacant bank building and erection of mixed use development comprising 2 retail units, 1 café unit, 23 apartments, access, parking, amenity space, landscaping and site works.
2.0	Description of Site / Area The application site is the northern corner of Tate's Avenue with the junction with Lisburn Road and comprises lands at 155, 171-177 Lisburn Road and 16 Ashley Avenue, Belfast. The site is a prominent site and is occupied by a derelict 3 storey bank building on its south side, a gap site and vacant brownfield land to the north. The site also includes access from Ashley Avenue. The site is bounded by the rear of 159- 169 Lisburn Road on its east side; No's. 3 and 5 Tate's Avenue and 1-4 Tate's Mews on its south-west boundaries; 18 Ashley Avenue on its northwest side; and 6-16 Ashley Avenue on its north side, levels on the site decrease to the rear along Tate's Avenue.
2.1	The surrounding area is characterised by mixed land uses, including residential and commercial in an eclectic range of architectural designs but predominantly late Victorian.
Planning Assessment of Policy and other Material Considerations	
3.0	Site History
3.1	Z/2008/2429/F - 155-177 Lisburn Road, 16 Ashley Avenue, 3-7 Tate's Avenue BT9. Mixed use development of 45 No. private apartments with on-site car parking and 3 No. retail units to ground floor. Approved 30 July 2010. Expired
3.2	LA04/2017/2474/PAD - Nos 155 157, 159, 175 & 179 Lisburn Road and No. 16 Ashley Avenue, Belfast. Mixed use development comprising 3 No. ground floor retail units, c.23 No. apartments to upper floors and associated amenity space, car parking and all other site works. PAD concluded
4.0	Policy Framework
4.1	Belfast Urban Area Plan 2001
4.2	Draft Belfast Metropolitan Area Plan 2015
4.3	Regional Development Strategy 2035; Belfast Urban Area Plan 2001; Belfast Metropolitan Area Plan (BMAP) 2015 (draft); Strategic Planning Policy Statement for NI (SPPS); Planning Policy Statement 7 – PPS7: Quality Residential Environments Planning Policy Statement 6 - PPS6: Planning, Archaeology and the Built Heritage. Addendum to PPS6- APPS: Areas of Townscape Character Development Control Advice Note 4: Restaurants, Cafes and Fast Food Outlets Planning Policy Statement 3 - PPS3: Access, Movement and Parking; and Planning Policy Statement 15 – PPS15: Planning and Flood Risk.
5.0	Third Party Representations

5.1	1no written representation has been made in respect of this proposal. The third party representation states that they are content in principle to the proposed development but are concerned with the car parking arrangements.
5.2	This is a material planning consideration and will be addressed in the assessment, below.
6.0	Assessment
6.1	<p>Consultations: The following were consulted as part of the processing of this application: Department for Infrastructure – Roads; Belfast City Council's Environment and Health Services Dept; Historic Environment Division – Historic Buildings; NIEA – Natural Heritage; Rivers Agency; NIWater; Tree Officer; Urban Design Officer; Development Plan team; and Northern Ireland Housing Executive.</p> <p>None have any objection in principle to the proposal.</p>
6.2	<p>Site Constraints: The extant plan for Belfast is the Belfast Urban Area Plan 2001. However, the draft Belfast Metropolitan Area Plan 2015 is also a material consideration. The site is within the development limits for Belfast in both plans. The site is unzoned whiteland in the BUAP. It is on land zoned for both a committed housing site and for social housing in draft BMAP 2015 (designation SB 03/01); and is within a proposed Area of Townscape Character (BT039 – Lisburn Road). It is also on an Arterial Route (AR01/10 – Lisburn Road).</p>
6.3	<p>Status of Housing Zoning on the Site & the Principle of Development: The LDP team has commented on the dual zoning of this site as both committed housing and for social housing. The LDP team advised that there appears to be an incompatibility of the dual zoning for the application site as both a committed housing site (in respect of private apartments under application reference Z/2008/2429/F) and as a social housing site. It is notable that the site was originally zoned as a social housing site (SB 02/05) in the 2004 draft of BMAP, with the second zoning of committed housing site being added for the final pre-adoption draft BMAP following the planning approval in 2010. This suggests that the aspiration of BMAP was for social housing to be delivered on the site, with this aspiration remaining should the approved private mixed use scheme not be delivered, although there was no formal discussion to this end as part of the BMAP public examination. The second zoning merely reflects a planning approval which has subsequently expired. Had the Department or the PAC deemed the site to no longer be required for social housing then presumably they would have availed of the opportunity to remove that designation. It would therefore be reasonable to consider a requirement for at least part of the residential units to be provided as social housing. The LDP team therefore recommended consultation with NIHE with regards to the current identified need for social housing in the vicinity of the site.</p>
6.4	<p>NIHE was consulted and advised that they are keen to see the requirement for social housing on this site in dBMAP upheld, adding that there is an acute need for social housing in the Lisburn Road Common Landlord Area, 434 households of whom 341 are in housing stress. On the supply side only 21 allocations were made in the year to September 2018. The NIHE does not own or control the lands.</p>

6.5	<p>The NIHE has not confirmed if it entered into any discussions with the private landowner of this site with an aim to deliver social housing. The proposal is for private residential development and it would be unreasonable to restrict tenure on a privately owned site. Of particular note, the position held by the PAC in reference 2012/A0079 for Nelson Street and has not changed in the intervening years and it remains the case that there is currently “no effective mechanism to secure social housing... through the planning control process.” Furthermore the granting of permission for general housing on the site does not prevent the site eventually being used for social housing, if a social housing provider or NIHE were to purchase the land or indeed housing units within the scheme.</p>
6.6	<p>In summary, the site is unzoned whiteland in the extant plan and zoned for social housing in the dBMAP and in addition there was a previous approval for dwellings units (unrestricted) on the site, which has now expired. Therefore, in principle, under the extant plan providing the proposal meets other relevant material considerations the proposed is compliant. In terms of the draft status for social housing, there is no policy mechanism to bring the site forward for social housing at this stage either in its entirety or in part. In conclusion, taking account of all the competing factors, the principle is considered acceptable in this case.</p>
6.7	<p>Taking account of the above, the site benefits from being in a highly accessible location, on an existing arterial route and commercial frontage and is serviced well by public transport and is within easy walking distance to and from the city centre. Therefore, the mix of uses for commercial ground floor with residential above is considered to be viable and acceptable in principle at this location. As retail use and ‘living above the shop’ is characteristic of the location.</p> <p>The proposal therefore falls to be assessed under regional planning policy.</p> <p>The key issues to be considered are:</p> <ul style="list-style-type: none"> (a) Loss of existing building on the site; (b) Impact on amenity / character of the Lisburn Road ATC; (c) Impact on Listed Buildings; (d) Flooding; (e) Retail units; and (f) Road safety / traffic flow / parking.
6.8	<p>Loss of Existing Building:</p> <p>The site falls within a draft Area of Townscape Character (ATC) and therefore the demolition of any building in an ATC that exceeds 115 cubic metres will require planning permission. Under Policy ATC 1 of APPS6 there is a presumption in favour of retaining any building that makes a positive contribution to the character of an ATC. The overall character of the Lisburn Road ATC is mostly, but not completely, defined by late Victorian and Edwardian architecture. The building on the site is a 1960s modern building. This is in a state of dereliction and as such makes no material contribution to the distinctive character of the ATC. Therefore its demolition should be permitted to allow for an opportunity to redevelop this site with a suitable replacement.</p>
6.9	<p>Impact on Amenity</p> <p>The SPSS for NI states that amenity considerations arising from development that may have potential health and well-being implications include design considerations, impact relating to visual intrusion, general nuisance, loss of light, and overshadowing. Visual amenity is also a material consideration.</p>

6.10	<p>Form, Massing and Scale: On the street frontages of the building on Lisburn Road and Tate's Avenue, the proposal has a maximum of 6 storeys at its highest point and a minimum of 3 at its lowest point. The rear of the building has a single storey element. Fenestration is in favour of voids over solid in the east and south elevations, with full length windows on the ground floor to accommodate the proposed commercial units. The overall form is a box shaped building with staggered levels to enable cohesion with lower density adjoining buildings. The roof is flat. Finished materials include red brick and aluminium curtain walling to the front elevation. The rear elevations are to be finished in grey render. Window frames are grey aluminium. Fascia to the shops are also grey aluminium. The commercial units on the Tate's Avenue side will have stall risers.</p>
6.11	<p>The overall architectural design, finishes, form, scale, and massing of the proposal is deemed to be acceptable given the proposed function of the building and its location on a corner site, which are generally accepted as being able to accommodate taller buildings. It is also considered to be an improvement to the existing building on the site. The proposal is therefore considered to comply with design principles of the SPPS; conforms to Policy QD1 of PPS7; and Policy ATC2 of APPS6.</p>
6.12	<p>Overlooking / Dominance / Overshadowing / Loss of Light: The 3 storey element of the building on the Tate's Avenue side of the site has potential to overshadow / over-dominate the rear garden of the adjoining property at No.3 Tate's Avenue. However, the height and depth of this part of the building is similar to that of the existing bank building it proposes to replace. As such the proposal will not result in any additional detriment to No.3 Tate's Avenue than the existing building on the site. Given separation distances between the rear of the proposed building and the nearest residential properties (other than No. 3 Tate's Avenue) at No's 1-4 Tate's Mews and a step down in height at the rear of the proposal, overshadowing, loss of light and dominance. This will also ensure unacceptable overlooking from windows will not be an issue. Two-metre tall obscure glass balustrades along the proposed roof terraces will also prevent overlooking from the open amenity areas. This complies with Policy QD 1 of PPS 7.</p>
6.13	<p>Outlook: Each apartment has an acceptable outlook from main rooms such as bedrooms and living rooms. The only exception is the view from the bedrooms of apartment No's 1, 2 and 6 which will look directly onto private amenity space and a fence at a distance of 4m; 3m; and 2.5m, respectively. Although not ideal, this is not deemed to be unacceptable.</p>
6.14	<p>Amenity Space: Open amenity space is provided in the form of communal and private roof terraces. An area in excess of the minimum requirement of 230sqm. will be provided. This is in line with Policy QD1 (c) of PPS7 and its associated published guidance such as Creating Places.</p>
6.15	<p>Other Amenity Impacts: One of the commercial units is proposed for use as a café. DCAN 4 is relevant and paragraph 5.1 states that in assessing applications for restaurants / cafes a number of factors need to be taken onto account. These include: noise disturbance; smells and fumes; refuse and litter; and traffic considerations and car parking. Having regard to the impact on the local vicinity in terms of noise, odours, litter, etc. Environmental Health is the statutory authority responsible for these such matters and was consulted for advice on this proposal.</p>

6.16	<p>Noise: Environmental Health is satisfied sufficient information has been presented in the noise assessment to demonstrate that the operations associated with the use of the proposed café/ restaurant can be mitigated with appropriate control measures in place to avoid adverse noise impact on existing and prospective residents.</p>
6.17	<p>Odours: In respect of potential for smells and fumes emanating from cooking operations on the premises, Environmental Health is content with the proposed mitigation which is to install an odour abatement system is acceptable and can be ensured via a condition.</p>
6.18	<p>Litter: Litter and waste from fast food outlets can attract pests and vermin is not managed effectively. This is something that is difficult for planning to enforce. However, Environmental Health is the statutory authority in dealing with such matters and has powers to intervene if litter and waste becomes a problem.</p>
6.19	<p>Road safety / traffic flow / parking: The proposal is inclusive of incurtilage car parking to serve the 23 apartments. This will be accessed via an existing driveway from Ashley Avenue. 19no spaces will be provided incurtilage in total. A parking survey included with the application demonstrates sufficient on-street parking availability for the shortfall in incurtilage spaces and spaces required to accommodate the commercial units. Dfl Roads is content with the parking and access arrangements. Dfl Roads also commented on the single third party representation which raised concerns regarding the impact on car parking in the area as a result of this proposed development. Roads state that it is satisfied that parking on-street is unlikely to have a significant impact on the local road network in terms of traffic and road safety.</p>
6.20	<p>Flooding: In line with Policy FLD 3 of PPS15 a Drainage Assessment has been provided by the developer. Rivers Agency provided comments and is content that the proposal will have adequate drainage in place to ensure flooding does not occur as a result of the development.</p>
6.21	<p>Listed Buildings: The application site is in close proximity to listed buildings refs HB26/28/054 A - 22 Ashley Avenue, a Grade B1 listed building; HB26/28/054 B - 24 Ashley Avenue, Belfast (Grade B1); HB26/28/054 C - 26 Ashley Avenue, Belfast (Grade B1); and HB26/28/041 - 138 Lisburn Road, Belfast (Grade B2).</p>
6.22	<p>HED Historic Buildings was consulted on the basis of the proximity of the application site to these buildings and considers the proposal satisfies SPPS 6.12 (Development proposals impacting on Setting of Listed Buildings) of the SPPS for NI; and Policy BH11 (Development affecting the Setting of a Listed Building) of PPS6.</p>
6.23	<p>Retail Units: The inclusion of a mixed scheme on a housing zone is deemed to be acceptable as the site is on an Arterial Route, is a prominent corner site and is partially a gap site. The existing / previous use is also commercial. This will provide active frontage at a busy corner location. The SPPS advocates a sequential test that favours city centre as first choice for main town centre uses such as retail. However, in this case the 2 retail units and 1 café unit have a gross cumulative floorspace of less than 500sqm and are considered to be acceptable and appropriate in size to the location and will not impact the viability of the city centre as a shopping destination. This is considered to be in</p>

<p>6.24</p> <p>6.25</p> <p>6.26</p> <p>6.27</p> <p>6.28</p>	<p>compliance with dBMAP and the SPPS and will be subject to a no amalgamation condition.</p> <p>Landscaping: An adequate amount of soft planting is proposed within the site. The Council's tree officer is content with the amount of soft landscaping, species etc.</p> <p>Other: Other amenity issues such as delivery access and bin storage arrangements are acceptable. Waste from the restaurant will be stored in a corral style compound directly to the rear of the building. The bin storage for the apartments is at the rear of the car park, separate from the bin storage for the commercial units.</p> <p>Other Consultation Responses: NIEA stated that if NIW indicate that the WWTW is able to accept the additional load, with no adverse effect on the operation of the WWTW or its ability to comply with its consent to discharge, then Water Management Unit would have no objection to the proposal.</p> <p>NIWater confirmed approval to discharge surface water to the existing combined sewers on Ashley Avenue and Lisburn Road subject to a number of stated conditions. A copy of this correspondence is included in Appendix E of Drainage Assessment uploaded on 21 September 2018.</p> <p>The Council's Urban Design Officer is content with the proposal.</p>
<p>7.0</p>	<p>Recommendation: Having regard to the policy context and other material considerations above, the proposal is considered acceptable and planning permission is recommended subject to the following conditions:</p>
<p>8.0</p> <p>8.1</p> <p>8.2</p> <p>8.3</p>	<p>Conditions:</p> <p>The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <p>Notwithstanding the details hereby approved, prior to the occupation of the development all glass balustrades / screens to the west facing rear elevation of the building shall be 2m tall and fitted and permanently retained with obscure glass to Pilkington level 3 (or equivalent). In event of breakage or replacement they shall be fitted with similar obscure glass.</p> <p>Reason: To safeguard the privacy of adjacent properties.</p> <p>The development hereby permitted shall not be occupied until hard surfaced areas have been constructed within the site in accordance with the approved drawing no. 04B bearing the planning authority date stamp 03 October 2018. This area shall not be used at any time for any purpose other than for parking and movement of vehicles in connection with the approved development.</p> <p>Reason: To ensure that adequate provision has been made for parking and traffic circulation within the site.</p>

8.4	<p>The vehicular access, including visibility splays, shall be provided in accordance with the approved drawing no. 16 bearing the planning authority date stamp 04 April 2018, prior to the commencement of any other works or other development hereby permitted.</p> <p>Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.</p>
8.5	<p>The development hereby permitted shall not be occupied until the existing redundant vehicular access has been permanently closed and the road properly reinstated to the satisfaction of DfI.</p> <p>Reason: To ensure there is a satisfactory means of access in the interests of road and the convenience of road users.</p>
8.6	<p>The development shall not be occupied until secure and covered cycle parking facilities have been provided on the site. These facilities shall be permanently retained on the site.</p> <p>Reason: To ensure acceptable cycle parking on the site and to encourage alternative modes of transport to the private car.</p>
8.7	<p>Prior to the commencement of operation of the ground floor café unit a proprietary odour abatement system as specified in the Aecom report ref: LA04/2018/0832/F dated 26th June 2018 shall be installed in the proposed café unit to suppress and disperse odours created from cooking operations on the premises.</p> <p>The outlet from the commercial kitchen extract ventilation ducting shall terminate at a minimum of 1m above the highest point of the proposed building as per stamped approved drawing No. 12C, date stamped 19 December 2018 and shall be retained thereafter.</p> <p>Reason: Protection of residential amenity</p>
8.8	<p>Prior to the occupation of the residential units a verification report shall be submitted for review and for approval in writing by Belfast Planning Service demonstrating that the acoustic mitigation measures as outlined in section 4.3 and table 2 (façade/windows and ventilation acoustic requirements) and section 5(sound reduction requirements for floor) in the Lester Acoustics Noise Impact Assessment Ref:MRL/1218/L01 dated 16 February 2018 have been implemented to ensure that the internal noise levels do not exceed the following internal targets:</p> <ul style="list-style-type: none"> • 35 dB $L_{Aeq,16hrs}$ at any time between 07:00hrs and 23:00hrs within any habitable room, with the windows closed and alternative means of acoustic ventilation provided in accordance with current building control requirements; • 30 dB $L_{Aeq,8hr}$ at any time between the hours of 23:00hrs and 07:00hrs within any habitable room, with the windows closed and alternative means of acoustic ventilation provided in accordance with current building control requirements; <p>Not exceed 45 dB L_{Amax} for more than 10 sound event between 23:00hrs and 07:00hrs within any proposed bedrooms with the windows closed and alternative means of ventilation provided in accordance with current building control requirements.</p> <p>Reason: In the interests of amenity.</p>

8.9	<p>Prior to the occupation of the proposed residential units a Mechanical Ventilation and Heat Recovery system shall be installed in all apartments as per stamped approved drawing No. 10C, date stamped 16 December 2018.</p>
	<p>Reason: In the interests of residential amenity.</p>
8.10	<p>Prior to the occupation of the development hereby approved, an acoustic solid screen shall be installed around the perimeter of the terrace areas with a minimum height of 1.6m and surface weight of 11 Kg/m² as per section 4.4 and 4.6 of the Lester Acoustic Report REF: MRL/1218/L01.</p>
	<p>Reason: Protection of residential amenity.</p>
8.11	<p>Prior to the operation of the ground floor commercial units a verification report shall be submitted to the Planning Service and approved in writing which demonstrates that the sound and vibration mitigation measures as outlined in section 6 of Lester Acoustics Report Ref:MRL/1218/L01, and additional report REF:MRL/1218/L02 and stamped drawing 05B have been implemented with respect to the proposed external plant and equipment and internal plant and associated risers and shall demonstrate that:</p>
	<ul style="list-style-type: none"> • The combined rating level of external plant and equipment shall not exceed 46dbLA_r when measured at the façade of the nearest proposed residential unit or existing residential or proposed external amenity area with all measurements carried out in line with BS4142:2014 Methods for rating and assessing industrial and commercial sound.
	<p>Reason: Protection of residential amenity.</p>
8.12	<p>The commercial units hereby approved shall not operate between the hours of 11pm and 7am.</p>
	<p>Reason :Protection of Residential Amenity</p>
8.13	<p>All proposed soft landscaping works shall be carried out in accordance with stamped approved drawing No. 14B, bearing the Council's date stamp 05 October 2018. The works shall be carried out prior to the occupation of any part of the development or within the first planting season after occupation, unless otherwise agreed in writing by the Local Planning Authority. Any trees or plants indicated on the approved scheme which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size to be first approved in writing by the Local Planning Authority.</p>
	<p>Reason: To ensure the provision, establishment and maintenance of a high standard of landscape.</p>
8.14	<p>All plant stock supplied shall comply with the requirements of British Standard 3936, 'Specification for Nursery Stock'. All pre-planting site preparation, planting and post-planting maintenance works shall be carried out in accordance with the requirements of British Standard 4428 'Code of Practice for General Landscape Operations [excluding hard surfaces]'.</p>

8.15	<p>Reason: To ensure the provision, establishment and maintenance of a high standard of landscape.</p> <p>No site works of any nature or development shall take place until a programme of archaeological work has been implemented, in accordance with a written scheme and programme prepared by a qualified archaeologist, submitted by the applicant and approved by the Department. The programme should provide for the identification and evaluation of archaeological remains within the site, for mitigation of the impacts of development, through excavation recording or by preservation of remains, and for preparation of an archaeological report.</p> <p>Reason: to ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded.</p>
8.16	<p>Access shall be afforded to the site at all reasonable times to any archaeologist nominated by the Department to observe the operations and to monitor the implementation of archaeological requirements.</p> <p>Reason: to monitor programmed works in order to ensure that identification, evaluation and appropriate recording of any archaeological remains, or any other specific work required by condition, or agreement is satisfactorily completed.</p>
9.0	Informatives
9.1	<p>Precautions shall be taken to prevent the deposit of mud and other debris on the adjacent road by vehicles travelling to and from the construction site. Any mud, refuse, etc. deposited on the road as a result of the development, must be removed immediately by the operator/contractor.</p>
9.2	<p>Notwithstanding the terms and conditions of the Planning Authority's approval set out above, you are required under Article 71-83 inclusive of the Roads (NI) Order 1993 to be in possession of the Department for Infrastructure's consent before any work is commenced which involves making or altering any opening to any boundary adjacent to the public road, verge, or footway or any part of said road, verge, or footway bounding the site. The consent is available on personal application to the DfI Section Engineer whose address is 1A Airport Road, BELFAST, BT3 9DY. A monetary deposit will be required to cover works on the public road.</p>
9.3	<p>All construction plant and materials shall be stored within the curtilage of the site.</p>
9.4	<p>Provision shall be made to the satisfaction of DfI, to ensure that surface water does not flow from the site onto the public road.</p>
9.5	<p>Clean Neighbourhoods and Environment Act (NI) 2011</p> <ul style="list-style-type: none"> • The applicant is advised to ensure that all plant and equipment is so situated, operated and maintained as to prevent the transmission of noise, odour or dust to nearby properties. • The applicant should refer to current industry guidance – DEFRA's Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems 2005 as amended by EMAQ 2018 • The applicant is advised to ensure that the inlet and outlet points to the residential mechanical ventilation units' are so situated to ensure the residential units are

	<p>not adversely impacted by odours associated with the ground floor café's kitchen extractor flue.</p>
<p>9.6</p>	<p>CLEAN NEIGHBOURHOODS AND ENVIRONMENT ACT (NORTHERN IRELAND) 2011</p> <ul style="list-style-type: none"> • In order to reduce the impact of odours and noise generated by the extraction and ventilation system, the applicant should consult relevant industry guidance, such as: 'EMAQ Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems' dated 5/9/2018 • The applicant is advised to ensure that all plant and equipment used in connection with the development is so situated, operated and maintained as to prevent the transmission of noise, vibration or odours to nearby residential and commercial premises.
<p>9.7</p>	<p>Under the terms of Schedule 6 of the Drainage (NI) Order 1973, any proposals either temporary or permanent, in connection with the development which involves interference with any watercourses such as culverting, bridging, diversion, building adjacent to or discharging storm water etc requires the written consent of DfI Rivers. This should be obtained from the Eastern Regional Office at Ravarnet House, Altona Road, Largymore, Lisburn BT27 5QB.</p>
<p>9.8</p>	<p>Developers should acquaint themselves of their statutory obligations in respect of watercourses as prescribed in the Drainage (Northern Ireland) Order 1973, and consult the Rivers Agency of the Department of Agriculture accordingly on any related matters.</p>
<p>9.9</p>	<p>Any proposals in connection with the development, either temporary or permanent which involve interference with any watercourse at the site: - such as diversion, culverting, bridging; or placing any form of structure in any watercourse, require the written consent of the Rivers Agency. Failure to obtain such consent prior to carrying out such proposals is an offence under the Drainage Order which may lead to prosecution or statutory action as provided for.</p>
<p>9.10</p>	<p>Any proposals in connection with the development, either temporary or permanent which involve additional discharge of storm water to any watercourse require the written consent of the Rivers Agency. Failure to obtain such consent prior to permitting such discharge is an offence under the Drainage Order which may lead to prosecution or statutory action as provided for.</p>
<p>9.11</p>	<p>Consent to discharge additional storm run-off to the watercourse(s) serving the site may need to be deferred pending completion of proposed drainage infrastructural improvements necessary to provide adequate capacity for increased flows. The Rivers Agency should be consulted about proposed timing of development at the earliest possible time.</p>
<p>9.12</p>	<p>For guidance on the preparation of the Written Scheme and Programme of Archaeological Work, which should be submitted for approval at least 4 weeks before work is due to begin, contact:</p> <p>Historic Environment Division – Historic Monuments Causeway Exchange 1–7 Bedford St</p>

9.13	<p>Belfast, BT2 7EG Tel: 02890 823100 Quote reference: LA04/2018/0832/F or ANT061:014</p> <p>Application for the excavation licence, required under the <i>Historic Monuments and Archaeological Objects (NI) Order 1995</i>, should be submitted at least 4 weeks before work is due to begin, by a qualified archaeologist responsible for the project, to: Historic Environment Division – Historic Monuments Causeway Exchange 1–7 Bedford St Belfast BT2 7EG</p>
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ANNEX	
Date Valid	4th April 2018
Date First Advertised	27th April 2018
Date Last Advertised	N/A
Date of Last Neighbour Notification	7th November 2018
Date of EIA Determination	N/A
ES Requested	No
Planning History	
<p>Ref ID: LA04/2017/2474/PAD Proposal: Mixed use development comprising 3 No. ground floor retail units, c.23 No. apartments to upper floors and associated amenity space, car parking and all other site works. Address: Nos 155, 157, 159, 175 & 179 Lisburn Road and, No. 16 Ashley Avenue, Belfast, BT9 7BT, Decision: Decision Date:</p> <p>Ref ID: LA04/2017/0342/PAD Proposal: Mixed use development comprising 26 apartments (18 x 2-bed and 8 X 1-bed) and 3 retail units at ground floor level and associated car parking. Address: No's 155,157, 159, 175, 177 & 179 Lisburn Road, and, 16 Ashley Avenue, Belfast, BT9 7BT,</p> <p>Ref ID: Z/2008/2429/F Proposal: Mixed use development of 45 No. private apartments with on site car parking and 3 No. retail units to ground floor. Address: 155-177 Lisburn Road, 16 Ashley Avenue, 3-7 Tates Avenue BT9 Decision: Approval. Decision Date: 11.08.2010</p>	
Drawing Numbers and Title	

Drawing No. 01

Type: Site Location Plan

Drawing No. 02

Type: Existing Site Survey

Drawing No. 03

Type: Existing Elevations

Drawing No. 04B

Type: Proposed Site / Block Plan

Drawing No. 05B

Type: Proposed Ground Floor Plan

Drawing No. 06A

Type: Proposed First Floor Plan

Drawing No. 07A

Type: Proposed second Floor Plan

Drawing No. 08A

Type: Proposed Third Floor Plan

Drawing No. 09A

Type: Proposed Fourth Floor Plan

Drawing No. 10C

Type: Proposed Fifth Floor Plan

Drawing No. 11C

Type: Proposed Roof Plan

Drawing No. 12C

Type: Proposed Elevations

Drawing No. 13

Type: Proposed Cross Section AA & BB

Drawing No. 14B

Type: Landscape Proposals

Drawing No. 15C

Type: Proposed Contextual Streetscapes

Drawing No. 16

Type: Site Layout and Visibility Splays

Drawing No. 17

Type: Existing and Proposed Building Line

Drawing No. 18
Type: Proposed Site Context Plan

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Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 12 March 2019	
Application ID: LA04/2018/0059/F	
Proposal: Demolition of 2 storey rear return, external steps and single storey outbuilding of former Parochial House, demolition of existing vestry entrance porch, external steps, single storey boiler house and part of internal wall to tower and spiral staircase of former Holy Rosary Church. Change of use to hotel and licensed restaurant. Elevation changes and associated works.	Location: Lands at Nos. 348-350 Ormeau Road Belfast BT7 2FZ
Referral Route: Third party representation that conflicts with case officer's recommendation.	
Recommendation:	Approval
Applicant Name and Address: Fratelli (Ormeau Road) Ltd C/O Knox & Clayton Architects 2A Wallace Avenue Lisburn BT27 4AA	Agent Name and Address: Turley Hamilton House 3 Joy Street Belfast BT2 8LE
<p>Executive Summary: Planning permission is sought for the demolition of the 2 storey rear return, external steps and single storey outbuilding of former Parochial House, demolition of existing vestry entrance porch, external steps, single storey boiler house and part of internal wall to tower and spiral staircase of former Holy Rosary Church. Change of use to hotel and licensed restaurant. Elevation changes and associated works.</p> <p>The site is located within the development limits for Belfast in both the Belfast Urban Area Plan 2001 (BUAP) and the draft Belfast Metropolitan Plan 2015 (BMAP). The site is unzoned whiteland in the BUAP 2001; and within a proposed Area of Townscape Character and on an Arterial Route in draft BMAP 2015. Both the church and hall Buildings on site are listed.</p> <p>The main issues to be considered in this case are:</p> <ul style="list-style-type: none"> - The principle of the proposal at this location; - The impact of the development on the character and appearance of the surrounding area; - The impact on the character and appearance of the Rosetta Area of Townscape Character; - The impact on host listed buildings; - Potential for intrusion on nearby residential properties; - Potential for Noise, nuisance and pollution on neighbouring residential properties; - The impact on traffic and parking; and - Third party representations. 	

The principle of the proposal is acceptable and the re-use of the Listed Building in the form and detail proposed is also acceptable to HED. The change of use, the ancillary buildings and works are also considered to be acceptable and will not result in any significant amenity impacts to neighbouring residents.

The impact on the character of the surrounding area is considered to be acceptable. The Council's Environmental Health Services Dept. has no concerns regarding the potential for noise, nuisance and disturbance. In respect of the impact on parking and traffic, DfL Roads are content. Historic Environment Division of DfC has no concerns regarding the impact of the proposal on the host listed buildings.

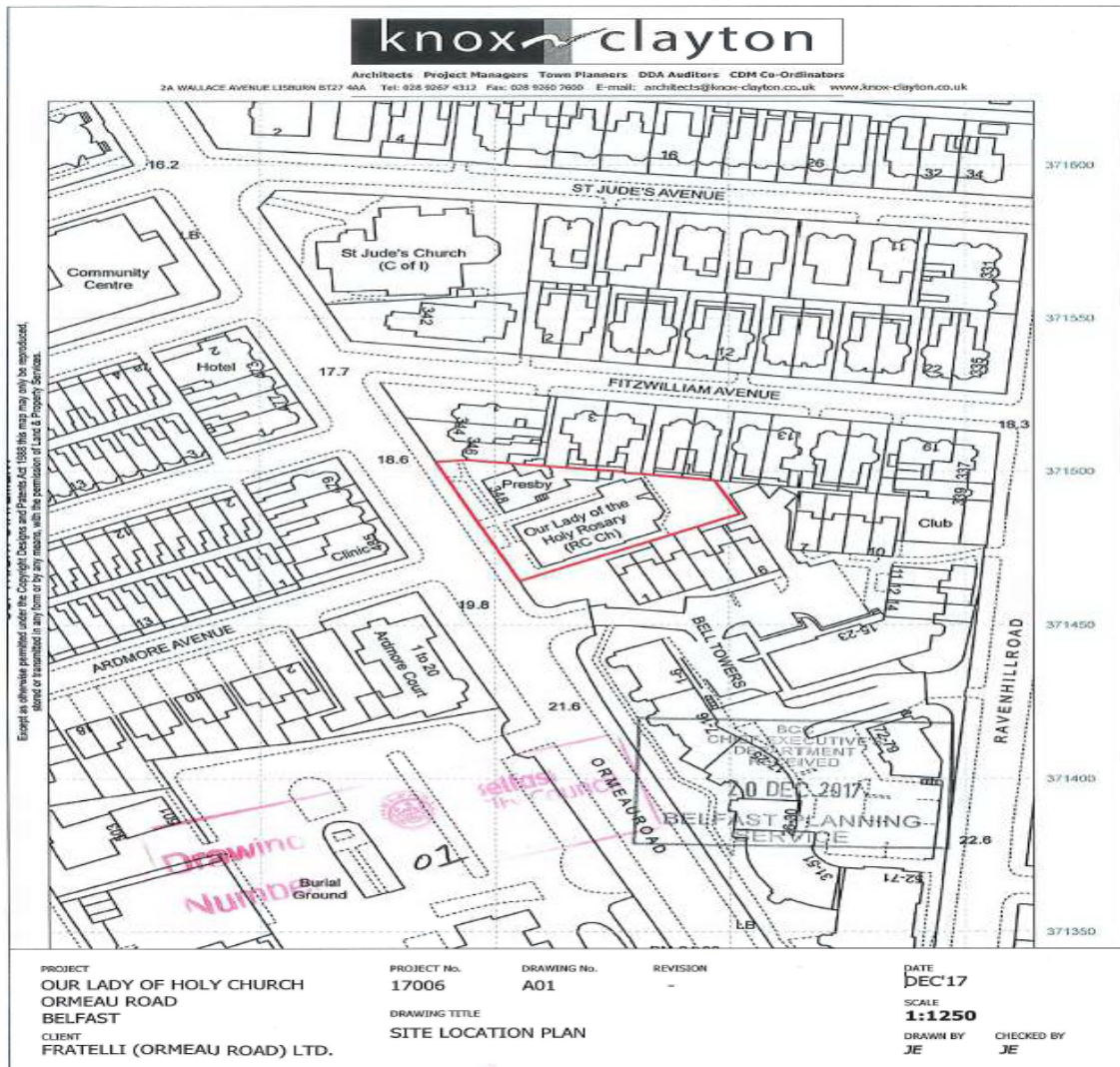
63 objections have been received, raising concerns mainly in respect of noise and parking issues. This is addressed in the body of the case officer report.

Recommendation

Having had regard to the development plan and other material considerations it is recommended that the application is approved subject to conditions. It is recommended the final wording of the conditions is delegated to the Director of Planning and Building Control.

Case Officer Report

Site Location Plan



Representations:

Letters of Support	None Received
Letters of Objection	63
Number of Support Petitions and signatures	No Petitions Received
Number of Petitions of Objection and signatures	No Petitions Received

Characteristics of the Site and Area	
1.0	Description of Proposed Development
1.1	Demolition of 2 storey rear return, external steps and single storey outbuilding of former Parochial House, demolition of existing vestry entrance porch, external steps, single storey boiler house and part of internal wall to tower and spiral staircase of former Holy Rosary Church. Change of use to hotel and licensed restaurant. Elevation changes and associated works.
2.0	Description of Site / Area The application site is occupied by a north facing derelict church building the former Holy Rosary Chapel and associated parochial house, both buildings are listed. This is set in ample grounds that are overgrown due to the length of time the property has been vacant. The site is relatively flat. Boundaries are defined by 2 – 2.5m tall red brick walls to the rear and sides. The front boundary is defined by a stone parapet wall with pillars and wrought iron railings. The site is secured by a 2.5m tall timber hoarding on its front boundary (Ormeau Road side). The north of the site is bounded by the rear gardens of residential properties at No's 3-9 Fitzwilliam Avenue, which are on a lower level than the site; and the side gable of No. 346 Ormeau Road, which is in commercial use. The south and east sides of the site are bounded by a residential apartment development.
2.1	The surrounding area is characterised by mixed land uses, including residential and commercial in an eclectic range of architectural designs but predominantly late Victorian.
Planning Assessment of Policy and other Material Considerations	
3.0	Site History
3.1	LA04/2017/2800/LBC - Demolition of 2 storey rear return, external steps and single storey outbuilding of former Parochial House, demolition of existing vestry entrance porch, external steps, single storey boiler house and part of internal wall to tower and spiral staircase of former Holy Rosary Church. Change of use to hotel and licensed restaurant. Elevation changes and associated works (amended scheme) Lands at Nos 348-350 Ormeau Road. Pending (associated with full application ref. LA04/2018/0059/F).
3.2	LA04/2017/0278/PAD - Conversion of listed former church building to licensed restaurant. Demolition of adjacent former parochial house & replacement with landscaped garden/public realm. 348-350 Ormeau Road. PAD concluded.
4.0	Policy Framework
4.1	Belfast Urban Area Plan 2001
4.2	Draft Belfast Metropolitan Area Plan 2015
4.3	Regional Development Strategy 2035; Belfast Urban Area Plan 2001; Belfast Metropolitan Area Plan (BMAP) 2015 (draft); Strategic Planning Policy Statement for NI (SPPS); Planning Policy Statement 6 - PPS6: Planning, Archaeology and the Built Heritage. Addendum to PPS6- APPS: Areas of Townscape Character

	<p>Development Control Advice Note 4: Restaurants, Cafes and Fast Food Outlets Planning Policy Statement 3 - PPS3: Access, Movement and Parking; and Planning Policy Statement 16 – Tourism.</p>
<p>5.0</p>	<p>Third Party Representations</p>
<p>5.1</p>	<p>63no written representations have been made in respect of this proposal. One of these is from an MLA. Concerns raised are summarised as follows:</p> <p>Nearly all of the 63 representations made raise concerns around car parking, access and movement of vehicles. These concerns include:</p> <ol style="list-style-type: none"> 1. There is no parking proposed for the development. This is contrary to published guidance (Parking Standards) which states that there is a requirement for hotel developments to have one space per room; 2. Ardmore Avenue, Rossmore Avenue and surrounding streets (including Fitzwilliam Avenue and St Jude's avenue) cannot support the additional demands on parking which the proposed hotel development would bring. On street parking is operating over capacity in the area (cars are often parked illegally, drivers waiting on double yellow lines etc) every weekday during working hours existing local services, shops, restaurants and hotels in the area necessitate a heavy volume of traffic from patients and users of those services; 3. This problem is exacerbated as parking is even more under pressure in our area during services in the adjacent Good Shepherd and St Jude's churches. Indeed, St Jude's Church do not have onsite parking facilities and so parishioners rely heavily on the surrounding streets to attend their services; 4. Several objectors offer a solution stating that there are in fact two possibilities that would allow the hotel/restaurant complex to go ahead as planned. One is to create an underground car park, as done with the apartment blocks at the corner of Ardmore Avenue and the Ormeau Road. The other is for the developer to enter a commercial arrangement with the Good Shepherd church on the other side of the road so that its car park can be used when there are not religious services taking place; 5. No service area for deliveries to the development; 6. The original Parking Survey was carried out on a Saturday and as such fails to take account of the parking situation during the week; 7. Consideration needs to be given to the cumulative impact on parking when assessed against other recent planning approvals in this area, such as the Parador Hotel conversion of a property at the corner of Rossmore Avenue / Ormeau Road; 8. Pollution from cars – Ormeau Road is listed as The proposed development falls within Air Quality Management Area No. 4 and is based on the 9th most congested road in the UK according to an INRIX report released in 2017. Any development that will contribute more than 100 Annual Average Daily Traffic (AADT) flow should be seen to pose a significant risk of further aggravating existing issues at the site, however, no mitigating measures are included for when this development would be in operation; 9. Proposal in breach of disability access requirements - parking and access will impact those with physical disabilities from accessing the site; and 10. Bus lanes limit parking for several hours each morning and afternoon which will exacerbate the parking problems the proposal shall bring. <p>Other concerns raised are mainly from residents that adjoin the site. The concerns raised are as follows:</p> <ol style="list-style-type: none"> 1. Loss of residential amenity due to the scale, form and massing;

	<ol style="list-style-type: none"> 2. Overlooking and loss of privacy for residences in Fitzwilliam Avenue; 3. Over-shadowing / loss of light / dominance; 4. Impact on Victorian sewerage system; 5. Noise and air pollution from bins storage / access path, patrons, smoking area, kitchen fumes, plant room, proximity of the toilet block to neighbouring residential properties, deliveries; 6. Over-development of a restricted site; 7. Security issues; 8. Proliferation of restaurants on the Ormeau Road; 9. Light pollution; 10. Potential for anti-social behaviour from patrons leaving the restaurant / hotel bar late at night; 11. Impact on character of the listed building; 12. Potential for refuse from the proposal to attract vermin; <p>The issues raised are material planning considerations and will be addressed in the following assessment.</p>
<p>6.0</p>	<p>Assessment</p> <p>Consultations:</p> <p>6.1 The following were consulted as part of the processing of this application: Department for Infrastructure – Roads; Belfast City Council's Environment and Health Services Dept; Historic Environment Division – Historic Buildings; NIWater; and Tree Officer. None have any objection in principle to the proposal.</p> <p>6.2 Site Constraints: The extant plan for Belfast is the Belfast Urban Area Plan 2001. However, the draft Belfast Metropolitan Area Plan 2015 is also a material consideration. The site is within the development limits for Belfast in both plans. The site is unzoned whiteland in the BUAP. It is within the proposed Rosetta Area of Townscape Character (ATC) designation BT049); and also on an Arterial Route (AR01/12 – Ormeau Road) in draft BMAP 2015. The site, with the former church and hall are both listed.</p> <p>6.3 Principle of Development: The site is within a mixed area characterised by commercial development interspersed with residential development along an arterial route. As such the proposed use is compatible with the character of the surrounding area. The site also benefits from being in an accessible location that is served by public transport, with bus lanes on either side of the site, linking it to and from Belfast city centre and beyond. The proposed use is therefore deemed to be viable and acceptable in principle at this location. The proposal therefore falls to be assessed under regional planning policy.</p> <p>The key issues to be considered are as follows:</p> <ol style="list-style-type: none"> (a) Parking/ traffic flow / roads safety; (b) Design; (c) Impact on the host listed buildings; (d) Impact on character of the Rosetta ATC; (e) Impact on residential amenity; and (f) Proliferation of restaurants in the area;

6.4	<p>Parking/ Traffic Flow / Roads Safety: The proposed change of use of the parochial home to a 19 bed hotel and the change of use of the church building to a restaurant does not include incurtilage car parking. Instead, the applicant seeks to rely on the availability of on-street car parking.</p>
6.5	<p>The Department's Parking Standards document sets out parking requirements for new development. Page 1 of this document stresses that this is supplementary planning guidance to be read in conjunction with relevant policy, which in this case is PPS3. Policy AMP7 of PPS3 is relevant. This necessitates that development proposals will be required to provide adequate provision for car parking and appropriate servicing arrangements in line with the Department's published standards (i.e. Parking Standards). This does not state that these provisions are to be incurtilage, which therefore allows for on-street parking availability to be considered.</p>
6.6	<p>A third party representation highlighted that the Parking Standards document necessitates 1 space per bedroom for hotels. Restaurants within the development limits necessitate 1 space per 5m² net floor area.</p>
6.7	<p>The parking survey, using the above standards, finds that the proposal will generate a need for 104 car parking spaces and 1 lorry parking space. However, the applicant has used Tric's trip generation analysis to determine the parking requirement for the proposed development based on similar examples throughout the UK and finds that the total number of vehicles requiring parking on the site at any time would be 27. The parking survey identified on-street availability well in excess of 27 on each survey time (5 separate times per day on both a week day and a weekend day) in the catchment area of Ormeau Road; Fitzwilliam Avenue; and St. Jude's Avenue.</p>
6.8	<p>DfI Roads is the statutory authority in respect of traffic flow. Roads has been consulted on two occasions and asked to comment on the parking survey as originally submitted, which only considered parking availability on a Saturday; and on an updated one that took in 2 separate weekdays as well as a Saturday. They also were requested to comment on the level of objections based on parking provision. Roads confirmed that they are satisfied that parking on-street is unlikely to have a significant impact on the local road network in terms of traffic and road safety.</p>
6.9	<p>Design: The hotel will be accommodated in the former Parochial House. Facilitating works to this building consist of the demolition of a 2 storey rear return, external steps and single storey outbuilding. A new 3 storey rear return is to be built with a single storey extension beyond. A two-storey side extension is also proposed on the north gable wall. The single storey extension will link the new hotel to the rear / side of the adjacent former Church building. To small dormer windows are to be inserted onto the roof to the front of the building. All extensions will have flat roofs.</p>
6.10	<p>The works to facilitate the change of use of the former Church building consist of the demolition of the existing vestry entrance porch, external steps, single storey boiler house and part of internal wall to tower and relocation of an internal spiral staircase.</p>
6.11	<p>HED has been consulted regarding the works to the listed buildings and, having assessed the proposal under policies BH7, BH8 and BH10 of PPS6; and paragraph 6.13 of the SPPS, is content in principle.</p>
6.12	<p>In respect of visual amenity from a public perspective, the overall design of the scheme is considered to comply with relevant design principles as laid out under paragraphs 4.23-</p>

	<p>4.36 in that it will not have a negative impact on the streetscene. It also complies with Policy ATC2 of APPS6 in that it will maintain the character and built form of the area.</p>
6.12	<p>Other: HED is content with the relocation of the spiral staircase but requested that the applicant submit a conservation led proposal for its strengthening, which will ensure its retention and reuse. The applicant has submitted a statement explaining that due to the requirement for Listed Building Consent to undertake any works to the building, they have been unable to fully appreciate the current structural integrity of the staircase. Therefore they request that planning permission, if forthcoming, is conditional that these details are required prior to the commencement of works.</p>
6.13	<p>Landscaping: An adequate amount of soft planting is proposed within the site. The Council's tree officer is content with the amount of soft landscaping, species etc.</p>
6.14	<p>Impact on Amenity of Neighbouring Properties: The SPPS for NI states that amenity considerations arising from development that may have potential health and well-being implications include design considerations, impact relating to visual intrusion, general nuisance, loss of light, and overshadowing.</p>
6.15	<p>The overall architectural design, finishes, form, scale, and massing of the proposal is deemed to be acceptable. The design is also considered to be an improvement to the long term derelict condition of the site.</p>
6.16	<p>Dominance / Overshadowing / Loss of Light: The bulk of the extensions are to the north side of the site which abuts the rear or residential properties on Fitzwilliam Avenue. No's 3-9 Fitzwilliam Avenue have potential to be affected by the proposal more than any other properties that adjoin the site. The 3 storey extension will not be directly opposite the rear of any dwellinghouse. The corner of the first floor will project 2m further than the second floor and as such will encroach opposite part of the rear garden of No.3 Fitzwilliam Avenue but not the actual house.</p>
6.17	<p>The single storey element will extend to the rear of the site and will be directly opposite the rear of No's 3-7 Fitzwilliam Avenue. The existing party boundary wall is approx. 2.35m tall when measured at its lowest point on the Fitzwilliam Avenue side (measurement taken from rear of No.9 Fitzwilliam Avenue). The levels on the site are approx. 700mm higher than the rear gardens of Fitzwilliam Avenue. The proposed single storey extension will be approx. 1.5m taller than the existing boundary wall and will be set back by 1.5m approx. As such dominance will not be to a degree where it will be overbearing on existing residential properties.</p>
6.18	<p>A two storey extension to the north gable of the parochial house will have no impact on the overall architectural integrity of the existing building and will not impact the amenity of the neighbouring commercial property at No.346 Ormeau Rd.</p>
6.19	<p>The existing church building is a prominent feature due to its proximity and height when viewed from the rear of gardens at Fitzwilliam Avenue. The former parochial house and its extension to facilitate the hotel will remain subordinate to the main church building. The orientation of Fitzwilliam Avenue to the north of the church and its close proximity to it means that over-shadowing / loss of natural light will already be an issue for the rear of these properties and therefore the addition of the lower building in between will not result in any further detriment from the existing situation.</p>

6.20	<p>Overlooking</p> <p>The only windows in the proposed extension that faces onto any residential property will be to rear of Number 5 Fitzwilliam Avenue. These will serve the foyer of the hotel. However, these will be mostly obscured by the existing party boundary wall. Despite this, if planning permission is approved it is recommended that it is conditional that these windows are fitted with obscure glass.</p>
6.21	<p>The existing windows in the church are fitted with stained glass. The plans seek to retain these. The developer / end user is unable to change these without seeking permission from Historic Environment Division in Department of Communities. This will ensure there is no unacceptable overlooking from the proposed restaurant on any neighbouring property.</p>
6.22	<p>Other Amenity Impacts:</p> <p>Paragraph 5.1 of DCAN4 outlines factors to be taken into account when assessing applications for restaurants. These include: noise disturbance; smells and fumes; refuse and litter. Having regard to the impact on the local vicinity in terms of noise, odours, litter, etc. Environmental Health is the statutory authority responsible for these such matters and was consulted for advice on this proposal.</p>
6.23	<p>Noise:</p> <p>The applicant has submitted a Noise Impact Assessment as required by Environmental Health. Sufficient information has been presented in the noise assessment to demonstrate that the operations associated with the use of the proposed café/ restaurant can be mitigated with appropriate control measures in place to avoid adverse noise impact on neighbouring amenity.</p>
6.24	<p>Given the size and nature of the development and its proximity to residential premises, the applicant was unable to provide detailed plant and equipment specification but provided an explanation as to why a detailed plant and equipment specification for the site is not possible at planning application stage. This is due to in situ testing requirements to ascertain the best mitigation, in the interests of satisfying amenity concerns highlighted by residents. EHO is content to proceed with negative conditions.</p>
6.25	<p>External Smoking Areas:</p> <p>There is to be a total ban on smoking throughout the entire premises including the curtilage.</p>
6.26	<p>Odours:</p> <p>In respect of potential for smells and fumes emanating from cooking operations on the premises, Environmental Health is content with the proposed mitigation which is to install an odour abatement system and flue can be secured by a condition.</p>
6.27	<p>Anti-Social Behaviour:</p> <p>A third party concern was raised in respect of patrons leaving the hotel bar and restaurant late at night which could result in anti-social behaviour. This in itself is not a material planning consideration. The PSNI is the authority to deal with incidents of antisocial behaviour. All licenced premises need to apply through the courts for a drinks licence and this is normally conditional that patrons are managed to ensure anti-social behaviour is not a problem.</p>
6.28	<p>Refuse Storage / Collection:</p> <p>In respect of refuse storage and collection arrangements, there is bin store in the rear of the single storey extension. This is internally accessible from both the hotel and the restaurant. A collection point is proposed to the front north of the site and the bins will</p>

	<p>be wheeled to this area via a path to the rear of the party boundary wall with adjoining properties along Fitzwilliam Avenue. Some residents have raised concerns regarding this arrangement, due to the noise of bins being moved. The applicant has provided a Service Management Plan which explains that the bins will be moved to the collection point once a week and that this not be during the night time period of 23.00 – 07.00 hours. The designated collection point will be screened by box hedging. If planning permission is approved then it is recommended that it is conditional that the development operates in accordance with this Service Management Plan.</p>
6.29	<p>Light Pollution: A third party representation made in respect of the proposal raised concerns regarding the potential for light pollution from the alley way along the north boundary of the site. The applicant confirmed that this alley way will be lit at lower level to avoid direct light onto the rear garden of houses along Fitzwilliam Avenue. In addition to this, if light pollution does become a nuisance Environmental Health has powers to take action.</p>
6.30	<p>Proliferation of Restaurants in the Area: The site is not within a district centre as defined by DCAN4. However, it is on an arterial route and the DCAN states that such routes may have similarities with district centres and as such shall be subject to the same considerations and those applicable to district and local centres. Paragraph 4.12 of DCAN 4 states that when dealing with applications for the change of use of non-retail premises to restaurants in district or local centres, a number of factors need to be considered. Firstly, the impact of the development on the viability and vitality of the centre, and the need to retain local retailing. The proposal should not by itself or cumulatively with other non-retail uses, undermine the primary role of the 'centre' in providing for local convenience shopping needs.</p>
6.31	<p>The proposal will not result in the loss of any existing retail premises. It is also a considerable distance from the nearest restaurant which is 150m approx. north of the site and on the opposite side of the Ormeau Road. The proposal is not considered to be detrimental to the function and viability of the Ormeau Road as a district centre.</p>
7.0	<p>Recommendation: Having regard to the policy context and other material considerations above, the proposal is considered acceptable and planning permission is recommended subject to the following conditions: It is recommended the final wording of the conditions is delegated to the Director of Planning and Building Control</p>
8.0	<p>Conditions:</p>
8.1	<p>The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p>
8.2	<p>Notwithstanding the details hereby approved, the development shall not be occupied until the ground floor windows in the north facing elevation marked with an 'X' as depicted on stamped approved drawing No. 08G, bearing the council's date stamp 06 February 2019 shall be fitted and permanently retained with obscure glass to Pilkington level 3 (or equivalent). In event of breakage or replacement they shall be fitted with similar obscure glass.</p> <p>Reason: To safeguard the privacy of adjacent properties.</p>
8.3	

8.4	<p>The internal spiral staircase shall not be moved until details of a conservation led proposal for its strengthening is submitted and agreed in writing by Belfast City Council.</p> <p>Reason: To ensure the retention and reuse of the spiral staircase in the interests of the character of the listed building.</p>
8.4	<p>All proposed soft landscaping works shall be carried out in accordance with stamped approved drawing No. 11A, bearing the Council's date stamp 13 November 2018. The works shall be carried out prior to the occupation of any part of the development or within the first planting season after occupation, unless otherwise agreed in writing by the Local Planning Authority. Any trees or plants indicated on the approved scheme which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size to be first approved in writing by the Local Planning Authority.</p>
8.5	<p>Reason: To ensure the provision, establishment and maintenance of a high standard of landscape.</p> <p>All plant stock supplied shall comply with the requirements of British Standard 3936, 'Specification for Nursery Stock'. All pre-planting site preparation, planting and post-planting maintenance works shall be carried out in accordance with the requirements of British Standard 4428 'Code of Practice for General Landscape Operations [excluding hard surfaces]'.</p>
8.6	<p>Reason: To ensure the provision, establishment and maintenance of a high standard of landscape.</p>
8.6	<p>Refuse bins shall not be brought out to the bin collection area, as own on stamped approved drawing No.04F date stamped 06 February 2019, between the hours of 11pm and 7am. Bins shall be permanently kept within the allocated bin storage area at all times with the exception of collection times.</p>
8.7	<p>Reason; In the interests of amenity.</p> <p>Prior to installation and fit-out of the kitchen, the applicant must provide to the Planning Service full specification details of the proposed kitchen extraction and odour abatement technology for review. The specification must demonstrate that the system will be capable of providing at a high level of odour control in line with relevant industry guidance. The extraction and odour abatement system must not be installed until full details are approved by the Council.</p>
8.8	<p>Reason: In the interests of human health.</p> <p>Any gas fired heating boiler installed as part of the heating system must meet a minimum emission standard of <40mgNOx/kWh.</p>
8.9	<p>Reason: In the interests of human health.</p> <p>The stack height of the boiler flue must be above roof level as illustrated on stamped approved drawing No. 09F, date stamp received 06 February 2019.</p> <p>Reason: In the interests of human health.</p>
9.0	Informatives

9.1	Precautions shall be taken to prevent the deposit of mud and other debris on the adjacent road by vehicles travelling to and from the construction site. Any mud, refuse, etc deposited on the road as a result of the development, must be removed immediately by the operator/contractor.
9.2	Notwithstanding the terms and conditions of the Planning Authority's approval set out above, you are required under Article 71-83 inclusive of the Roads (NI) Order 1993 to be in possession of the Department for Infrastructure's consent before any work is commenced which involves making or altering any opening to any boundary adjacent to the public road, verge, or footway or any part of said road, verge, or footway bounding the site. The consent is available on personal application to the Dfl Section Engineer whose address is 1A Airport Road, BELFAST, BT3 9DY. A monetary deposit will be required to cover works on the public road.
9.3	All construction plant and materials shall be stored within the curtilage of the site.
9.4	Provision shall be made to the satisfaction of Dfl, to ensure that surface water does not flow from the site onto the public road.
9.5	<p>THE ENVIRONMENT (NI) ORDER 2002</p> <p>The applicant and future users are advised that the proposed development is located within an area declared as an Air Quality Management Area under the Environment (NI) Order 2002. Levels of nitrogen dioxide are predicted to exceed the annual mean concentrations as prescribed by the Government through the National Air Quality Strategy.</p>
9.6	The Council along with relevant partners developed a 2015 -2020 air quality action plan that stipulates how they propose to implement measures that are designed to improve air quality within AQMAs.
9.7	The applicant and future users should be aware that the area may be subject to mitigation and control measures as part of the air quality management process.
9.8	Public water supply within 20m of your proposal, the Developer is required to consult with NIW to determine how the proposed development can be served. Application to NIW is required to obtain approval to connect.
9.9	Foul sewer within 20m of your proposal, the Developer is required to consult with NIW to determine how the proposed development can be served. Application to NIW is required to obtain approval to connect.
9.10	No surface water sewer within 20m of your proposal, developer is required to consult with NIW and may wish to requisition a surface water sewer to serve the proposed development and / or obtain approval from Rivers Agency for discharge to a watercourse.
9.11	The applicant is advised to contact NIW Waterline on 03457 440088 or waterline@niwater.com , upon receipt of this consultation to discuss any areas of concern. Application forms and guidance are also available via these means.
9.12	If during the course of developing the site the developer uncovers a pipe not previously evident, NIW should be notified immediately in order that arrangements may be made for investigation and direction in respect of any necessary measures required to deal with the pipe. Notify NIW Waterline on 03458 770002.

9.13	Although it has been determined above if NIW infrastructure is within 20m of your proposal, consultation with NIW is required at an early design stage by means of a Predevelopment Enquiry to obtain details of the availability of existing water and sewerage infrastructure and how their proposal may be serviced.
ANNEX	
Date Valid	31st January 2018
Date First Advertised	9th February 2018
Date Last Advertised	23rd November 2018
Date of Last Neighbour Notification	7 th February 2019
<p>Planning History</p> <p>Ref ID: LA04/2016/1206/PAD Proposal: Demolition of 348 Ormeau Road to allow for the provision of car parking and change of use from church to chapel of rest and columbarium Address: 348-350 Ormeau Road, Belfast, BT7 3GZ, Decision: Decision Date:</p> <p>Ref ID: LA04/2017/2800/LBC Proposal: Demolition of 2 storey rear return, external steps and single storey outbuilding of former Parochial House, demolition of existing vestry entrance porch, external steps, single storey boiler house and part of internal wall to tower and spiral staircase of former Holy Rosary Church. Change of use to hotel and licensed restaurant. Elevation changes and associated works. Address: Lands at, Nos 348-350 Ormeau Road, Belfast, BT7 2FZ, Decision: Decision Date:</p>	
<p>Summary of Consultee Responses</p> <p>As above</p>	
<p>Drawing Numbers and Title</p>	

Drawing No. 01
Type: Site Location Plan

Drawing No. 02
Type: Existing Site and Buildings

Drawing No. 03
Type: Demolition Drawing

Drawing No. 04F
Type: Existing and Proposed Site Plan

Drawing No. 05
Type: Existing Floor Plans

Drawing No. 06H
Type: Ground Floor Plan

Drawing No. 07D
Type: Proposed First and Second floor Plan

Drawing No. 08G
Type: Proposed Elevations and Section CC

Drawing No. 09F
Type: East Elevation and Section AA, DD

Drawing No. 10D
Type: South Elevation and Section BB, EE

Drawing No. 11A
Type: Planting Layout

Notification to Department (if relevant)

Date of Notification to Department:
Response of Department:

Elected Member Representations:

Claire Hanna MLA – in support of objectors
David Armitage