

# Planning Committee

Tuesday, 9th April, 2019

## MEETING OF PLANNING COMMITTEE

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

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

### **Apologies**

No apologies were reported.

### **Minutes**

The minutes of the meeting of 12th March were taken as read and signed as correct. It was reported that those minutes had been adopted by the Council at its meeting on 1st April, subject to the omission of those matters in respect of which the Council had delegated its powers to the Committee.

### **Declarations of Interest**

The Chairperson, Councillor Garrett, declared an interest in Item 7b, LA04/2019/0436/F - Single storey side extension at 14 Brooke Park, in that he was the applicant and he left the meeting for the duration of discussion on the item.

### **Committee Site Visit**

Pursuant to its decision of 12th March, it was noted that the Committee had undertaken a site visit on 21st March in respect of the following planning applications 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 relocation of internal spiral staircase of former Holy Rosary Church, and change of use to Hotel and licensed restaurant on lands at 348-350 Ormeau Road and

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.

### **Abandonment**

The Committee noted the receipt of correspondence from the Department for Infrastructure in relation to an application from Newington Housing Association in conjunction with the Department for Justice, for the abandonment of a length of alleyway which had originally provided rear access to properties between Duncairn Gardens and the former Hillman Street. The Committee noted that the area had subsequently been redeveloped and that no houses backed onto the area.

The Committee noted the correspondence.

### **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, 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 5th March and 1st April, 2019.

### **Miscellaneous Item**

#### **Local Development Plan Update**

The Committee considered the undernoted report:

#### **“1.0 Purpose of Report or Summary of Main Issues**

#### **1.1 The purpose of this report is to provide members with an update on:-**

- the LDP Metropolitan Working Group (MWG);
- An invitation from Lisburn City Council (LCCC) to attend a meeting to discuss their Consultation and Engagement Strategy with neighbouring councils; and
- the recently published Ards and North Down Borough Council (AND) Preferred Options Paper (POP);

**2.0 Recommendations**

- 2.1** The Committee is asked to note the updates on the MWG, the invitation by LCCC on their engagement strategy and to agree to delegate responsibility to officers to respond on behalf of the council to the AND POP.

**3.0 Background**

- 3.1** The MWG provides a liaison forum on spatial planning and includes cross boundary aspects of economic development, housing, transport and general infrastructure issues arising at regional and sub-regional level. The MWG met on 11 March 2019 and this report sets some of the main issues that were discussed. Minutes from the meeting are available on mod.gov.

- 3.2** The council has received an invitation from Lisburn and Castlereagh City Council to attend a meeting on their 'Consultation and Engagement Strategy with Neighbouring Councils' which is designed to seek feedback from neighbouring councils on their draft Plan Strategy in advance of public consultation. The meeting has been scheduled for 10am on 18th April 2019 in the Civic Headquarters, Lagan Valley Island, Lisburn. The invitation is targeted at senior planning officers from those councils adjoining LCCC. A copy of the invitation is available on mod.gov.

- 3.3** Public consultation on the AND POP began on 28 March 2019 and will be open for a period of 12 weeks, ending at 5pm on 20 June 2019. Feedback from the public consultation will inform the preparation of the Draft Plan Strategy. It is the last POP to be published within the metropolitan area and this report outlines some of the proposed strategic approach. The summary of the AND POP is available on mod.gov.

**4.0 Main Issues**

**The Metropolitan Working Group Update**

- 4.1** The main issues discussed that the MWG on 11 March 2018 are set out below.
- 4.2** In terms of updates, BCC advised that we had recently met with the Dfl and PAC regarding process and next stage of plan development. We provided an update of our revised timetable and the publication of our plan responses following our engagement on the DPS. We also advised that we are currently summarising those responses and completing our own response to the PAC in advance of the independent examination.

- 4.3 LCCC and Antrim and Newtownabbey (ANBC) currently intend to publish their draft Plan Strategies in the autumn. ANDBC advised that it will be publishing its POP imminently (*now published*).
- 4.4 Concerns were raised by Dfl, LCCC and ANDBC at the previous meeting about engagement by BCC prior to publication. This was also raised in their formal response to our DPS last autumn. LCCC is required to set up their own consultations for their LDP as they have different adjoining council and they suggested they would take an alternative approach to this.
- 4.5 Dfl is intending to produce a two stage Transport Strategy and Transport Plan. However, the timetable for these has continued to slip. Dfl raised concerns about BCC publishing its DPS prior to production of the Dfl Transport Strategy. This was also raised in its formal response to the DPS last autumn. Unfortunately there is still no draft Transport Strategy or Plan from Dfl despite comments at the last meeting that suggested that this would be available March. There is yet to be a Transport Plan Board meeting.
- 4.6 Dfl is required to set up consultations for the development of the transport plan but it has yet to formally outline the processes or timescales. Dfl in January published 'guidance' on transport policy for councils without any prior consultation.

**Ards and North Down Preferred Options Paper (POP)**

- 4.7 Public consultation on the Ards and North Down Borough Council POP began on 28 March 2019 and will be open for a period of 12 weeks, ending at 5pm on 20 June 2019. It is the last POP to be published within the metropolitan area and indeed in Northern Ireland. As members will be aware, the POP is the first public consultation stage in the LDP process and its main purpose is to encourage debate on key issues affecting the area, including the Council's preferred approach to guiding future development.
- 4.8 The ANDBC POP sets out three strategic objectives, as follows:
- Ensuring cohesive and safe communities; and, supporting healthy lifestyle
  - Protecting and enhancing the environment;
  - Promoting economic vitality.

- 4.9** It proposes five overarching principles that all development proposals must have regard to:
- Improving Health and Well-being;
  - Creating and Enhancing Shared Space;
  - Supporting Sustainable Economic Growth;
  - Supporting Good Design and Positive Place Making;  
and
  - Preserving and Improving the Built and Natural Environment.
- 4.10** The proposed growth strategy seeks to guide the majority of development to locations within large towns that have adequate capacity and infrastructure. Bangor and Newtownards are designated as 'large towns' at the top of the proposed settlement strategy, followed by a number of small towns, such as Holywood, Comber and Ballygowan. It proposes to allocate land to accommodate 8,190 new houses over the LDP period to 2030, in line with the RDS 2016 housing growth indicators. It notes that land zoned for housing in existing development plans can meet almost all of this allocation and, in addition, there are other lands within settlements with potential for new housing, with a total of over 10,000 potential housing units identified.
- 4.11** The POP supports local economic development and seeks to identify land to support the creation of up to 7,500 jobs in line with the target set in the ANDBC's Integrated Tourism, Regeneration and Economic Development Strategy. It notes that there is sufficient land already zoned for employment uses to meet future growth. In addition, it also seeks to protect and enhance the rural economy across the area.
- 4.12** The POP sets out preferred approaches across a wide range of other planning matters, including the natural and built environment, flooding and climate change, sustainable travel and retailing.
- 4.13** In overall terms, the POP seeks to grow the ANDBC area in an inclusive and sustainable way. Its general approach is to meet local needs, including increased employment opportunities throughout the area. There is a clear acknowledgement of the need for a sustainable approach, including in relation to environmental protection and sustainable/active travel. In this regard, the overall proposed approach is in line with regional planning policy.

- 4.14 The POP public consultation period runs to 20 June 2019. Having regard to the general nature of the issues raised in the POP and the committee timetable over the coming months, permission is being sought from members to delegate the submission of a written response to officers in this instance.”

The Committee adopted the recommendations.

#### **Restricted Item**

**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 item as, due to the nature of the item, there would be a disclosure of exempt information as described in Section 42(4) and Section 6 of the Local Government Act (NI) 2014.

#### **Outstanding Accounts**

The Director of Planning and Building Control informed the Committee that, during the summer of 2008, under part IX of the Belfast Improvement Act 1878, work had been undertaken by the Council’s contractor at a site in the north of the City. He advised the Committee that the debtor had been invoiced by the Council for the cost of the works undertaken and that they had been written to on numerous occasions regarding repayment of the debt. The Committee noted that the advice from Legal Services was that no further legal action be taken in relation to the outstanding debt.

The Committee agreed to write off the debt of £7,567.52.

#### **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)**

**LA04/2017/2811/F and LA04/2017/2783/DCA - Demolition of existing building and erection of 16 storey residential building comprising 90 units (30 x one bed and 60 x two bed), ancillary ground floor uses including management suite, café, servicing (refuse/recycling/cycle storage/general storage), plant room, substation and associated public realm works at 81-87 Academy Street & 2-6 Exchange Street**

The Committee was reminded that a Pre-Determination Hearing had been held immediately prior to the meeting to hear the views of interested parties and for the Committee to seek clarification from those parties on the facts surrounding the development.

The Planning Manager (Development Management) advised the Committee of the key points of the application.

He explained that, since the Committee had originally considered the applications at its meeting on 16th October, 2018, the Council had received additional objections to application LA04/2017/2811/F, which had been addressed within the main body of the report.

He advised the Committee that Members present had received a deputation from Mr. A. Best, the Applicant, Mr. M. Gordon, Turley, and Mr. S. Levrant, Architect. In response to the Chairperson's offer to address the Committee again at this meeting, they declined and requested the right to reply to any points raised by any objectors.

The Chairperson advised the Committee that Mr. B. McKervery, Historic Environment Division (HED), was in attendance and wished to present to the Committee.

Mr. McKervery advised the Committee of HED's objections in relation to the applications, which included:

- concerns in relation to the height of the proposed building in a conservation area, particularly in relation to the Education Authority building and St. Anne's Cathedral;
- that, if the Committee was to grant approval to the applications, it would set a precedent for future applications in the area, in terms of height, scale and massing;
- that he believed it was wrong that recent high-rise buildings should determine a new setting for an area in contrast to the historical buildings; and
- that, while he welcomed a residential development in the area, he would not support one at the scale, height and massing as contained within the proposed plans.

The Chairperson invited Mr. Gordon, the agent, and Mr. S. Levrant, Architect, to respond to any comments raised by Mr. McKervery. They stated that:

- each application was to be judged on its own merits;
- it was a tall building, but that scale was not size, it was the relationship between parts;
- the historic setting had, and must, change in order to be vibrant;
- the proposals would fulfil the residential need in the city centre;
- the proposals would set a new tone for the area, weaving into the fabric of the City without adverse affect.

The Committee granted approval to the application, subject to the imposing of the conditions set out within the case officer's report and delegated power to the Director of Planning and Building Control for the final wording of the conditions, including a condition to secure the public realm enhancement works and, in conjunction with the City Solicitor, to resolve the outstanding issues and the Section 76 Planning

Agreement to secure the submission and implementation of a final Travel Plan and the provision of Travel Cards as detailed within the report.

(Alderman McGimpsey joined the meeting at this point)

**(Deferred) 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. Elevation changes and associated works on Lands at Nos. 348-350 Ormeau Road Belfast**

The case officer reminded the Committee that it had agreed to defer consideration of the application at its meeting on 12th March, so that the Committee could undertake a site visit in order to acquaint Members with the site. She explained that the site visit had taken place on 21st March.

The Committee was provided with an overview of the principal aspects of the application and the issues which had been considered in its assessment against planning policies. The case officer explained that the site was located within the development limits for Belfast in both the BUAP (2001) and the draft BMAP (2015). She explained that both the church and hall buildings were listed.

The Members were advised that the principle of the proposal was acceptable and that the re-use of the Listed Building in the form and detail proposed was acceptable to the Historic Environment Division (HED).

The case officer explained that 63 objections had been received, the majority of which related to issues with parking and noise issues and, following the publication of last month's report, an additional five written objections had been received, all citing the lack of parking within the development.

The case officer drew the Committee's attention to the Late Items pack, where the applicant had submitted a Travel Plan for the application on 2nd April. The Members were advised that DfI Roads had reviewed the Travel Plan and had recommended a condition, which included targets and an annual review, to be agreed with the Planning Service prior to the development becoming operational.

The Committee was advised that DfI Roads had been consulted on two separate occasions in relation to the application and that it was content and had no objections in respect of the impact of the proposal on existing parking provision.

She confirmed to the Committee that Environmental Health had cited no concerns with noise, nuisance or disturbance but, as detailed in the addendum report, had submitted its final response to the consultation recommending seven conditions, if the application was to be approved.



The Committee received representation from Mr. S. de Faoite who explained that he was in attendance to raise concerns on behalf of local residents regarding the lack of parking facilities proposed at the site. He made a number of points, which included:

- while he appreciated that the proposal would bring a vacant, listed building back into use, he did not feel that the applicant had done enough in terms of addressing residents' concerns in relation to parking;
- residents in the surrounding streets already had regular occurrences of their bins not being collected due to a high density of parked cars blocking streets and alleyways;
- there was only one entrance/exit at the proposed site, onto the Ormeau Road, which has a bus lane – this would create further congestion on an already busy road; and
- that the bus route has been suggested as a potential glider route in the future.

The Committee then received representation from Councillor Boyle, who spoke in support of the application. He advised the Committee that:

- he welcomed the application, in that it would bring a listed building back into use, which had been vacant since the mid-1980s;
- the applicants were professional operators of licensed premises;
- the application should be approved as it would create employment and increase the rate base for the Council; and
- while he understood the parking concerns raised, he didn't believe the application would make the parking issues any worse than they currently were.

The Committee received representation from the agents for the application, Ms. S. Tinsley, Turley, Mr. L Power, Architect, and Mr. D. Fletcher, Traffic Consultant.

Ms. Tinsley and Mr. Power informed the Committee that:

- the heritage-led project would secure the future of a vacant, Grade B1 listed building which was on the Buildings At Risk register;
- all statutory consultees had responded without objection;
- amendments had been made by the applicant in response to feedback, in order to minimise the impact on neighbouring properties by reducing the scale and massing of the original proposals, from 21 bedrooms to 18;
- the Travel Plan would be conditioned; and
- it was in the wider public interest to regenerate the buildings.

In response to a Member's question regarding how the number of car parking spaces required for the site had been determined, Mr. Fletcher confirmed to the Members that a Trip Rate Information Computer (TRIC) was a long-established system which collated real time information for similar sized developments throughout the UK. He explained that, while Planning Parking Standards would suggest the provision of 104 parking spaces, DfI Roads had agreed to the use of TRIC trip generation analysis to

determine the parking requirement for the proposed development, which had determined that 27 vehicles would require parking at the site at any one time. He confirmed to the Committee that the parking survey had illustrated on-street availability well in excess of 27 on each survey time in the catchment area.

During discussion, the Traffic Consultant confirmed that the Travel Plan applied to both the staff and guests of the development. He confirmed that public transport information would be provided to guests at the time of booking.

In response to a Member's query regarding the nearby Church car park, which involved crossing the Ormeau Road, Ms. Tinsley confirmed to the Committee that the applicant had engaged with the Church to explore the possibility of hotel guests using its carpark, but that it was being explored in good faith and did not form part of the Planning application.

The Chairperson advised the Committee that Mr. L. Walsh, DfI Roads, was in attendance and he was welcomed to the meeting. Mr Walsh advised the Committee that the bus lanes on the Ormeau Road were operational city-bound in the mornings and country-bound in the evenings. He explained that Translink operated 74 metro services along the Ormeau Road each day. He advised the Members that DfI Roads had determined that there were adequate pedestrian crossings close to the site and that there was sufficient on-street parking in the vicinity.

A Member stated that they had been advised by the PSNI that parking partially on the pavement was illegal but that it was too difficult to monitor, particularly in narrow streets such as those off the Ormeau Road.

In response to a Member's query as to whether the applicant would be required to retain and restore the stained glass and the interior staircase, the case officer confirmed to the Committee that they would be conditioned and phased as a priority.

The case officer confirmed, in response to further questions from a Member regarding deliveries and glass collections at the hotel site, that a number of conditions would be added if Planning Permission was granted, as detailed in the addendum report, and that the Management Plan would also ensure good neighbourliness. The Divisional Solicitor added that the Management Plan for the development could be flexible to take future considerations into account.

### **Proposal**

Moved by Councillor Johnston, and  
Seconded by Councillor Hutchinson,

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

On a vote by show of hands eight Members voted for the proposal and two against and it was accordingly declared carried.

**(Reconsidered) - 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**

(Councillors Carson and Nicholl took no part in the discussion or decision-making of the application since they had not been in attendance at the meeting on 12th March, when it had originally been considered)

(Councillors Carson and Nicholl left the meeting at this point)

The case officer reminded the Committee that it had considered the major application at its meeting on 12th March, when it had agreed to defer consideration to enable the Committee to receive a briefing on the Travel Plan for the site, and to undertake a site visit in order to acquaint Members with the site and the surrounding residential streets.

He advised the Members that the briefing on the Travel Plan and the site visit had both taken place on 21st March, with representatives from the Department for Infrastructure (DfI) Roads in attendance.

The case officer reminded the Committee that, at its meeting on 12th March, a number of members had raised concerns relating to the parking provision to serve the proposal and the impact that it would have on traffic flow and on the amenity of nearby streets.

He explained that, in light of further discussions with DfI Roads, a condition had been added to ensure that there was designated parking to serve the proposed children's hospital. The Committee was advised that the condition would ensure that 97 car parking spaces would be permanently retained as dedicated car parking for visitors and patients of the Children's Hospital. He clarified to the Members that these 97 spaces would be in addition to the 24 new spaces, which were included as part of the application.

The Members were advised that Condition 11.10 within the original report of 12th March had been amended to ensure that the Travel Plan was agreed and implemented prior to the operation of the Children's Hospital.

The Committee's attention was drawn to the Late Items pack, where the Planning Service had detailed that the timeframe for the Travel Plan for the entire hospital should be implemented within twelve months from the commencement of development, and not six months as detailed within the report. Further late items included details of correspondence between the agent and the Planning Service to clarify the wording of conditions relating to car parking and the Travel Plan for the site, a Briefing Note which had been submitted by the agent further to the Committee's site visit, and clarification from DfI Roads in relation to its position on parking at the site.

The case officer advised the Members that the Planning Service's response to each correspondence was addressed within the pack.

The Committee received representation from Ms. K. Brookes, Belfast Health and Social Care Trust, and Ms. U. Somerville, Aecom. Together they outlined to the Committee that:

- they appreciated the previous concerns raised relating to parking and had had significant engagement with DfI Roads and the Planning Service since the previous Committee meeting, resulting in the two conditions referenced by the case officer;
- this was the first time that a site specific Travel Plan would be developed for the RVH campus;
- the focus of the Travel Plan was on staff, it would be reviewed annually and it would contain a mixture of incentives and penalties; and
- they would like the Committee to consider extending the implementation period for the Travel Plan to "within 18 months from the demolition of Bostock House", instead of 12 months.

The Chairperson advised the Committee that Mr L. Walsh, DfI Roads, was in attendance. In response to a Member's question regarding the encouragement of active travel, specifically cycling, contained within the Travel Plan, Mr. Walsh advised the Committee that the Eastern Division of DfI Roads was currently undertaking a gap analysis of the cycle network in Belfast to identify safe routes for cyclists.

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

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

(Alderman McGimpsey and Councillor Hutchinson left the meeting at this point)

**LA04/2019/0578/LBC - Conservation led works to Bank Buildings involving the removal of the 1970s brick wall insertion from the Bank Street façade**

The Committee was apprised of the key aspects of the application for the partial dismantling of one section of a red brick wall of Bank Buildings, which had been constructed in the 1970s following bomb damage to the building.

The Planning Manager (Development Management) reminded the Members that Bank Buildings was a category B1 Listed Building, within the Belfast City Centre Conservation Area, which had suffered severe damage by a fire that started on 28th August, 2018.

He advised the Committee that the Historic Environment Division (HED) had raised no objection to the proposal subject to conditions. The Members noted that a replacement wall was required to be erected within two years from the date of consent, subject to details to be agreed between the Council and HED.

The Committee was advised that no third party representations had been received.

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

(Alderman McGimpsey returned to the Committee table at this point)

**LA04/2018/2784/F - Proposed toboggan run (324m winding descent with 241m straight return) and associated single storey prefabricated building with access road, car parking, pathways, lighting, supporting planting and site works Colin Glen Forest Park 163 Stewartstown Road**

The Committee was apprised of the principal details of the application for a toboggan run in Colin Glen Forest Park, which was in receipt of Council funding.

The case officer explained that the site was currently designated as existing open space in the adopted Belfast Urban Area Plan 2001 and Draft BMAP. She confirmed to the Members that the principle of development and the proposed use as open space would continue to be used as recreational open space, with enhanced facilities and would provide for the wider community benefit.

She outlined to the Committee that eight objections had been received raising concerns including the impact of the proposal on a priority habitat, protected species and loss of ancient woodland.

The Members were advised that all statutory consultees were content, subject to conditions. The case officer explained that the Council's Tree Officer had raised concerns regarding the loss of trees, mitigation planting and the impact of construction works on trees to be retained. She advised the Committee that, as the principle of the installation of a recreational use into the open space was acceptable, it was considered that a suitable mitigation plan could be achieved.

In response to a Member's query regarding the ability of the emergency services to access the toboggan path, the Chairperson advised the Committee that Ms. K. Jenkinson, Aecom, and Mr. C. O'Neill, Colin Glen Trust, were in attendance and were welcomed to the meeting.

Together, Ms Jenkinson and Mr O'Neill confirmed to the Committee that a Management Plan would be in place and that the emergency services could reach the toboggan via pathways along the route. The case officer confirmed to the Committee that this was not a planning consideration.

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

**LA04/2017/1784/F - Retention of existing residential premises 3 & 5 Dunmurry Lane, retention & extension of existing residential premises 7 & 9 Dunmurry Lane, and the erection of 1 apartment block comprising of 27 x 2 bedroom apartments and 16 x 1 bedroom apartments at. 148-158 (Evens) Kingsway Dunmurray and 3-11 (odds) Dunmurry Lane**

The Committee was provided with the details of the proposal, which included the erection of 27 two bedroom apartments and 16 one bedroom apartments.

The case officer explained to the Members that the principle of the proposal was acceptable on the basis that the site was within the development limits in both the extant and draft plans, and was zoned for housing in dBMAP.

She advised the Members that 23 objections had been received relating to overlooking, dominance, loss of light, over-development, increase in traffic, issues with parking, waste disposal arrangements, out-of-character with surrounding area and increased risk of flooding. The Committee was advised that the issues were addressed within her report.

The case officer drew the Committee's attention to the Late Items pack, where a consultation response had been received from DfI Roads, confirming that it had no objections to the proposal and that the provision of both Private Streets Determination details and conditions be included, if it was granted approval.

She advised the Members that all consultees had offered no objections.

In relation to car parking on the site, she advised the Committee that 40 spaces would be provided and that the site was accessible by public transport as well as close to shops and other services.

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

**LA04/2018/1932/F - Residential development comprising 90 no units (47 dwellings, 40 apartments, 3 bungalows) and associated access, parking, landscaping and play park on lands directly to the south of Kilwee Business Park Upper Dunmurry Lane, Dunmurry**

(Councillor Mullan left the meeting at this point)

The case officer provided the Committee with an overview of the principal aspects of the major application for ninety social housing units, to including parking, associated landscaping and a play park.

He outlined to the Members that the site was located within the development limits of Belfast in the BUAP 2001 and Draft BMAP 2015 (dBMAP) and was zoned for housing under dBMAP.

The Committee was advised that Environmental Health, Rivers Agency, NIEA, Northern Ireland Housing Executive and NI Water had been consulted and had expressed no objection to the proposals subject to conditions.

The case officer explained that the Department for Infrastructure (DfI) Roads was currently finalising the Private Streets Determination and would be in a position to provide conditions and informatives thereafter.

The Members were advised that the application had met the Policy tests PPS 2, 3, 7, 8, 12 and 15.

The case officer outlined that three representations had been received, citing overdevelopment, not in keeping with the existing general housing characteristics of the area and environmental concerns. He advised the Committee that the response of the Planning Service to the concerns were outlined within the body of the report.

In response to a Member's query regarding the overhead electricity lines and the proposed playpark, the case officer confirmed that Northern Ireland Electricity had been consulted and had expressed no objection but that they would be provided with the details of the playpark and that the details would be covered by condition.

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

**LAO4//2018/2049/LBC & LA04/2018/2271/F - Extension and refurbishment of original 18 & 19 Donegall Sq East, demolition of rear return and infill buildings and the provision of a new rear extension and link to provide accommodation for commercial use to the basement, ground floor and 4th floor with associated roof terrace, and office accommodation on 1st-6th floors with roof top plant, public realm works**

The Planning Manager (Development Management) provided the Committee with the principal aspects of the application for the extension and refurbishment of the listed buildings, the demolition of rear buildings and the erection of a new extension to the rear which fronts onto May Street.

The Members were advised of the main issues which had been considered in assessing the proposals and that the site was located within Belfast City Centre, an

Area of Parking Restraint, the Civic Precinct Character Area and the City Centre Conservation Area.

The Planning Manager explained that Transport NI, Environmental Health, Northern Ireland Environment Agency, HED and NI Water had been consulted on the proposals. He explained that NI Water's response was currently outstanding but that it was not anticipated that it would raise any significant concerns. The Committee also noted that Environmental Health was considering the Noise Impact Assessment and that delegated authority was sought to resolve final conditions to resolve those matters.

He advised Members that representations had been received from the Belfast Civic Trust and the Ulster Bank, and that their concerns had been addressed in the case officer's report.

He drew the Committee's attention to the Late Items pack, where the Historical Environment Division (HED) had recommended an additional condition regarding lighting, should the approval be granted. He also advised the Committee that replacement elevation and basement/ground floor drawings had been submitted by the applicant, with minor changes, and were considered acceptable.

The Planning Manager outlined to the Committee that, having regard to all the submitted information and representations, officers had concluded that the proposed design was appropriate in the context of the conservation area and listed buildings and provided an innovative and visually interesting design.

The Committee granted approval to the application, subject to the imposing of the conditions set out within the case officer's report and delegated power to the Director of Planning and Building Control to resolve the outstanding matters in relation to the consultation responses from Environmental Health and NI Water, and for the final wording of the conditions.

**LA04/2018/2712/F - Change of use from retail unit to an amusement centre on ground floor at 115-119 Royal Avenue**

(Councillor Canavan left the meeting at this point)

The case officer provided the Members with the key aspects of the application for a change of use from retail to an amusement arcade.

He explained to the Committee that the application sought the relocation of an existing amusement arcade from 13 North Street to facilitate redevelopment of the area.

The Committee was advised that the site was located within Belfast City Centre and Cathedral Conservation Area, and fell within the primary retail core of the city centre. The case officer pointed out to the Members that there were a number of listed properties within the immediate location of the site.

He confirmed to the Committee that DfI Roads and the Historic Environment Division (HED) had been consulted and had no objections to the application.



The Members were advised that Environmental Health had requested an amended noise impact assessment and that their comments were outstanding in this regard.

The case officer explained that ten objections had been received and that the Planning Service's assessment of those objections had been addressed within his report.

A Member expressed concerns regarding the site's proximity to the Belfast Central Library, which was used by school children, the offices of Start360, which provided support to vulnerable people, and the offices of Extern and the Probation Board NI.

The case officer explained to the Committee that Building Control had advised that the proposed change of use did not comply with one of the Council's Amusement Permit Policy criteria (May 2013), namely "retail vibrancy and regeneration of Belfast", as it was a new arcade in that location. He advised that Building Control had confirmed, however, that the proposal complied with the other four criteria of that Policy, namely, the cumulative build-up of amusement arcades in a particular location, the impact on the image and profile of Belfast, proximity to residential use and proximity to schools, youth centres and residential institutions for vulnerable people.

In response to a Member's query, he stated that, as the application was for the relocation of an amusement arcade to facilitate redevelopment, as opposed to an additional arcade, it was considered that it would not result in the proliferation of non-retail units in the retail core and was therefore acceptable in Planning terms.

The Divisional Solicitor clarified to the Members that it would be for the Licensing Committee to determine if the proposed amusement arcade met the requirements under the Council's Amusement Permit Policy, where the Policy would perhaps carry more weight.

She confirmed that the concerns raised by the Planning Committee in relation to the proposed site's proximity to the aforementioned venues, including Belfast Central Library, would be submitted to the Licensing Committee for its consideration.

The Committee was advised that a Section 76 Planning Agreement would be drawn up to ensure that both the existing and proposed premises would not operate concurrently as amusement arcades.

In response to a Member's concerns, the Director of Planning and Building Control and the Divisional Solicitor confirmed to the Committee that the Section 76 Agreement could restrict the publically accessible floor space of the premises at 115-119 Royal Avenue.

The Committee granted approval to the application, subject to the imposing of the conditions set out within the case officer's report and delegated power to the Director of Planning and Building Control for the final wording of the conditions and, in conjunction with the City Solicitor, to resolve the outstanding issues and the Section 76 Planning Agreement.

**LA04/2019/0025/F - Demolition of existing residential building and construction of 90 apartments with associated car parking and landscaping at Parklands, Knocknagoney Dale**

(Alderman McGimpsey left the meeting at this point)

The Committee was apprised of the principal aspects of the major application for the demolition of an existing building and the construction of 90 apartments on an established residential site.

He outlined to the Committee that planning permission had been granted in 2015, by the former Department of the Environment (DOE), for 165 apartments and more recently by the Council in January 2018, for 105 apartments. He explained that the current proposal was a further reduction in the number of apartments, from 105 to 90, in three 4 storey blocks.

The Members were advised that Environmental Health, DFI Roads, DAERA, Rivers Agency and NI Water had submitted no objections in principle to the proposals and, subject to the provision of satisfactory technical details, were content.

The Committee noted that no objections had been received.

The case officer provided the Committee with the regional and local planning policies which the proposal had been considered against.

He outlined to the Members that, as a major application, it would be subject to a legal agreement with the Council, under Section 76 of the Planning Act, and that the developer had expressed a willingness and commitment to provide a financial contribution towards the provision and improvement of open space and recreational facilities, including pedestrian access to the adjoining Knocknagoney Park.

The Committee granted approval to the application, subject to the imposing of the conditions set out within the case officer's report and delegated power to the Director of Planning and Building Control for the final wording of the conditions and, in conjunction with the City Solicitor, to resolve the outstanding issues and the Section 76 Planning Agreement.

**LA04/2018/2496/F - Performance space, with outdoor seating area and covered stage, MUGA playing surfaces with goal posts & basketball nets & 6 metre high ball catch netting along eastern boundary, with outdoor gym equipment, steel storage container and security fencing at John Paul II Youth Club Brookfield Place**

The case officer outlined the principal aspects of the application, whereby the applicant was in receipt of funding from the Council.

She explained to the Members that the principle of use as a recreational space was established, as, currently, it was the outdoor amenity space for the Youth Club and

for parking. The Committee was advised that the proposed development would continue this recreational use with enhanced facilities which would provide for the wider community benefit.

The Committee noted that no third party objections had been received and that DfI Roads had no objections to the proposals.

The Members were advised that Environmental Health had requested further information in respect of noise and light spill. The case officer explained that, given that no objections had been received from neighbours, that the space was currently used by the Youth Club for recreational activities and that the new facilities would serve existing patrons only, the application was recommended for approval with authority delegated to the Director of Planning and Building Control to conclude outstanding issues regarding noise and lighting.

The Committee granted approval to the application, subject to the imposing of the conditions set out within the case officer's report and delegated power to the Director of Planning and Building Control for the final wording of the conditions, including the conclusion of outstanding issues with Environmental Health relating to noise and lighting.

**LA04/2019/0143/F - Bike Shelter Upper Newtownards Road,  
Ravenscroft Avenue**

The Committee was apprised of the principal aspects of the application, where the Council was in current ownership of the land.

The case officer explained that the application was for the provision of a secure bike shelter for up to 20 bikes associated with the Belfast Rapid Transit (BRT) scheme.

She outlined to the Members that the site was identified as whiteland in BUAP 2001 and within the draft Ravenscroft Avenue Area of Townscape character in dBMAP 2015. The Committee was advised that the proposed location for the bike shelter was on a small grassed area of open space within a largely commercial area. She pointed out that it was considered, on balance, that the provision of the facilities for the wider community outweighed the loss of open space.

She pointed out that DfI Roads had been consulted and had offered no objections subject to conditions.

The case officer advised the Committee that the Tree Officer had confirmed that they had no objection, subject to further conditions as detailed in the Late Items Pack.

The Committee granted approval to the application, subject to the imposing of the conditions set out within the case officer's report and delegated power to the Director of Planning and Building Control for the final wording of the conditions, specifically regarding the protection of the trees on site.

**LA04/2019/0273/F - Change of use to HMO at 95 Donegall Avenue**

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

The Committee noted that two letters of objection had been received, one from Blackstaff Residents and one from the Alliance Party of Northern Ireland. The concerns raised included parking issues associated with HMOs and the use of traditional terrace housing for HMOs.

The case officer drew the Committee's attention to the Late Items pack, where an amendment had been made to paragraph 2 of the report, with the removal of flat roof dormer to read velux roof light.

The case officer advised the Committee that, as the proposed site was not located within an HMO Policy Area, or HMO Node in the Subject Plan for the Council's area, Policy 5 applied. She explained that the policy permitted the change to HMO use at a value of up to 10% of any street or, in specifically long streets, 300m either side of the street. She explained to the members that records indicated that the 10% figure had been exceeded within a distance of 300m to either side of the site and that it was recommended, therefore, that planning permission be refused.

The Committee agreed to refuse the application as it was contrary to Policy HMO5, in that 10% HMOs use within 300m either side of the site had been achieved.

**LA04/2019/0353/F - Installation of external lighting to complement play park improvements at Robert Bradford Memorial Park**

The case officer advised the Committee that the application, for the installation of external lighting at Robert Bradford Memorial Park, was a Belfast City Council application.

She explained the key issues which had been assessed and advised the Members that it was considered that the proposal would not have an adverse impact on the character and appearance of the area, or any adverse impact on public safety.

The Committee was advised that DfI Roads had offered no objections. The case officer explained that Environmental Health had requested further information relating to a light spill assessment and the proposed hours of operation, but pointed out that any issues could be resolved prior to the issuing of the decision.

The Members were advised that no third party representations had been received.

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

**LA04/2019/0137/F - Upgrade of existing MUGA pitch to synthetic 3G pitch, with floodlighting and fencing Whiterise MUGA, Dunmurry**

The case officer advised the Members that the application, for the upgrade of an existing Multi-Use Games Area (MUGA) to a synthetic 3G pitch, was a Belfast City Council application.

She outlined the principal aspects of the application to the Committee, highlighting that the principle of open space/recreational development had already been established and deemed acceptable at the location.

The Committee noted that Environmental Health and Transport NI had been consulted and had offered no objections. The case officer explained that the response from NI Water was outstanding and that no third party representations had been received.

The case officer explained that the proposal was considered to comply with SPPS, BUAP, Draft BMAP, PPS3 and PPS8.

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

**LA04/2019/0436/F - Single storey side extension at 14 Brooke Park**

(The Chairperson, having declared an interest in the item, left the meeting at this point)

(In the absence of the Deputy Chairperson, the Committee agreed that Councillor Armitage take the Chair)

The case officer advised the Committee that the application for a single storey side extension had been submitted by an Elected Member.

She explained that the site was within a residential area characterised by two storey terraced and semi-detached dwellings. The Committee noted that no 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.

Chairperson