

Public Document Pack

**Democratic Services Section
Legal and Civic Services Department
Belfast City Council
City Hall
Belfast
BT1 5GS**



**Belfast
City Council**

5th February, 2020

MEETING OF PLANNING COMMITTEE

Dear Alderman/Councillor,

The above-named Committee will meet in the Banqueting Hall - City Hall on Tuesday, 11th February, 2020 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 - 32)
- (c) Declarations of Interest

2. Pre-Emptive Committee Site Visits

LA04/2019/2850/F: Extensions to existing aerospace manufacturing facility and associated site works to include internal access road , replacement car parking, drainage and existing access onto Heron Road at Bombardier Wing Manufacturing and assembly Facility Airport Road West;

LA04/2019/2810/F: Titanic Quarter eastern access road including new signalised junction on Sydenham Road and associated works at lands to the south and east of Belfast Metropolitan College east of Public Records Office of NI north of Sydenham Road west of Cuming Road and south of Hamilton Road Titanic Quarter;

LA04/2019/2387/F: Residential development comprising 151 apartments and ancillary uses, associated car parking and public realm improvements to Scrabo Street, Station Street and Middlepath Street on land adjacent to Quay Gate House 15 Scrabo Street;

LA04/2019/2299/F: Demolition of existing property and re-development of the site including the provision of approximately 243,000sqft gross build floorspace comprising class B1 (a) office on 6 levels over active ground floor uses including retail (A1), restaurants, cafes and bars (sui generis) with a hotel of 174 bedrooms over ground plus 7 levels and associated double deck carparking of 62 spaces and related access for the redevelopment at 1-7 Fountain Street 24-40 Castle Street and 6-8 Queen Street

3. **Planning Appeals Notified** (Pages 33 - 34)

4. **Planning Decisions Issued** (Pages 35 - 64)

5. **Planning Applications**

- (a) LA04/2018/0471/F - Upgrading of playing fields to include 2 new 3G pitch surfaces and 1 grass pitch, floodlights, fencing, dug outs, 1No. 200 seater stand, toilet blocks, turnstiles, additional car parking and associated ground at the Boys Brigade Recreation Centre, 108 Belvoir Drive (Pages 65 - 78)
- (b) LA04/2019/2951/F - Vary condition 11 (b) of approval LA04/2016/2385/F to amend the number of sound events exceeded as follows: (b) not exceed the 45dB L_{max} for more than 15 sound events between 23:00 and 07:00 hrs within any proposed bedrooms with windows closed and alternative means of ventilation provided in accordance with current building control requirements at 81-107 York Street (Pages 79 - 94)
- (c) LA04/2018/2903/F - Change of use of warehouse and offices to event space including internal and external alterations at Arnott's, 16-20 Dunbar Street (Pages 95 - 104)
- (d) LA04/2019/2928/F - Realigned fence and vehicle & pedestrian gates to replace existing. Widened pedestrian gates with additional landscaping, widened footpaths and the resurfacing of an existing road entrance on lands at the existing Invest NI Forthriver Industrial Estate, Woodvale Avenue (Pages 105 - 110)
- (e) LA04/2019/2343/F - Demolition/removal of existing temporary building and erection of new two-storey Community Centre and Crèche at Walkway Community Association 1-9 Finvoy Street and lands between 31 Upper Newtownards Road and Bloomfield Baptist Church (Pages 111 - 122)

6. **Miscellaneous Items**

- (a) Planning Performance Update - April to December 2019 (Report to follow)
- (b) Updated Training Schedule for Planning Committee Workshops (Report to follow)

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Planning Committee

Tuesday, 21st January, 2020

MEETING OF PLANNING COMMITTEE

Members present: Councillor Carson (Chairperson);
Aldermen McCoubrey and Rodgers; and
Councillors Brooks, Collins, Garrett,
Groogan, Hanvey, Hussey, Maskey,
McKeown, Murphy, Nicholl and O'Hara.

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); and
Mrs. L. McLornan, Democratic Services Officer.

Apologies

No apologies were reported.

Minutes

The minutes of the meetings of 10th and 16th December were taken as read and signed as correct. It was reported that those minutes had been adopted by the Council at its meeting on 6th January, subject to the omission of those matters in respect of which the Council had delegated its powers to the Committee.

Declarations of Interest

Councillor Nicholl advised that she had attended a briefing on the Royal Exchange application in 2017 but that she had not expressed an opinion.

Planning Application

LA04/2017/2341/O - Outline permission for demolition, redevelopment and part change of use to create a mixed use development comprising retail, offices, cafe/restaurant, residential, hotel, cultural/community space, parking, servicing, access and circulation arrangements, the creation of new streets, the configuration of Writers Square, public realm works, landscaping and associated site and road works, works to alter listed buildings, restoration of retained listed buildings and facades, and partial demolition of North Street Arcade on land bounded by Royal Avenue, York Street and Church Street to the North; North Street to the west;

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**Rosemary Street to the south and High Street to the south;
and Donegall Street to the east approximately 300m
west of Laganside Bus Station 300m northeast of
City Hall and 900m northwest of Lanyon Place Train Station**

The Senior Planning officer provided the Committee with the key details of the outline application.

She provided the Committee with a detailed presentation of the outline application for a mixed-use scheme comprising offices, 367 residential units, restaurants/cafes, a hotel, retail units on the ground floor and cultural and community space. She explained that the proposal also sought to reconfigure Writer's Square, to pedestrianise North Street, the creation of new public squares ("Central Square" and "Assembly Square" at the junction of North Street and Rosemary Street) and the creation of new pedestrian links between North Street and Donegall Street.

The Members were advised that the applicant had significantly revised the scheme. The Senior Planning officer outlined that the proposed 27 storey tower and the large anchor retail store which were in the original scheme were no longer proposed and that the revised scheme instead proposed the replacement of the North Street Arcade with a new arcade with retention and restoration of its external facades on both North Street and Donegall Street. She added that the level of demolition in the revised proposals had also been reduced.

She explained that the basement and the multi-storey car parks were no longer proposed and that the only on-site parking which would be provided were 25 disabled spaces and 6 spaces for car club vehicles. She advised that the reduction in parking would be mitigated through green transport measures including travel plans, the use of car club and the distribution of Travel cards to residents which would be secured through a Section 76 Agreement. DfI Roads had indicated that they were content, subject to conditions.

In relation to the residential units, it was proposed that 10% of the housing, approximately 37 units, would be affordable housing. The Senior Planning officer explained that the applicant also proposed to relocate the existing Choice Housing Facility (SHAC), which was within the site boundary, and to provide an additional 10% social housing within the same relocated facility in close proximity to the site.

The Committee was advised that the currently approved scheme for the site, which had been granted permission in 2012, hereafter known as the extant scheme, was for a larger site than the current proposals. She highlighted to the Committee that the extant scheme was an important material consideration in the determination of the current application and was given significant weight as it was capable of being implemented.

The Committee was advised that 454 letters of objections had been received in respect of the revised scheme along with 5 letters of support.

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The Members' attention was drawn to the Late Items Pack, whereby the Historical Environment Division (HED) had provided its latest response in relation to the alignment of the proposed arcade and the proposal for the Assembly Rooms at the corner of Waring Street and North Street. The Senior Planning officer advised the Members that, contrary to HED, officers felt that the inclusion of a replacement arcade was a substantial improvement over the extant scheme.

The Council's Economic Development Unit had provided a summary of core principles and thematic areas which were expected to come forward as part of the Employability and Skills Strategy. The Senior Planning officer advised the Committee that the Strategy and Plans would be secured as part of the Section 76 Planning Agreement.

She provided the details of six additional objections which had been received since the publication of the Case officer's report raising issues which were addressed within the report.

The Committee was advised that the applicant had provided information regarding the accuracy of the daylight/sunlight modelling work which had been undertaken by Delva Patman Redler (DPR). The Members were asked to note the information.

The Urban Design Officer presented a number of detailed slides which demonstrated the urban design aspects of the scheme. He outlined that design approach, including the retention of a much higher number of facades in the proposals, would keep the historic plot widths of the area. He provided the Committee with example extracts of the Design Code for the scheme, including the materials used. The Members were also provided with the details of the permeable routes through the site.

The officers highlighted a number of the changes between the extant scheme and the proposed outline application.

The Senior Planning officer advised the Committee that an analysis of housing trends had shown that accommodation was required for smaller households, or two persons or fewer.

He also summarised the significant community benefits of the revised scheme, including the regeneration of the area, bringing Listed Buildings back into use, restoration of historic buildings, job creation, affordable housing and supporting the vitality and viability of the city centre.

The Committee was advised that, as an objection had been received from the Historic Environment Division (HED), a statutory consultee, if the Committee was to grant approval to the outline application, it would be referred to the Department for Infrastructure (DfI) under the notification process.

The Chairperson welcomed Mr. A. Cahoon, Director of Killycrot Estates, Dr. A. Martire, Vice Chair of Save CQ, and Mr. J. Watson, St Anne's Cathedral, to the meeting, who were representing a group of objectors.

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Mr. Cahoon advised that, while he was not against the Tribeca development, he would like to see the removal of Block 1, a five storey building, as it would be just 4 metres from the front elevation of New Cathedral Buildings, and not, as the report stated, from the gable of 60 Donegall Street. He stated that he believed that it would have a negative impact on the commercial viability of New Cathedral Buildings and for its sole tenant, the Police Ombudsman for Northern Ireland. He proposed that the Planning Committee placed a condition on any planning permission that it would give to require the removal of Block 1.

Dr. Martire advised the Committee that the Save CQ campaign had serious concerns regarding the proposals, including that:

- it was an ill-conceived scheme which would inflate land prices;
- reducing Writer's Square from a vibrant public space, which was used for many of the City's most important festivals to an overshadowed, set-back off Donegall Street was unacceptable;
- not providing 20% social housing was unacceptable;
- demolishing over 75% of the built fabric was unacceptable; and
- given the number of statutory and non-statutory objections, that she hoped the Committee would deny permission for the proposals in its current form.

Mr. Watson explained that he was speaking on behalf of the Belfast Cathedral and that, while they were in favour of regeneration in the area, they had a number of fundamental concerns, particularly regarding the massing of Block 2, whereby the current proposals were, in fact, worse than the extant scheme in terms of its impact on the setting of St. Anne's Cathedral and in terms of a potential loss of light. He explained that he felt that the proposal did not meet all of the criteria of Policy BH11. He added that they opposed the reduction of the public space of Writer's Square and that it would negatively impact upon the Cathedral.

The Chairperson then welcomed Mr. C. O'Brien, Savills, Mr. M. Levinson, Squire and Partners Architects, and Mr. D. Stelfox, Consarc Design Group, to the meeting, representing the agent/applicant and supporters of the application.

Mr. O'Brien advised the Committee that:

- the application involved one of the largest private sector investments to date for Belfast, totalling £500million, in an area which had been earmarked for regeneration since the 1990s;
- it was a heritage-led scheme;
- it would generate around 600 jobs during construction and 1600 Full-Time jobs once operational;
- the Gross Value Added of £213million per annum, and £23million in rates generation;

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- the proposals contained 367 housing units within the city centre, including 10% affordable and 10% social housing, which would contribute towards the aims in the Belfast Agenda;
- a range of sustainable and green travel measures were included;
- it included £17.5million investment in public realm;
- the scheme would enhance the Conservation Area and was a substantial improvement on the extant consent;
- after three years of consultation, supporters included Retail NI, the Destination CQ BID and the Belfast Chamber.

Mr. Levinson advised that the design had been driven by the historic buildings within the Conservation area resulting in an eclectic variety of heights which reflected an enhanced the area. He added that new streets had been created as part of the scheme, in addition to the Arcade, which would bringing together the Cathedral Quarter, Royal Avenue and the University areas.

Mr. Stelfox advised the Committee that the proposals met all the Policy Tests and that HED was now content with the plans for the listed Assembly Rooms and for Braddells. He advised the Members that a key part of the regeneration included the creation of active frontages in addition to the new public realm. He added that he felt that the substantial investment gave the area the best chance yet to be rejuvenated and reoccupied.

In response to a Member's question regarding the Demolition in a Conservation Area Consents, Mr. Stelfox confirmed that, technically, the whole Assembly Rooms building was listed, including the modern 1950s extension. He explained that the same applied for the listed Braddells building, which had poor quality shed extensions to the rear. He advised the Committee that they were technically listed but were required to be removed in order to restore the building properly.

In response to a further Member's question, Mr O'Brien advised the Committee that NI Water had confirmed that there was adequate capacity for the proposals.

A number of Members raised concerns regarding the reduction in Writer's Square, particularly given that it was largely used for community festivals, rallies and marches. Mr. Stelfox advised that the quality of the space in an urban area was important and that the scheme created a more usable space than what existed currently. Mr. O'Brien added that the creation of Assembly Square and Long Lane would also help to create a different space or routes for people to gather on Culture Night, for example.

A further Member raised concern regarding the suggested overshadowing of St. Anne's Cathedral.

In response to a further Member's question regarding evidence of support from the local community, Mr. O'Brien advised the Committee that significant consultation had been undertaken, the last of which had shown that 88% of respondents had responded positive.

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After further discussion, the Chairperson advised the Committee that Mr. B. McKervey and Ms. N. Golden, Historic Environment Division (HED), were in attendance to answer any questions from the Committee.

In response to a Member's question, Ms. Golden advised that HED was content with the proposals for the Braddells building. She advised that, with regards to the Assembly Rooms, HED would have liked to have seen further information in relation to the condition reports for the listed building, and the connections between new and old elements, and, provided that the former banking hall would remain fully accessible for members of the public, they were largely content that the proposals applied with the Policies. In relation to paragraph 6.25 of BH10, she explained that, for the proposed realigned arcade, no justification had been provided to justify deviating from the original footprint of the 1930s arcade. She added that HED felt that the proposed extensions on top of the arcade was not set back far enough and were over-dominant.

(Councillor Garrett left the meeting at this point)

After further discussion, and in response to a question from a Member, the Planning Manager confirmed to the Members that the extant scheme established the principle of demolition of certain non-listed buildings. It further established the reduction in the size of Writer's Square.

The Director of Planning and Building Control advised the Committee that the applications had been subject to long negotiations and discussions not only with the Planning Service but also with the statutory consultees. He also pointed out that the applicant had conformed to a lot of the proposals which were contained in the forthcoming Local Development Plan for the City.

The Divisional Solicitor reminded the Committee that it was not starting with 'a blank slate' and therefore had to have regard to the fact that there was an extant permission which permitted the demolition of both listed and unlisted buildings. She advised the Committee that it had an acknowledgement from HED that the proposed scheme was an improvement on the extant permission. She added that the volume of letters of either support or objection should not correlate to the weight to be attached to those representations. The issue for Committee was whether the matters raised were material and, if so, it was a matter for Members as to the weight to attach to those issues in exercising their planning judgement.

The Chairperson then put the officer's recommendation to the Committee, to approve the outline application, subject to the imposing of the conditions as outlined within the case officer's report, to delegate power to the Director of Planning and Building Control for the final wording of the conditions and to agree a Section 76 Legal Agreement.

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

Listed Building Consents

LA04/2019/2031/LBC - Renovation and extension of building together with the demolition of the modern structures to the rear, to facilitate a change of use to provide a hotel with associated restaurant and bar uses, former Assembly Rooms, 2 Waring Street, 7-9 North Street and the car park at Donegall Street

The Senior Planning officer explained that the Former Assembly Rooms was a Grade B1 listed building. She explained that the original building was built in around 1769 and that a number of additions had been made in the 1800s and in the early to mid-1900s. The building was on Northern Ireland's Heritage at Risk Register.

The Members were advised that the extant scheme included partial demolition of the Former Assembly Rooms which was marginally different from the current proposals, in that it approved the demolition of internal walls within the original building which were not sought in the current proposals.

The application proposed to use the retained historic building to house communal areas such as the hotel lobby, bar/restaurant and reception area. As the proposal sought minimal interventions to the existing historic fabric, it was therefore considered that the essential character of the original Assembly Rooms would be retained. The Members were advised that HED had acknowledged that minimal interventions were proposed to the existing historic fabric and that all services, fire escapes etc. would be accommodated in the new extension. The Planning officer advised that HED was largely content with the proposal except for an issue with balustrading at first floor level.

The Chairperson put the officer's recommendation to approve the Listed Building Consent, subject to the imposing of the conditions, and to delegate power to the Director of Planning and Building Control for the final wording of the conditions, to the Committee.

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

LA04/2019/2049/LBC - Partial demolition of North Street Arcade to retain its facades and siting of proposed new arcade 1-34 North Street Arcade, 26-30 Donegall Street and 35-37 North Street

The Senior Planning officer outlined the details of the proposal, which included the demolition of the former North Street Arcade, which had fallen into a state of chronic disrepair, but retention of its facades onto North Street and Donegall Street. The Members were advised that the restoration of the façades would significantly enhance the streetscapes.

The Committee was advised that previous permissions, under the extant scheme, had approved demolition of the internal portion of the arcade with retention of its facades

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and end blocks on North Street and Donegall Street and development of an anchor store in its place. The Senior Planning officer advised the Committee that officers felt that the proposal to reinstate an arcade was welcomed and was a significant improvement over the extant scheme.

The Committee was advised that HED wished to see the reconstruction of the North Street Arcade rather than its replacement in a modified form.

The Chairperson put the officer's recommendation to approve the Listed Building Consent, subject to the imposing of the conditions, and to delegate power to the Director of Planning and Building Control for the final wording of the conditions, to the Committee.

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

LA04/2019/2052/LBC - Alterations to building including the removal of a small single storey rear extension, the provision of a new staircase, and a replacement roof to facilitate a change of use from retail to flexible retail/café/restaurant/cultural use at ground floor and to flexible retail/café/restaurant/cultural/office use on the upper floors of J Braddell and Sons, 11 North Street

The Senior Planning officer provided the Committee with the details of a Listed Building Consent application for works to Braddells.

The Committee was advised that the proposal included including partial demolition of a small rear extension (part single storey and part two storey), internal alterations including the insertion of a lift to improve accessibility, removal of floor area to accommodate stairs to the third floor, removal of floor boards and joists to create a double height space, previously infilled openings to be reformed and a new attic window.

The Members were advised that Listed Building Consent was previously granted for Braddells as part of "Royal Exchange" (extant) scheme. As the permission had commenced, the Members were reminded that the extant scheme could be implemented and was a material consideration of significant importance.

The Committee was advised that the Listed Building Consent application proposed less intervention than the extant scheme which was an important material consideration. The Committee was advised that HED considered that the proposal satisfied policy, subject to conditions.

The Chairperson put the officer's recommendation to approve the Listed Building Consent, subject to the imposing of the conditions, and to delegate power to the Director of Planning and Building Control for the final wording of the conditions, to the Committee.

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

Demolition in a Conservation Area Consents

**LA04/2017/2342/DCA - Demolition of building
at 32-40 Donegall Street**

The Senior Planning officer provided the Committee with the details of the application for the full demolition of Nos. 32-40 Donegall Street, a non-listed building which was located within the Cathedral Conservation Area.

The Committee was advised that planning permission had previously been granted for a wider redevelopment scheme (Z/2010/1532/F & LA04/2016/2327/F) which included demolition of the building. Conservation Area Consent was also granted for the demolition of this building.

The Senior Planning officer explained that the previous permissions had established the principle of demolition of the building.

She explained that no representations had been received regarding this application. However, objections had been received to the associated outline planning application LA04/2017/2341/O regarding the amount of demolition and loss of historic fabric across the scheme. The Conservation Officer had no objections.

The Chairperson put the officer's recommendation to approve the application, subject to the imposing of the conditions, and to delegate power to the Director of Planning and Building Control for the final wording of the conditions, to the Committee.

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

**LA04/2017/2343/DCA - Demolition of buildings
at Temple Court, St Anne's Cathedral Precinct &
St Anne's Court, 39-65 North Street**

The Senior Planning officer provided the Committee with the details of the application for the full demolition of the non-listed buildings which were located within the Cathedral Conservation Area.

The Committee was advised that planning permission had previously been granted for a wider redevelopment scheme (Z/2010/1532/F & LA04/2016/2327/F) which included demolition of the building. Conservation Area Consent was also granted for the demolition of this building.

The Senior Planning officer explained that the previous permissions had established the principle of demolition of the building.

The Members were advised that one representation had been received regarding the application which raised concerns regarding notification of the proposed development and notification to vacate the property. The Senior Planning officer outlined that objections had been received to the associated outline planning application LA04/2017/2341/O

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regarding the amount of demolition and loss of historic fabric across the scheme. The Conservation Officer had no objections.

The Chairperson put the officer's recommendation to approve the application, subject to the imposing of the conditions, and to delegate power to the Director of Planning and Building Control for the final wording of the conditions, to the Committee.

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

**LA04/2017/2344/DCA - Demolition of building
at 5-9 North Street**

The Senior Planning officer provided the Committee with the details of the application for the full demolition of Nos. 5-9 North Street, a non-listed building which was located within the Cathedral Conservation Area.

The Committee was advised that planning permission had previously been granted for a wider redevelopment scheme (Z/2010/1532/F & LA04/2016/2327/F) which included demolition of the building. Conservation Area Consent was also granted for the demolition of this building.

The Senior Planning officer explained that the previous permissions had established the principle of demolition of the building.

She explained that no representations had been received regarding this application. However, objections had been received to the associated outline planning application LA04/2017/2341/O regarding the amount of demolition and loss of historic fabric across the scheme. The Conservation Officer had no objections.

The Chairperson put the officer's recommendation to approve the application, subject to the imposing of the conditions, and to delegate power to the Director of Planning and Building Control for the final wording of the conditions, to the Committee.

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

**LA04/2017/2345/DCA - Demolition of buildings
3-5 and 9-13 Rosemary Street and
2-22 and 30-34 North Street**

The Senior Planning officer provided the Committee with the details of the application for the full demolition of the following non-listed buildings, which were located within the Belfast City Centre Conservation Area:

- Nos. 3-5 Rosemary Street;
- Nos. 9-13 Rosemary Street;
- Nos. 2-22 North Street; and
- Nos 30-34 North Street.

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The Committee was advised that planning permission had previously been granted for a wider redevelopment scheme (Z/2010/1532/F & LA04/2016/2327/F) which included the demolition of the buildings. Conservation Area Consent was also granted for the demolition of the buildings.

The Senior Planning officer explained that the previous permissions had established the principle of demolition of the building.

She advised the Members that one representation had been received regarding the application, raising concerns regarding the impact on the character of the area on the demolition of No. 2 North Street. Objections had also been received to the associated outline planning application LA04/2017/2341/O regarding the amount of demolition and loss of historic fabric across the scheme. The Conservation Officer had no objection.

The Chairperson put the officer's recommendation to approve the application, subject to the imposing of the conditions, and to delegate power to the Director of Planning and Building Control for the final wording of the conditions, to the Committee.

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

**LA04/2017/2350/DCA - Demolition of buildings
at 20-22 Donegall Street and 29a-31 North Street.
Partial demolition of buildings with frontages retained
at 16-18 Donegall Street, 24 Donegall Street, 13-15 North Street,
17-23 North Street and 25-29 North Street**

The Senior Planning officer provided the Committee with the details of the application for the full demolition of the following non-listed buildings, which were located within the Belfast City Centre Conservation Area:

- Nos. 20-22 Donegall Street; and
- Nos. 29a-31 North Street.

She also explained that permission for partial demolition was sought for the following non-listed buildings, which were located within the Cathedral City Centre Conservation Area:

- Nos. 16-18 Donegall Street;
- Nos. 24 Donegall Street;
- Nos. 13-15 North Street;
- Nos. 17-23 North Street; and
- Nos. 25-29 North Street.

The Committee was advised that planning permission had previously been granted for a wider redevelopment scheme (Z/2010/1532/F & LA04/2016/2327/F) which included the demolition of the buildings. Conservation Area Consent was also granted for the demolition of the buildings.

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The Senior Planning officer explained that the previous permissions had established the principle of demolition of the buildings.

She advised the Members that no representations had been received regarding the application. However, objections had been received to the associated outline planning application LA04/2017/2341/O regarding the amount of demolition and loss of historic fabric across the scheme. The Conservation Officer had no objection.

The Chairperson put the officer's recommendation to approve the application, subject to the imposing of the conditions, and to delegate power to the Director of Planning and Building Control for the final wording of the conditions, to the Committee.

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

Chairperson

Planning Committee

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PRE DETERMINATION HEARING

Members present: Councillor Brooks (Deputy Chairperson);
Alderman Rodgers; and
Councillors Collins, Garrett,
Groogan, Hanvey, Hussey, Maskey,
Murphy and O'Hara.

In attendance: Mr. E. Baker, Planning Manager
(Development Management);
Ms. N. Largey, Divisional Solicitor; and
Mrs. L. McLornan, Democratic Services Officer.

(Councillor Brooks in the Chair)

Apologies

Apologies for inability to attend were reported from Councillor Carson (Chairperson) and Councillors McKeown and Nicholl.

Declarations of Interest

No declarations of interest were recorded.

Pre Determination Hearing for application LA04/2018/2470/O, LA04/2018/2464/F and LA04/2018/2445/LBC - Mixed use regeneration and development of vacant surface level car park and refurbishment of existing listed Butchers building, including construction of new fixed use buildings (heights varying between 3-9 storeys comprising basement level car parking, ground floor retail/restaurant/coffee shop/workspace uses, with Grade A and SME offices above, provision of pedestrian accesses from Gresham and Winetavern Street; associated public realm, landscaping, associated plant, and all site and access works on vacant lands at existing level Carpark bounded by Winetavern Street Gresham Street and North Street, including 108 North Street and 1 Gresham Street

The Deputy Chairperson welcomed the Members to the Pre-Determination Hearing for the application.

He reminded the Members that the objective of the meeting was to focus on the material planning considerations and to facilitate the Committee in making its determination of the application. The Committee was reminded that no decision may be reached at the Hearing, as Committee Members and planners might wish to consider the

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views made prior to making a determination at the scheduled Committee meeting later that evening.

The Principal Planning officer provided the Committee with the principal aspects of the application.

He explained that the site lay within the northern part of the city centre, which was poorly defined in terms of land use and built form. He advised the Committee that it was zoned as an opportunity site in the draft Belfast Metropolitan Area Plan (BMAP) and that the proposal would renovate a listed three-storey building, develop an surface level carpark with a piece of high quality architecture which drew upon the industrial heritage of the area, creating a well-defined public space and providing a landmark building on one of the main arterial routes into the city centre.

He reminded the Committee that it had initially considered the application at its meeting of 11th June, 2019 where it had resolved to approve it with conditions. The Members were reminded that, under the Planning (Notification of Applications) Direction 2017, it had been necessary to notify the Department for Infrastructure (DfI) because the resolution to approve the application had been contrary to the views of a statutory consultee, namely, the Historic Environment Division (HED).

The Principal Planning officer explained that the DfI had written to the Council in December confirming that it did not consider it necessary for the application to be referred to it for determination and that, in such circumstances, the Council was required to hold a Pre-Determination Hearing to give the applicant and interested parties the opportunity to appear before and be heard by a Committee of the Council.

He advised the Committee that the original Committee report and the accompanying Listed Building Consent and Full reports for works to the listed Butchers Building were included in Members' packs.

The Principal Planning officer advised that HED objected to the application as it believed that the setting of the Listed Buildings in the vicinity of the site would be affected adversely by the scale and massing of the new buildings.

He advised the Members that, since the June meeting of the Committee, the Council had received no representations in relation to the application.

The Deputy Chairperson welcomed Mr. T. Stokes, agent, Mr. S. Tyler, architect, and Mr. A. Stewart, applicant to the meeting. Together they advised the Committee that they had undertaken extensive consultation in relation to the scheme and highlighted that no objections had been received. They advised the Members that the application comprised a high quality scheme for a vacant brownfield site, the design of which reflected the historical mill buildings of Belfast.

The Deputy Chairperson thanked the representatives for their presentation and, as there were no questions from the Committee, they retired from the meeting.

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The Committee noted the information which had been provided and noted that no decision would be taken on the application until later that evening, at the monthly meeting.

Chairperson

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Planning Committee

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MEETING OF PLANNING COMMITTEE

- Members present: Councillor Brooks (Deputy Chairperson)
Alderman Rodgers; and
Councillors Collins, Garrett, Groogan,
Hanvey, Hussey, Maskey,
Murphy, Nicholl and O'Hara.
- In attendance: Mr. E. Baker, Planning Manager
(Development Management);
Ms. N. Largey, Divisional Solicitor; and
Mrs. L. McLornan, Democratic Services Officer.

(Councillor Brooks in the Chair)

Apologies

Apologies for inability to attend were reported from the Chairperson, Councillor Carson, and from Councillor McKeown.

Declarations of Interest

Councillor Brooks, Deputy Chairperson, and Alderman Rodgers declared an interest in item 6i, namely LA04/2019/2412/F – Renewal of approval LA04/2018/0593/F for a single storey timber structure at C. S. Lewis Square, in that they were Board members of the EastSide Partnership. They both left the room for the duration of the discussion on the item and did not take part in the vote.

Councillor Groogan declared in interest in item 6c, namely LA04/2017/2745/F and LA04/2017/2689/LBC - Conversion of building to create 63 No. bed hotel with ancillary function space, bars and restaurants, including all associated works, single storey rear extension Scottish Mutual Building 15-16 Donegall Square South and 2-14 Bedford Street, in that she wished to object to the proposals and she would speak against the item. She did not take part in the vote and left the room for the duration of the discussion.

Councillor Nicholl declared an interest in item 6g, namely LA04/2017/1439/F - construction of 13 dwellings comprising 3 detached dwellings 6 semi-detached dwellings along with 4 apartments on lands opposite Ruby Cottages and St Ellen's Terrace, Edenderry Road, Edenderry Village, in that she was a member of the Lagan Valley Regional Park. She left the room for the duration of the discussion on the item and did not take part in the vote.

Restricted Items

The information contained in the reports associated with the following 3 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 these 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.

Revenue Estimates & District Rate 2020/2021

(The Director of Finance and Resources attended in connection with this item.)

The Director of Finance and Resources advised the Committee that the Strategic Policy and Resources Committee, at its meeting on 17 December, had agreed the cash limit and capital financing budget for the Strategic Policy and Resources Committee, and the recommended cash limits for the City Growth and Regeneration Committee, the People and Communities Committee and the Planning Committee for 2020/2021 which would require a district rate increase of 1.99%.

He outlined the budgetary pressures which the Council would face over the course of that period, together with the efficiency and growth proposals, and confirmed that the Strategic Policy and Resources Committee had, on 17th December, agreed that the cash limit for the Planning Committee should be £1,289,467. He pointed out that the Strategic Policy and Resources Committee would, on 24th January, be required to agree the cash limits for the various Standing Committees, along with the District Rate, and that the process was required to be completed before the legislative deadline of 15th February.

Accordingly, he recommended that the Committee:

- i. approve a cash limit for the Planning Committee of £1,289,467 for 2020/21, together with the individual service limits set out within the report;
- ii. note the next steps in the rate-setting process; and
- iii. agree that the aforementioned decisions should not be subject to call-in, on the basis that it would cause an unreasonable delay which would be prejudicial to the Council's and the public's interests in striking the rate by the legislative deadline.

After discussion, the Committee adopted the recommendations.

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**Lisburn and Castlereagh City Council - Consultation on
LDP Draft Plan Strategy**

(Mr. D. O’Kane, Principal Planning Officer, attended in connection with the following two items)

The Principal Planning Officer reminded the Committee that Lisburn and Castlereagh City Council (LCCC) had published its draft Plan Strategy (dPS) for public consultation in October 2019, with a closing date for submissions of 10th January, 2020. He advised the Members that the Strategic Policy and Resources Committee had granted delegated authority to the Director of Planning and Building Control to make detailed representations in respect of the key issues arising from the consideration of the LCCC dPS.

The Committee was provided with the formal response which had been submitted to LCCC on 10th January. The Principal Planning officer provided the Members with four key issues which had been highlighted in the response.

The Committee noted the update and the formal response which had been sent.

Belfast Local Development Plan – Update

The Principal Planning Officer provided the Committee with an update on the progress of the draft Plan Strategy (dPS) of the Belfast Local Development Plan (LDP) and on the development of a suite of Supplementary Planning Guidance (SPG) to support the plan.

He reminded the Members that the Council had received approval from the department for Infrastructure (DfI) on 5th December, 2019 to progress the Plan to Independent Examination. He added that the dPS had been formally submitted to the Planning Appeals Commission (PAC) on 2nd January, 2020, for its initial consideration.

The Committee was advised that workshops with Members, to help develop the guidance, would be held in March and April.

The Deputy Chairperson, on behalf of the Committee, thanked the Principal Planning officer and his team for their continued hard work on the Local Development Plan.

The Committee noted the update which had been provided on the draft Plan Strategy and the Supplementary Planning Guidance.

Changes to Council Property Certificate (CPC) fees

The Planning Manager (Development Management) reminded the Committee that a report had been presented to the Committee on 13th June, 2019, regarding an increase to the fees for the Regional Property certificates, which were administered within the Planning Service. He explained that the Committee had agreed to a review of the CPC

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taking place and that the eleven Councils had subsequently carried out a review and consulted with the Law Society.

He explained to the Members that the CPC service assisted in the conveyancing process, providing information from internal Council services in response to an application from a solicitor. He outlined that, in 2018/2019, it had generated £395,000 for Belfast City Council.

The Committee noted that the CPC fee was currently £60 and had not been increased since 2004. The Planning Manager explained that the increases included both a rise to reflect the lack of increase since 2004 and also to account for future inflationary costs. He added that the prices would be reviewed again in 4 years.

After discussion, the Committee noted the following changes to the fees, as agreed through SOLACE and with the Law Society, which would take effect from 1st April, 2020:

	Current fee	Revised fee
Standard 10 year search	£60	£70
Search back to 1973	£85	£95
Specified 10 year search	£60	£70
Follow-up 10 year search	£25	£30

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 3rd December, 2019 and 7th January, 2020.

Planning Applications

**LA04/2018/2470/O, LA04/2018/2464/F and LA04/2018/2445/LBC
- Mixed use regeneration and development of vacant surface
level car park and refurbishment of existing listed Butchers
building, including construction of new fixed use buildings
(heights varying between 3-9 storeys comprising basement
level car parking, ground floor retail/restaurant/coffee shop/
workspace uses, with Grade A and SME offices above, provision
of pedestrian accesses from Gresham and Winetavern Street;
associated public realm, landscaping, associated plant, and
all site and access works on vacant lands at existing level**

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Carpark bounded by Winetavern Street Gresham Street and North Street, including 108 North Street and 1 Gresham Street

The Deputy Chairperson reminded the Committee that it had undertaken a Pre-Determination Hearing for the application before the monthly meeting had commenced. The Committee had therefore been provided with the details of the application by the Principal Planning officer, and had also heard from the agent and applicant at that Hearing.

The Principal Planning officer advised the Members that HED believed that the setting of the Listed Buildings in the vicinity of the site would be affected adversely by the scale and massing of the new buildings. He reminded the Committee that DfI had advised that it had written to the Council in December confirming that it did not consider it necessary for the application to be referred to it for determination.

The Chairperson then put the officer's recommendation to approve the application, subject to the imposing of the conditions and to delegate power to the Director of Planning and Building Control for the final wording of the conditions, to the Committee.

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

LA04/2019/1636/F - hotel comprising 276 beds, conference facilities, restaurant /café/bar uses (including roof top bar), landscaped public realm, car parking and associated site and road works on ands directly south of Titanic Belfast and North-West of Hamilton Dock located off Queens Road

The Principal Planning officer drew the Committee's attention to the Late Items pack. He explained that the Historic Environment Division (HED) had submitted its formal response to the application. The Committee was advised that HED (Historic Buildings) had confirmed that it was content subject to conditions. HED (Historic Monuments) had also requested a Vibration Monitoring Statement and a Scheduled Monument Consent. The Principal Planning officer explained that they would be secured via condition, as stated in the Case officer's report. The Committee was also advised that the DfI had since submitted its formal response whereby it had no objection, subject to the addition of four conditions.

He provided the Committee with the details of the application on a site which was located within an established industrial/commercial area within the wider Titanic Quarter.

He advised the Members that previous permissions on the site (Z/2010/2864/O) had established the principle of development and a hotel use at the location. The site benefited from being part of the wider Phase 2 Concept Masterplan, where the Design Principles had included a range of parameters for the particular site, including gross floor space, storeys and height. The Members were advised that the proposal was approximately 2.2metre higher than the 21.5metres set out in the masterplan.

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On balance, he explained that, given the quality of the proposal and design cues which had been taken from the nearby listed Harland and Wolff Drawing Offices, accompanied by the fact that the Historic Environment Division (HED) had no objections given recent changes to the roofscape, officers considered the scale and massing of the proposal acceptable.

The Deputy Chairperson welcomed Ms. S. Murphy, agent, Mr. S. Miskelly, Architect, and Mr. C. O'Hara, Transport Consultant. Ms. Murphy advised the Committee that:

- the JMK group had extensive experience in investing in hotels across the UK and Ireland;
- the Titanic Quarter was home to three of Northern Ireland's top visitor attractions;
- the proposed site for the hotel was opposite the number one attraction, "Titanic Belfast", which had attracted 840,000 visitors last year, and which was a 13% increase from the previous year;
- it would be a family friendly hotel;
- the final designs were a result of collaborative discussions with planners, HED, the Urban Design officer and Titanic Foundation Ltd; and
- the application would assist in providing the necessary infrastructure to support the growth in the tourism sector.

In response to a Member's question regarding the travel arrangements for the site, Mr. O'Hara stated that, based on the evidence available, they were still below the trigger level as per the original transport masterplan for the area which had been agreed with DFI Roads service at the time, in 2008. He advised the Committee that the masterplan contained a number of trips associated with each different land use, including agreed trip rates, modal split, car occupancy, and that they were carried through each application for the site.

In response to a further transport question, the Principal Planning officer clarified to the Committee that officers had to make determinations with the evidence which was provided to them from statutory agencies.

A Member stated that they would have liked to have seen the Computer Generated Images (CGI) from a wider range of angles, including one showing the building from Queen Street.

A further Member added that the Committee had undertaken a pre-emptive site visit to the area and that it had been useful in providing context for the application.

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.

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LA04/2017/2745/F & LA04/2017/2689/LBC - Conversion of building to create 63 No. bed hotel with ancillary function space, bars and restaurants, including all associated works. Single storey rear extension Scottish Mutual Building 15-16 Donegall Square South and 2-14 Bedford Street

(Councillor Groogan declared an interest and advised the Committee that she wished to leave the Committee table and address the Committee, in objection to the application. After addressing the Committee, she did not participate in the discussion or the vote and left the room for the duration of the remainder of the item.)

The Principal Planning officer clarified to the Members that there was an error in the report in that it was a local application, not a major, and so it would not attract a Developers Contribution in respect of Public Realm improvements.

The Committee's attention was drawn to the Late Items report. He advised the Committee that, since the report had been published, a letter of support for the proposals to refurbish the listed building had been received from the Belfast Civic Trust.

He also explained that a set of amended plans had been received from the agent, on 17th January, after a meeting had taken place between the applicant and an objector, the owners of the Warehouse building, immediately beside the site on James Street South. The Members were advised that both neighbours and HED had been re-consulted on the updated plans. He advised that further amended plans had then been submitted, on 22nd January, to remove the secondary access to the Lounge Bar on James Street South. The amended plans also proposed that the function suite would now be on the fifth floor instead of the first floor.

The Committee was further advised that, just before the Committee meeting had commenced, a letter had been received from the owners of the Warehouse Building, withdrawing their objection to both the Full and Listed Building Consent applications.

The Committee was advised that the consultation response from the Department for Infrastructure (DfI) had also been received after the report had been published. The Principal Planning officer explained that their response stated that an Event Management Plan should be required for the application, as well as secure storage for bicycles. He advised the Committee that it was the officer's view that this was an unreasonable request, given that the site's location and that there was an extant permission for a hotel on the site which did not have a requirement for an EMP.

The Principal Planning officer provided the Committee with the key details of the application for the conversion to a 63 bed hotel with function space, bars and restaurants and a single storey rear extension. The Members were advised that the Scottish Mutual Building was a red sandstone, Grade B1 Listed Building in the Linen Conservation Area. He explained that it was located within the City Centre and within the Commercial District as defined in dBMAP. He advised the Members that the applicant wished to amend the previously approved permission under LA04/2016/0688/F.

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He explained that the key issues in the consideration of the application included the principle of the proposal at the location, the impact on transport and other infrastructure, the impact on amenity and character of the area, the impact on the historical and architectural qualities of the listed building and other environmental matters.

He explained that the application had been subject to an extensive assessment and a number of re-consultations with HED, in order to address a number of concerns which they had raised. He outlined to the Committee that officers felt that the latest drawings went some way to address those concerns. He advised that, on balance, officers considered the proposed alterations to be acceptable in that they would allow the conversion of the building to a hotel, thus securing the viable re-use of the vacant listed building, and securing its long term future. He added that, if the Committee agreed to grant approval to the application, a condition would be included to incorporate DfI's recommendation regarding secure cycle parking.

The Committee was advised that an objection remained from the Historic Environment Division (HED), largely regarding the proposed use of dry-lining within the property. HED had stated that the development was contrary to PPS6, and also objected to the proposed suspended ceiling on the ground floor.

The Principal Planning officer reminded the Committee that, given the objection from a statutory consultee, if the Committee was to grant approval to the Listed Building Consent (LBC) application, it would be referred to the Department for Infrastructure (DfI). He advised the Members that the full application would be held until the DfI responded in relation to the LBC application.

The Committee was advised that DAERA, NI Water, Environmental Health and the Conservation Officer had no objection to the proposals.

The Deputy Chairperson welcomed Councillor Groogan to address the Committee. She advised the Committee that:

- she had concerns with the application as she did not believe the scheme to be heritage-led;
- the use of dry-lining was contrary to Policy BH8 of PPS6;
- dry-lining would put the building's structural and architectural integrity at serious risk;
- it was not an acceptable way to bring the building back into use;
- that the conservation experts, HED, were against the use of dry-lining due to concerns with adequate ventilation for the building; and
- attempts by the applicant/agent to emphasise the cost of removing the dry-lining which had already been installed were wrong given that the works were unauthorised.

(Councillor Groogan left the room at this point)

The Deputy Chairperson then welcomed Mr. D. Morse, applicant, and Mr. S. Nicholson, architect, to the meeting. Mr. Morse advised the Committee that:

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- they had made a number of changes in order to reflect the historic nature of the building, including that the function suite would be on the fifth floor;
- the building had been subject to varying levels of intervention, including significant alterations to the ground floor and poor quality remodelling, which had compromised its historic significance;
- they'd undertaken a Statement of Significance at the outset of the project, a document which set the baseline for how any proposals would be conceived, it took account of the historic context, historic and architectural interest, and the condition of the building, including the modern interventions;
- the primary architectural interest was invested in its principal elevations, while its interior was conventional with a muted and underwhelming decor;
- despite its poor condition, a number of significant interior features were identified for protection and led the design rationale for the remodelling, including the entrance lobby, terrazzo floors, fireplaces, cornicing and ceramic wall tiling;
- the design had been subject to extensive consultation; and
- they were confident that any outstanding issues could be discussed with HED.

In response to questions from Members regarding the use of dry-lining and a suspended ceiling, Mr. Nicholson explained that it was important for both acoustic and fire regulation reasons. He explained that no existing cornices or skirting would be removed, as they would be behind the dry-lining.

In respect of the Service Delivery Management Plan, Mr. Morse advised that a meeting had taken place with DFI Roads whereby the issues had been largely been resolved.

The Deputy Chairperson advised the Committee that Mr. B. McKervey, Historic Environment Division (HED), was in attendance to answer any questions from the Committee in relation to the application.

In response to a Member's question as to HED's current objection, Mr McKervey explained that HED felt that there were lost opportunities in the redevelopment of the heritage building, particularly with regards to the dry-lining which would cover a lot of the detail. He advised the Committee that the applicant had, slowly, gotten closer to what HED believed to be a better scheme.

In response to a number of questions about the original internal doors, Mr. McKervey stated that the doors could be upgraded to meet modern day safety standards. The agent advised the Committee that all of the original doors were on site but that a significant number were beyond repair.

The Principal Planning officer then answered a number of further questions from Members.

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In response to a Member's question regarding Health and Safety, the Divisional Solicitor advised the Committee that the Building Control Service would look at most of those issues during the consideration of the Entertainments Licence for the premises, which would go before the Licensing Committee.

Moved by Alderman Rodgers,
Seconded by Councillor Hussey

That the Committee agrees to the officer's recommendation, to approve the application, subject to the imposing of the conditions and to delegate power to the Director of Planning and Building Control for the final wording of the conditions and to resolve any issues arising from the neighbour notification process in relation to the most recent amended plans and Revised Delivery and Service Management Plan.

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

(Councillor Maskey left the meeting at this point)

**LA04/2019/2132/F - 17.5m telecommunications column, with
6. antenna (3 enclosed within a shroud, 3 not enclosed),
4 equipment cabinets and associated ground works on lands
approximately 110m North West of 518 Lisburn Road**

(Councillor Groogan re-joined the meeting at this point)

(Councillors Collins, Garrett, Hussey and Murphy left the room at this point)

The Committee was advised that the following application had been referred to it by an Elected Member.

The Principal Planning officer provided the Members with the details of the application for a 17.5metre high telecommunications column, with associated antennae and equipment cabinets.

She advised the Committee that the key considerations in the assessment of the proposals included the impact on visual amenity and the local environment, the impact on residential amenity and government support for provision of full and up to date telecommunications coverage.

The Members were advised that 18 objections had been received in response to the application, including one from an elected Member on behalf of constituents. The Case officer explained that the issues raised included that the proposal would impact on the visual amenity and character of the area, impact on pedestrian safety, land ownership, health concerns, private views and property prices.

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She explained that the planning officers felt that, while it was important to continue to support investment in high quality communications infrastructure, it needed to be balanced against policy and must not be to the detriment of residential and visual amenity. She explained that she felt that the applicant should look at a more suitable site which was less visually obtrusive. She added that the development had not been sited in order to minimise environmental impact and it would provide a cluttered and unattractive pedestrian environment.

The Committee was advised that the developer had submitted supporting information advising that a new site was required for densification reasons in order to address 4G capacity and congestion due to higher traffic volumes in the immediate area. The Members were advised that, where possible, shared sites were used but that it was not possible in this case as the only nearby site was working to optimum level and was unable to provide a suitable degree of coverage for local users.

The Deputy Chairperson welcomed Mr. L. Ross agent, to the meeting. Mr. Ross explained that the mast was to provide coverage for O2 and Vodafone services. He explained that infrastructure was required in the proposed area as signal was dropping towards Finaghy. In discussing the other location sites which had been outlined by Planners, he outlined that the grounds of Musgrave Park Hospital were not considered as they did not install masts in hospitals and that the private landowner of Kings Hall development had advised that it was not possible during the course of the development of that site. He explained that the Balmoral Golf Club was unsuitable due to the Landscape Policy. He added that masts were regularly erected close to residential properties and that the infrastructure was essential in order to improve signal across the City.

(Councillors Collins, Garrett and Hussey re-joined the meeting at this point.)

The Committee agreed to refuse the application and delegated power to the Director of Planning and Building Control for the final wording of the refusal reasons.

LA04/2018/0856/F - Demolition of dwelling and construction of 8 apartments within one block and 8 associated car parking spaces at 134 Finaghy Road South

The Committee was advised that the following application had been referred to it by an Elected Member.

The Principal Planning officer outlined the principal aspects of the application to the Committee. She explained that the principle of an apartment development at the site had been established in 2009 under Z/2006/2536/F (11 Apartments), which expired in February 2014, and Z/2008/1264/F (12 Apartments) which expired in September 2014.

The Members were advised that all consultees had offered no objection to the proposal. The Case officer explained that 54 letters of objection had been received, including 48 objections to the previous design proposals and 6 objections relating to the current proposal. She advised the Committee that all objections received were from 17 neighbouring properties and included an objection from an elected Member and an MLA.

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She confirmed that the objections from the elected Members were in relation to the previous scheme comprising two apartment blocks.

The Principal Planning officer explained that the proposed design was considered acceptable and would have a positive impact on the character of the area. She added that the proposal would not result in an unacceptable impact on residential amenity.

During discussion in relation to the parking provision in the area, it was agreed that a letter be sent, on behalf of the Committee, to:

1. the Department for Infrastructure, seeking confirmation of what policies it applies and how it identifies whether there is sufficient on-street parking in an area when it is asked to provide its opinion in relation to a planning application; and
2. the PSNI, asking it to confirm whether vehicles are permitted to park on pavements.

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

LA04/2019/1522/F - part two storey and single storey rear extensions at 29 Casaeldona Park

The Committee was advised that the following application had been referred to it by an Elected Member.

It was agreed that the Case officer's report for any future applications which had been referred to the Committee by a Member would include the material planning reasons so as to provide it with a better understanding of the Member's concerns.

The Principal Planning officer explained that permission was sought for a part two storey and single storey extension to the rear of the dwelling.

The Committee was advised that five representations had been received in relation to the application, raising issues including over dominance, overshadowing/loss of light, scale and massing and boundary issues.

The Principal Planning officer outlined that the proposal had been amended and reduced during the processing of the application, the most recent amendment having been received on 6th January, 2020. She explained that neighbours had been re-notified with the most recent proposals.

The Committee's attention was drawn to the Late Items pack, where five further objections had been received. The Principal Planning officer provided the case officer's response to the points raised and confirmed to the Members that it was considered that there would be no harmful overlooking, loss of privacy or loss of daylight to the properties, given the separation distances.

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The Principal Planning officer explained to the Committee that the proposed extension would not adversely impact the character and appearance of the surrounding area and that it was considered to be sympathetic in its built form, scale and massing. The Members were advised that the 45 degree angle test had shown that the proposal would not raise any issues in relation to overshadowing or loss of light to neighbouring dwellings.

The Chairperson welcomed Mr. W. Crowe, a neighbour, to the meeting. He explained that he had concerns with the proposals as he felt that it would impact on the view from his kitchen window. He also advised the Committee that he felt that the measurement for the 45 degree angle test in the Case officer's report was incorrect, as he did not believe that they had been taken from the mid-point of his window.

In response to queries from Members, the Principal Planning officer explained that the 45 degree angle test was a guide for Planners and was not a policy test.

After discussion, the Planning Manager advised the Committee that it could agree to grant approval the application, subject to the officers verifying that the measurement in relation to the 45 degree angle test was correct. He explained that, in the event that the figure was incorrect upon re-measuring, the application would be submitted for the Committee's consideration the following month, as the Committee was required to have the correct information in order to make a decision.

The Committee granted approval to the application, subject to checking of the measurement of the 45 degree angle test, and 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.

LA04/2017/1439/F - construction of 13 dwellings comprising 3 detached dwellings 6 semi-detached dwellings along with 4 apartments on lands opposite Ruby Cottages and St Ellen's Terrace, Edenderry Road, Edenderry Village

(Councillor Nicholl declared an interest in the item, in that she was a Member of the Lagan Valley Regional Park, and she left the meeting at this point.)

The Principal Planning officer provided the Committee with the details of the application for 3 detached dwellings, 6 semi-detached dwellings and 4 apartments.

She outlined the key issues which had been considered in the assessment of the proposals, which included the impact on the character of the village and on Lagan Valley Regional Park, the impact on flooding and on traffic, as well as trees and the natural environment.

The Committee was advised that the site was located outside the settlement limit according to the Lisburn Area Plan 2001 and 2004 version of dBMAP. She explained that, at the BMAP inquiry, the PAC had recommended that the site be included within the development limit due to the planning history of the site. The Members noted that the site was subsequently located within the settlement limit of Edenderry in the 2015 version

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of draft BMAP, which, as Members were aware, had subsequently been declared unlawful.

The Principal Planning officer advised the Committee that an outline application for a mixed use development had been approved in 2006, with the reserved matters application subsequently having been approved in 2015, for a “mixed use development in five blocks, including offices/craft workshops, restaurant ancillary works and retaining walls”. She highlighted to the Members that the scheme was significant taller and bulkier than the current proposal but appeared to represent a potential fall-back position for the developer as the development had commenced at the site.

The Members were advised that 36 neighbours had been notified of the proposals and that 13 objections had been received in addition to one letter of support and 1 non-committal representation.

The Principal Planning officer explained that two consultees, namely Rivers Agency and Lagan Valley Regional Park, had also objected to the development.

The Committee was advised that significant supporting information had been submitted with regards to the proposal, covering issues such as contaminated land, waste water, odour, noise, landscaping and the natural environment.

She explained that the proposed felling of one TPO protected tree was considered acceptable by the Tree Officer as a number of the trees on the site were not in good condition, and that 27 additional trees would be planted within the site.

She outlined that it was considered that the elevational design and appearance of the dwellings was respectful of the adjacent Ruby Cottages and, on balance, officers felt that the current proposal respected the surrounding context and was appropriate to the character and topography of the site in terms of its layout, scale, proportions, massing and appearance.

On balance, she therefore advised the Committee that the proposals were acceptable, given the planning history on the site, and that it was considered a significant improvement to the extant proposal.

The Principal Planning officer provided clarity to a Member on the issue of overlooking and explained that no habitable rooms would be impacted within the development.

The Deputy Chairperson advised the Committee that the agent, Mr. G. Smyth, was in attendance to answer any questions from Members.

A number of Members requested clarity from the agent regarding the risk of flooding at the site, given the objection from the Rivers Agency. Mr. Smyth drew the Committee’s attention to the Case officer’s report which indicated that the Rivers Agency had stated that the proposed development was outside the 1% AEP floodplain and that there was also an existing 600mm freeboard as a result of infill levels which formed part of a previous approval. He added that the report also advised that the Rivers Agency had

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recently contacted the Planning department to clarify that the proposed development would not exacerbate potential flood impact on the adjacent lands.

The Principal Planning officer provided the Committee with additional clarity in relation to the fact that the Rivers Agency still technically considered the site to be within the floodplain despite infill development which had taken place to raise the site up out of it. She explained that Rivers Agency would only remove a site from the floodplain once it had gathered evidence over a very long period of time.

In response to a further Member's question regarding the pumping station, the agent explained that it was necessary in order to pump effluent up and out of the site in order to reach the main water treatment works, and that it was not because of the density of the site. The Principal Planning officer advised that it was hoped that the pumping station would be temporary until a longer term improvement to the infrastructure could be made. She explained that a condition would be included stating that the pumping station was to be adopted by NI Water after construction, and that, if any issue arose with it, it would be dealt with in the usual manner for a breach of conditions.

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.

LA04/2019/2157/F - floodlights and ancillary equipment at Paisley Park, West Circular Road

The Committee was apprised of the key aspects of the application which had been lodged by Belfast City Council.

The Case officer explained that it was considered that the proposal would not have an adverse impact on the character and appearance of the area.

She explained that Environmental Health had requested further information including a light spill assessment and proposed hours of operation. The information had subsequently been submitted and Environmental Health had since advised that it was satisfied that the predicted level of light would not be obtrusive.

The Members were advised that, in principle, there was no objection to the erection of floodlights. The Case officer pointed out that it would provide greater visibility or the local community using the park allowing for a safe and secure site.

The Committee was advised that no 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.

**Planning Committee,
Thursday, 23rd January, 2020**

**LA04/2019/2412/F - Renewal of planning approval
LA04/2018/0593/F for single storey timber structure
at C.S. Lewis Square, Newtownards Road**

(Councillor Brooks and Alderman Rodgers declared an interest in the item and left the meeting at this point)

(Councillor Garrett in the Chair)

The Case officer explained that the following application was in front of the Committee as the landowner was Belfast City Council.

She explained that it sought permission for the renewal of a previous approval, LA04/2019/0593/F, for a single storey timber structure at C. S. Lewis Square for a temporary period of 18 months.

She provided the Committee with the main issues which had been considered, including the principle of development, the impact on the character and appearance of the surrounding area, access and flooding. She advised the Members that the proposal would continue to provide an addition to the visitor attraction area at the Hub and offered shelter to users of C. S. Lewis Square.

The Committee was advised that Environmental Health and Rivers Agency had been consulted in relation to the proposal and had no objections. The members were advised that the application had also been neighbour notified and advertised in the press and that no 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.

Chairperson

PLANNING COMMITTEE – 11 FEBRUARY 2020

APPEALS NOTIFIED

COUNCIL: BELFAST

ITEM NO 1 PAC REF: 2019/A0204

PLANNING REF: LA04/2019/1288/F

APPLICANT: Mrs Laura Haldane

LOCATION: 61 Balmoral Avenue, Belfast

PROPOSAL: Side entrance including new wall/fence either side. Widening of existing driveway entrance to front elevation. Pedestrian entrance to front elevation to replace existing entrance

PROCEDURE:

APPEAL DECISIONS NOTIFIED

ITEM NO 1 PAC REF: 2019/A0083

PLANNING REF: LA04/2019/0770/A

RESULT OF APPEAL: Dismissed

APPLICANT: Mr Gary Higgins

LOCATION: Shane Retail Park, Boucher Road, Belfast

PROPOSAL: Replace the existing back to back 48 sheet hoarding with (A) Digital advertising panel – Intermittent (B) Conventional 48 sheet – Static

ITEM NO 2 PAC REF: 2018/A0204 and 2018/A0205

PLANNING REF: LA04/2018/2153/A and LA04/2018/2199/F

RESULT OF APPEAL: Allowed

APPLICANT: Mr Tom Fisher

LOCATION: Pavement east of NI Fire and Rescue Service, Ormeau Road, Belfast

PROPOSAL: 1 No Smart Hub and Associated Advertisement Consent located on the pavement

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Planning decisions issued between 7 January and 3 February 2020 - No. 209

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2018/2589/F	LOCDEV	64 Andersonstown Road Belfast BT11 9AN.	Proposed construction of 14 no. apartments in 2no. blocks with associated car parking and landscaping (Amended Layout)	PERMISSION GRANTED
LA04/2019/0064/F	LOCDEV	Lands immediately east of Thronemount 742 Antrim Road Belfast BT36 7PQ.	Residential development for 8 No's detached two storey dwellings, associated car parking, landscaping and all other ancillary site works (AMENDED REDLINE FOR REVISED ACCESS FROM BEN MADIGAN PARK, PLANS AND ADDITIONAL INFORMATION)	PERMISSION GRANTED
LA04/2019/0240/F	LOCDEV	3a Finaghy Park North Finaghy Belfast BT10 0HQ.	2 storey detached dwelling (Retrospective application).	PERMISSION GRANTED
LA04/2019/0265/F	LOCDEV	10-16 Hill Street Belfast BT1 2LA.	Refurbishment alterations to Hill Street façade for new window arrangements and timber cladding, part-demolition and rebuild of rear extension to provide additional floor, and change of use, from existing office block to 17 No. bedroom boutique hotel, with associated ground floor restaurant and bar, and all associated site works.	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/0269/F	LOCDEV	5-7 Boucher Road Belfast BT12 6NT.	New steel bridge link across existing Blackstaff River providing vehicular and pedestrian access between workshop site to front and car storage facility site to rear.	PERMISSION GRANTED
LA04/2019/0300/DCA	LOCDEV	10-16 Hill Street Belfast BT1 2LA.	Balconies facing onto Hill Street, all windows, cills and external doors (including roller shutter); downpipes and gutters; oil tank and flue extract; pitched roof to rear of site and part demolition of facades for new openings; 7 internal works to be gutted, including removal off all partitions, wall linings, doors, suspended ceilings, raised access floors and sanitaryware.	PERMISSION GRANTED
LA04/2019/0405/F	LOCDEV	10-16 Castle Place Belfast BT1 1GB.	Change of use from existing retail unit and stores to financial services A2 use on ground and first floor and replacement shop front. Conversion of second and third floor to 6 apartments.	PERMISSION GRANTED
LA04/2019/0406/LBC	LOCDEV	10-16 Castle Place Belfast BT1 1GB.	Change of use from existing retail unit and stores to financial services A2 use on ground and first floor and replacement shop front. Conversion of second and third floor to 6 apartments.	PERMISSION GRANTED
LA04/2019/0529/F	LOCDEV	Existing telecoms installation Rooftop of Russell Court Claremont Street Belfast BT9 6JX.	Replacement of existing 5m stub mast with a new 10m stub mast accommodating 12No. antenna and 4No. dishes and all associated equipment.	PERMISSION REFUSED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/0654/A	LOCDEV	Crusaders FC Seaview Stadium Shore Road Belfast BT15 2QG	Removal of existing illuminated advertising board and replacement with new digital advertising board	PLANNING APPEAL IN PROGRESS
LA04/2019/0664/F	LOCDEV	Land adjacent to 20 Corry Place Belfast BT3 9HY.	Demolition of 2No. existing temporary structures and extension to existing storage unit to create an additional 4No. storage units (net increase of 2No. units).	PERMISSION GRANTED
LA04/2019/1000/F	LOCDEV	7 Holland Park Belfast BT5 6HB.	Demolition of existing garage. Proposed two storey rear and side extension with basement level store below. Raised patio to rear. (Amended Description).	PERMISSION GRANTED
LA04/2019/1085/F	LOCDEV	17 Fitzwilliam Street Belfast BT9 6AW.	Change of use from office to 3 self contained apartments, external alterations and rear extension.	PERMISSION GRANTED
LA04/2019/1179/F	LOCDEV	207 Belmont Road Belfast BT4 2AG.	Change of use from dwelling house to office accommodation (class A2)	PERMISSION REFUSED
LA04/2019/1181/DC	LOCDEV	Former Harland and Wolf Headquarters Building and Drawing office Queens Road Belfast BT3 9DU.	Discharge of conditions 2,3,8,9,10,11,12, and 13 LA04/2016/0096/F	CONDITION NOT DISCHARGED
LA04/2019/1325/F	LOCDEV	Site adjacent to 9 Thornhill Parade Belfast BT5 7AT.	Proposed residential development of 1no. detached 2-storey dwelling.	PERMISSION GRANTED
LA04/2019/1344/LBC	LOCDEV	The Lantern 58 Wellington Place Belfast BT1 6GF.	Fascia Replacement	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/1345/A	LOCDEV	The Lantern 58 Wellington Place Belfast BT1 6GF.	Fascia Replacement	PERMISSION GRANTED
LA04/2019/1389/DC	LOCDEV	Andersonstown Leisure Centre Andersonstown Road Belfast BT11 9BY.	Discharge of condition 2 & 20 LA04/2017/0707/F	CONDITION NOT DISCHARGED
LA04/2019/1412/F	LOCDEV	Lands immediately south + south west of 79 Ballylesson Road Belfast BT8 8JT.	Removal of existing agricultural buildings (3No.) and replacement and relocation with one new shed and ancillary development (new agricultural access laneway)	PERMISSION GRANTED
LA04/2019/1472/DCA	LOCDEV	51 Marlborough Park South Belfast BT9 6HR.	Demolition of single storey rear sunroom extension.	PERMISSION GRANTED
LA04/2019/1479/F	LOCDEV	Boiler House Block 3 Holly Grove Queens Elms 78 Malone Road Belfast BT9 5BW.	Installation of 2no. balanced flues through the wall and 4no balanced flues through the roof of an existing Boiler House (retrospective)	PERMISSION GRANTED
LA04/2019/1494/F	LOCDEV	51 Marlborough Park South Belfast BT9 6HR.	Demolition of existing sunroom. Side & rear single storey extension to include car port, garage & elevational changes.	PERMISSION GRANTED
LA04/2019/1618/F	LOCDEV	12 Cregagh Road Belfast BT6 9EP.	Alterations and conversion of existing to provide 2no. apartments over first and second floors and new ground floor shopfront.	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/1658/F	LOCDEV	Lands immediately South & South West of 79 Ballylesson Road Belfast BT8 8JT.	Demolition of existing agricultural buildings (3no.) and replacement with new farm dwelling. (AMENDED RED LINE, ACCESS ARRANGEMENTS AND LANDSCAPING)	PERMISSION GRANTED
LA04/2019/1662/F	LOCDEV	134A Stockmans Lane Belfast BT9 7JE.	Demolition of existing two storey office building and construction of a new single storey office building.	PERMISSION GRANTED
LA04/2019/1699/LDE	LOCDEV	25 Riverview Street Belfast BT9 5FD.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2019/1723/F	LOCDEV	92 Stranmillis Road Belfast BT9 5AE.	Retrospective application for shed to be used for cleaning equipment & pergola construction on terrace. Increase fence to 2m.	PERMISSION REFUSED
LA04/2019/1754/LBC	LOCDEV	38-40 University Road and 1 Mount Charles Belfast.	Temporary installation of desk height dado trunking across window at second floor. Replacement of modern stud partition.	PERMISSION GRANTED
LA04/2019/1809/F	LOCDEV	Law Society House 96 Victoria Street Belfast BT1 3GN.	Small extension of existing rooftop plant platform. Installation of new air handling unit and associated ductwork. Support frame and screening for new ductwork. Replacement of 4No. existing glazing units with opaque panels on the fourth floor. Internal reconfiguration of fourth floor.	PERMISSION GRANTED
LA04/2019/1849/LDP	LOCDEV	47 Boucher Road Belfast BT12 6HR.	Implementation of convenience food store with associated parking (Z/2011/0359/O & LA04/2015/0387/RM)	PERMITTED DEVELOPMENT

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/1865/F	LOCDEV	230 Upper Malone Road Belfast BT17 9JZ.	Alterations to existing single storey dwelling involving additional floor with flat roof, associated balcony and attached double garage.	PERMISSION GRANTED
LA04/2019/1899/A	LOCDEV	22 Boucher Crescent Belfast BT12 6HU.	Totem/Pylon sign (free standing).	PERMISSION GRANTED
LA04/2019/1944/F	LOCDEV	Land adjacent to 15 Ballarat Street Belfast BT6 8FW.	Proposed outdoor space	PERMISSION GRANTED
LA04/2019/1999/LDE	LOCDEV	39 Lower Windsor Avenue Belfast BT9 7DW.	HMO	PERMITTED DEVELOPMENT
LA04/2019/2003/DC	LOCDEV	Lands surrounding Ballymacarrett Road and Titanic Halt Train Station including Titanic Halt Underpass extending to Slip Road leading to Bridge Street.	Discharge of condition No.5 of LA04/2017/2646/F	CONDITION NOT DISCHARGED
LA04/2019/2017/DCA	LOCDEV	Chichester House 19 Chichester Street Belfast BT1 4JB	Proposed demolition of internal walls and a stairwell at ground floor	PERMISSION GRANTED
LA04/2019/2018/F	LOCDEV	Chichester House 19 Chichester Street Belfast BT1 4JB	Change of use of 3 No. full units and part of 1 No. additional unit from retail to office use and associated reconfiguration works at ground floor (Amended Description)	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/2046/F	LOCDEV	23 Rowland Way Belfast BT12 5BZ	Single storey rear extension and loft conversion by way of vertical extension to raise main roof height with front and rear dormers.	PERMISSION GRANTED
LA04/2019/2059/LDP	LOCDEV	Lands to the rear of no 119 North Road Belfast BT5 5NG	Conversion of offices into day care rooms and installation of toilet facilities on the ground floor	PERMITTED DEVELOPMENT
LA04/2019/2083/LBC	LOCDEV	Orange Hall Clifton Street Belfast BT13 1AB	Works to include: extending the existing lift to an additional floor up. Refurbishment of the ground floor toilets, to include a disabled access toilet facility. Installation of security windows to the facade of the building and removing the block -work that is sitting in front of the windows. Installation of additional CCTV cameras throughout via WIFI. Minor internal improvements through painting of the walls, matching it to the existent.	PERMISSION GRANTED
LA04/2019/2088/LDE	LOCDEV	29 Hatfield Street Belfast.	House in multiple occupancy (HMO)	APPLICATION REQUIRED
LA04/2019/2090/F	LOCDEV	27 29 34 35 38 39 40 41 42 44 45 48 50 and 52 Orpen Drive Belfast BT10 0BT	Provision of a front porch and rear extension to 1 dwelling (No. 50) and rear extension to the remaining 13 dwellings (No. 27, 29, 34, 35, 38, 39, 40, 41, 42, 44, 45, 48 & 52) (Site address was incorrect on initial notification)	PERMISSION GRANTED
LA04/2019/2099/A	LOCDEV	19-35 Grosvenor Road Belfast BT12 4GR	4320 x 7200mm Multilingual car park information screen providing intermittent changeable messages	PERMISSION REFUSED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/2102/LDP	LOCDEV	2-4 & 2a Rosetta Road Belfast BT6 0LT.	Proposal is to subdivide an existing retail Class A1 shop unit into 3no. class A1 shop units.	PERMITTED DEVELOPMENT
LA04/2019/2123/LDE	LOCDEV	49 Northbrook Street Belfast BT9 7DH.	House in multiple occupancy	PERMITTED DEVELOPMENT
LA04/2019/2132/F	LOCDEV	On lands approximately 110m North West of No. 518 Lisburn Road Belfast BT9 6GX.	Proposed 17.5m telecommunications column, with 6no. antenna (3No. enclosed within a shroud, 3No. not enclosed). proposal includes the provision of 4No. new equipment cabinets and associated ground works.	PERMISSION REFUSED
LA04/2019/2149/F	LOCDEV	128 Upper Dunmurry Lane Belfast.	Extension to church to provide conference room and store. Refurbishment of ancillary accommodation + catering facilities.	PERMISSION GRANTED
LA04/2019/2158/LDE	LOCDEV	59 Melrose Street Belfast BT9 7DL	House in Multiple Occupation	PERMITTED DEVELOPMENT
LA04/2019/2159/F	LOCDEV	24 Ann Street Belfast BT1 4EF	Proposed change of use from retail to restaurant at ground floor and elevational improvements on all floors	PERMISSION GRANTED
LA04/2019/2160/DCA	LOCDEV	24 Ann Street Belfast BT1 4EF	Partial demolition of external walls to create openings	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/2178/DC	LOCDEV	Robinson Leisure Centre Montgomery Road Belfast BT6 9HS.	Discharge of condition 26 LA04/2016/2560/F	CONDITION DISCHARGED
LA04/2019/2189/F	LOCDEV	24 Rosetta Park Belfast BT6 0DJ	This is a section 54 application to vary condition 2 of LA04/2017/1681/F to read as follows: The first floor bedroom window as indicated with an X on drawing nos. 03 and 04 date stamped 20th December 2019 shall at all times be glazed with obscure glazing and non-opening unless the parts of the window which can be opened are more than 1.7 metres above floor level of the floor that the window serves.	PERMISSION GRANTED
LA04/2019/2201/DC	LOCDEV	730-760 Shore Road Belfast BT15 4HL.	Discharge of condition 21 of Z/2013/0095/F (boundary treatments)	CONDITION NOT DISCHARGED
LA04/2019/2214/F	LOCDEV	Land to rear of 42-88 Lawnbrook Avenue Belfast BT13 2QB.	Change of house types to site No's 18,22,23,32,33 and 37 (6No. dwelling units).	PERMISSION GRANTED
LA04/2019/2246/A	LOCDEV	2-6 Bradbury Place Belfast BT7 1RX	Shop sign with window graphics	PERMISSION GRANTED
LA04/2019/2249/F	LOCDEV	Units 12 13 & 14 Upper Springfield Development Trust 688 Springfield Road Belfast BT12 7FP.	Change of use of units 12, 13 & 14 (first floor) from dress making business to commercial gymnasium (Retrospective).	PERMISSION REFUSED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/2253/LDE	LOCDEV	17 Deramore Avenue Ballynafoy Belfast BT7 3ER.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2019/2254/F	LOCDEV	42 Castlereagh Street Belfast BT5 4NH.	Change of use of retail ground floor unit to residential one bedroom flat with associated works and parking at rear	PERMISSION GRANTED
LA04/2019/2263/LDE	LOCDEV	6 Whitehall Gardens Belfast BT7 3GW.	House of multiple occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2019/2266/LDP	LOCDEV	Lands approx. 150m East of 1 Hazel Close Dunmurry Belfast. (Formally known as phase 1A of lands surrounding the former reservoir at Mount Eagles Lagmore Derriaghy.	The following works carried out under S/2007/1348/RM to sites 736 and 737 before the date 9th August 2015: Temporary Access formed Site preparation works including stripping of top soil, infilling of land with hardcore to form a working area and access road with visibility splays and forward sight lines. Excavation and pouring of concrete into foundations at sites 736 and 737.	APPLICATION REQUIRED
LA04/2019/2270/F	LOCDEV	On footpath approximately 125m west of 10 Cadogan Park Belfast BT9 6HH.	Proposed 17.5m telecommunications column, with 6No. antennae (3No. enclosed with a shroud, 3No. not enclosed) NS 3No. radio units. Proposal includes the provision of 4No. new equipment cabinets and associated ground works.	PERMISSION REFUSED
LA04/2019/2274/RM	LOCDEV	14 Grampian Avenue Belfast BT4 3AB.	Proposed residential development of 2No. apartments in single block.	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/2276/F	LOCDEV	Part 1st & 2nd Floors 38 King Street Belfast BT1 6AD.	Proposed Change of Use of first and second floors from vacant unit (previous A1 retail use) to tattoo parlour, including tattoo studio, laser removal treatment room and piercing room	PERMISSION GRANTED
LA04/2019/2288/DC	LOCDEV	211-217 Beersbridge Road Belfast BT5 4RR.	Discharge of conditions no's 4, 5, 6, 7 and 8 of LA04/2016/1917/F (verification report, contamination, noise verification report)	CONDITION DISCHARGED
LA04/2019/2293/F	LOCDEV	Former nightclub unit (ground and first floor) adjacent to W5 Odyssey Pavillion Complex 2 Queens Quay Belfast BT3 9QQ	Change of use of nightclub (sui generis) to a digital learning centre (including ancillary office space, ancillary cafe and ancillary storage)	PERMISSION GRANTED
LA04/2019/2308/LDE	LOCDEV	6 Wellington Park Avenue Belfast BT9 6DT.	House in Multiple Occupancy (HMO)	PERMITTED DEVELOPMENT
LA04/2019/2313/LDE	LOCDEV	6 Rathgar Street Belfast BT9 7GD.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2019/2317/F	LOCDEV	352 Lisburn Road Belfast BT9 6GJ.	Ground floor change of use to hairdressing salon with associated office to first floor.	PERMISSION GRANTED
LA04/2019/2319/F	LOCDEV	19 University Street Belfast BT7 1FY.	Proposed alterations and change of use from offices to 2No. apartments.	PERMISSION GRANTED
LA04/2019/2320/DC	LOCDEV	Greater Belfast Development York Street/Donegall Street/Frederick Street Belfast.	Discharge of condition 5 Z/2013/1122/F	CONDITION DISCHARGED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/2328/F	LOCDEV	22 Sydenham Gardens Strandtown Belfast BT4 1PY	Replacement single storey rear extension.	PERMISSION GRANTED
LA04/2019/2341/F	LOCDEV	65 Cregagh Road Belfast BT6 8PY	Alterations to front facade	PERMISSION GRANTED
LA04/2019/2342/F	LOCDEV	8 Piney Way Belfast BT9 5QT	Garage conversion into living and utility room, replace garage door with windows and internal alterations. (Amended Description)	PERMISSION GRANTED
LA04/2019/2353/LBC	LOCDEV	Belfast Foyer 3-5 Malone Road Belfast.	General update to health and safety, including firestopping.	PERMISSION GRANTED
LA04/2019/2355/F	LOCDEV	29 Martinez Avenue Belfast BT5 5LY.	Single and two storey rear extension. New patio to rear. (Amended Description)	PERMISSION GRANTED
LA04/2019/2359/F	LOCDEV	Unit 2 River House 48-60 High Street Belfast BT1 2BE.	Change of use from class A1 retail to class A2 financial, professional services.	PERMISSION GRANTED
LA04/2019/2383/LDE	LOCDEV	First Floor (Flat No.3) 18 India Street Belfast BT7 1LJ.	House in Multiple Occupancy (HMO)	PERMITTED DEVELOPMENT

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/2384/LDE	LOCDEV	Second Floor (Flat 4) 18 India Street Belfast BT7 1LJ.	House in multiple occupancy (HMO)	PERMITTED DEVELOPMENT
LA04/2019/2392/DC	LOCDEV	Land at 33-39 Bridge End South of Bridge End and East of Belfast/Derry Railway line	Discharge of condition 11 of Planning approval LA04/2015/0707/f	CONDITION NOT DISCHARGED
LA04/2019/2393/LDE	LOCDEV	24 Rathcool Street Belfast BT9 7GA.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2019/2399/LDE	LOCDEV	Chadwick Terrace 69 Great Northern Street Belfast BT9 7FL	House in Multiple Occupation	PERMITTED DEVELOPMENT
LA04/2019/2401/F	LOCDEV	108 Earlswood Road Belfast BT4 3EA	New two storey side extension, single storey rear extension and amended rear dormer window.	PERMISSION GRANTED
LA04/2019/2403/F	LOCDEV	2 Ardgreenan Gardens Belfast BT4 3FR	Single storey rear extension and new window openings.	PERMISSION GRANTED
LA04/2019/2407/F	LOCDEV	29 Castlereagh Place Belfast BT5 4NN.	Retrospective change of use from residential dwelling house to bed and breakfast accommodation.	PERMISSION GRANTED
LA04/2019/2408/F	LOCDEV	St John the Baptist Primary School Finaghy Road North Belfast BT11 9EH.	Works include removal of existing (approx. 2m high) metal perimeter fencing on the north corner of the site, replacing it with a new wire mesh fence (2.4m high) (gates 3m high).	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/2409/F	LOCDEV	513 Ormeau Road Ballynafoy Ormeau Belfast BT7 3GU	Change of use to estate agents office	PERMISSION GRANTED
LA04/2019/2412/F	LOCDEV	C.S.Lewis Square Newtownards Road Belfast BT4 1HL.	Renewal of planning approval LA04/2018/0593/F for single storey timber structure.	PERMISSION GRANTED
LA04/2019/2415/LDE	LOCDEV	29 The Cloisters Belfast BT7 1GD.	House in Multiple Occupancy (HMO)	PERMITTED DEVELOPMENT
LA04/2019/2422/DC	LOCDEV	Weir at Stranmillis Near Belfast Boat Club Belfast BT9 5FJ	Discharge of condition no. 10 of LA04/2016/0041/F (Construction Environmental Management Plan)	CONDITION DISCHARGED
LA04/2019/2435/F	LOCDEV	8 Deramore Park South Belfast BT9 5JY	Refurbishment of an existing Victorian residential house from 3 residential house from 3 residential flats into a single family home, and a new outbuilding/store to the rear of the property	PERMISSION GRANTED
LA04/2019/2439/F	LOCDEV	31 Ulster Avenue Dunmurry Belfast BT17 9BN	Demolition of existing garage and ancillary building and erection of 1.5 storey dwelling with ancillary domestic games room and store provided at the first floor (to be constructed in lieu of 1,5 storey garage, games room and store approved under permission LA04/2018/1107/F)	PERMISSION GRANTED
LA04/2019/2445/F	LOCDEV	1 Skegoneill Drive Belfast BT15 3FY.	Radio mast 10.9m X 3.1M	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/2452/DC	LOCDEV	Lands at Castlehill Manor Castlehill Road Belfast.	Discharge of conditions 20 & 21 LA04/2015/0670/F.	CONDITION DISCHARGED
LA04/2019/2464/NMC	LOCDEV	Lands to the rear of 21 Finaghy Park Central Finaghy Belfast BT10 0HP.	Non material change to LA04/2018/0328/F	NON MATERIAL CHANGE REFUSED
LA04/2019/2471/F	LOCDEV	Unit 2A Boucher Retail Park Boucher Crescent Belfast BT12 6HU.	Change of use from retail to café (sui Generis) external alterations to front and rear elevations along with outdoor seating and tables area.	PERMISSION GRANTED
LA04/2019/2479/F	LOCDEV	Site to the rear of 24 Osborne Gardens Belfast BT9 6LF.	New two storey dwelling with associated hard and soft landscaping, and new vehicular entrance to Bawnmore Road	PERMISSION GRANTED
LA04/2019/2483/LDE	LOCDEV	3 Balfour Avenue Belfast BT7 2EU.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2019/2484/A	LOCDEV	1 Sandown Road Belfast BT5 6GT.	Internally illuminated signage box panels.	PERMISSION GRANTED
LA04/2019/2497/LDE	LOCDEV	19 Sandymount Street Stranmillis Belfast BT9.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2019/2499/F	LOCDEV	1 Sandown Road Belfast BT5 6GT.	Change of use of ground floor function room and bar to restaurant and kitchen.	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/2516/F	LOCDEV	78 Wellington Park Belfast BT9 6DP.	Retention of 3No. serviced apartments.	PERMISSION GRANTED
LA04/2019/2528/LDE	LOCDEV	28 St Albans Gardens Belfast BT9 5DR.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2019/2532/F	LOCDEV	25 Cabin Hill Gardens Belfast BT5 7AP.	Two storey rear extension. Demolition of Existing Garage.	PERMISSION GRANTED
LA04/2019/2535/A	LOCDEV	Unit 3 17 Balmoral Road Belfast	1no. 12m x 1.5m fascia sign and 1no. 1.5x 1.5m projecting sign on front elevation of main building; 3no. fascia signs on front elevation of side extension; 1no. 2.2m x 0.5m fascia sign and 10no. 1m x 1m mesh boards on side elevation of side extension	PERMISSION GRANTED
LA04/2019/2545/LDE	LOCDEV	24 Sandhurst Gardens Belfast BT9 5AW.	House in Multiple Occupancy (HMO)	PERMITTED DEVELOPMENT
LA04/2019/2546/LDE	LOCDEV	9 Hatfield Street Belfast BT7 2FB.	House in Multiple Occupancy (HMO)	PERMITTED DEVELOPMENT
LA04/2019/2556/F	LOCDEV	1 New Barnsley Park Belfast BT12 7HE.	Single and two storey rear extension, elevational alterations and construction of link corridor to garage.	PERMISSION GRANTED
LA04/2019/2560/DC	LOCDEV	Elmgrove Primary School (Avoneil Site) and Nursery Unit Avoneil Road Belfast BT5 4SF	Discharge of conditions no's 3,4,6 and 7 of LA04/2016/2121/LBC	CONDITION DISCHARGED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/2563/DC	LOCDEV	3 Lewis Avenue Belfast BT4 1FD	Discharge of condition no. 2 of LA04/2019/1124/F (Management Plan)	CONDITION DISCHARGED
LA04/2019/2564/DC	LOCDEV	1 Uniondale Street Belfast BT5 5BP	Discharge of condition no. 2 of LA04/2019/1082/F (Management Plan)	CONDITION DISCHARGED
LA04/2019/2565/DC	LOCDEV	23 Fitzroy Avenue Belfast BT7 1HS	Discharge of condition no 3 of LA04/2017/2191/F (facade retention system)	CONDITION DISCHARGED
LA04/2019/2566/F	LOCDEV	8 Knockmarloch Park Belfast BT4 2LD	2 storey extension to the rear of the house, with decking to rear of house.	PERMISSION GRANTED
LA04/2019/2571/LDE	LOCDEV	13 Jerusalem Street Belfast BT7 1QN.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2019/2574/F	LOCDEV	84 Springfield Road Belfast BT12	Change of use from single dwelling to house in multiple occupancy.	PERMISSION GRANTED
LA04/2019/2590/LDE	LOCDEV	78 Melrose Street Belfast BT9 7DQ	HMO - house in multiple occupation	PERMITTED DEVELOPMENT
LA04/2019/2591/LDE	LOCDEV	Flat 3 124 Eglantine Avenue Belfast BT9 6EU.	House in Multiple Occupancy (HMO)	PERMITTED DEVELOPMENT

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/2597/LDE	LOCDEV	Flat 2 124 Eglantine Avenue Belfast BT9 6EU.	House in Multiple Occupancy (HMO)	PERMITTED DEVELOPMENT
LA04/2019/2598/F	LOCDEV	37 Richhill Park Belfast BT5 6HG	Proposed single and two storey extension to rear and elevational changes.	PERMISSION GRANTED
LA04/2019/2601/F	LOCDEV	Belfast Indoor Bowls Club 115 Milltown Road Shaws Bridge Belfast BT8 7XP.	External biomass pellet silo & fire escape stairs (Retrospective)	PERMISSION GRANTED
LA04/2019/2609/A	LOCDEV	136a Andersonstown Road Belfast BT11 9BY	Shop Sign & Projecting Sign	PERMISSION GRANTED
LA04/2019/2611/LDE	LOCDEV	105 (2) Eglantine Avenue Belfast BT9 6EX.	HMO (house in multiple occupation)	PERMITTED DEVELOPMENT
LA04/2019/2614/LDE	LOCDEV	43 Ulsterville Gardens Belfast BT9 7BA	Retention of existing HMO - House of multiple Occupancy (existing)	PERMITTED DEVELOPMENT
LA04/2019/2616/F	LOCDEV	35 Houston Park Belfast BT5 6AT.	Single storey rear extension	PERMISSION GRANTED
LA04/2019/2620/NMC	LOCDEV	Site of former "The Old Mill Bar" (now demolished) Good Shepherd Road Poleglass Belfast Antrim BT17 0PP	NMC to LA04/2017/2700/F	NON MATERIAL CHANGE GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/2625/DC	LOCDEV	Lands at Rosepark House Upper Newtownards RoadBelfast BT4 3NR	Discharge of condition 16 (part A) of planning approval LA04/2017/0235/F relating to ground gas protection measures	CONDITION DISCHARGED
LA04/2019/2635/LDE	LOCDEV	Flat 1 47 Camden Street Belfast BT9 6AT.	HMO (House in multiple occupation)	PERMITTED DEVELOPMENT
LA04/2019/2636/LDE	LOCDEV	25 Penrose Street Belfast BT7 1QX.	HMO (House in multiple occupation)	PERMITTED DEVELOPMENT
LA04/2019/2640/LDE	LOCDEV	31 Rossmore Avenue Belfast	Change of use from dwelling to House in Multiple Occupancy.	PERMITTED DEVELOPMENT
LA04/2019/2650/F	LOCDEV	52 Cherryvalley Park Belfast BT5 6PN	2 storey rear extension and dormer to rear and new detached garage.	PERMISSION GRANTED
LA04/2019/2652/F	LOCDEV	2 Ladybrook Gardens Belfast BT11 9FD	Single storey side extension	PERMISSION GRANTED
LA04/2019/2658/F	LOCDEV	12 Greystown Park Belfast BT9 6UN	Proposed rear and side first floor extensions and single storey side and rear extension	PERMISSION GRANTED
LA04/2019/2659/F	LOCDEV	17 Saintfield Road Belfast BT8 6AF	Construction of new porch and utility room to side (leaving existing car port roof in-situ). Alterations to existing window openings and general internal alterations. New automated entrance gates.	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/2664/F	LOCDEV	34 Ravensdene Crescent Belfast BT6 0DB	Loft conversion with dormer to rear of dwelling.	PERMISSION GRANTED
LA04/2019/2665/A	LOCDEV	The Door Store 49-53 Boucher Road Belfast BT12 6HR	3no. replacement illuminated flex-face sign boxes.	PERMISSION GRANTED
LA04/2019/2668/LDE	LOCDEV	31A Chlorine Gardens Belfast BT9 5DL	House in Multiple Occupancy (HMO)	PERMITTED DEVELOPMENT
LA04/2019/2669/LDE	LOCDEV	31B Chlorine Gardens Belfast BT9 5DL	House in Multiple Occupancy (HMO)	PERMITTED DEVELOPMENT
LA04/2019/2673/F	LOCDEV	49 White Glen Lagmore Dunmurry BT17 0XN.	Single storey side and rear extension.	PERMISSION GRANTED
LA04/2019/2678/LDE	LOCDEV	42 Lisburn Avenue Belfast BT9 7FX	House in multiple occupancy (HMO)	PERMITTED DEVELOPMENT
LA04/2019/2679/F	LOCDEV	29 Stockmans Lane Belfast BT9 7JA	Demolition of existing rear extension to allow for a single storey kitchen extension to the rear and side of existing dwelling along with internal alterations.	PERMISSION GRANTED
LA04/2019/2684/F	LOCDEV	110 Priory Park Belfast BT10 0AG	Proposed single storey extension to rear of dwelling.	PERMISSION GRANTED
LA04/2019/2690/NMC	LOCDEV	51 Riverdale Gardens Belfast BT11 9DG	Non Material change to LA04/2017/0169/F	NON MATERIAL CHANGE GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/2691/DCA	LOCDEV	8 Deramore Park South Belfast BT9 5JY	Demolition including a small portion of the external walls and windows to the rear of the property, and the existing dilapidated outbuildings. Remove the external staircase and some internal elements.	PERMISSION GRANTED
LA04/2019/2693/F	LOCDEV	Asda Shore Road Superstore Shore Road Belfast BT15 3PR	Small freezer to Home Shopping within service compound. 2 new link canopies to shelter loading for Home Shopping delivery vans	PERMISSION GRANTED
LA04/2019/2695/F	LOCDEV	19 Piney Lane Belfast BT9 5QS	Single storey extension to rear and side of dwelling. Extension to rear of existing attached garage with replacement roof and bi-fold doors to front of garage. New window openings to first and second floor rear elevation. New window opening to first floor side elevation. Provision of 4 no. Roof windows to dwelling pitched roof.	PERMISSION GRANTED
LA04/2019/2703/F	LOCDEV	397 Cregagh Road Ballymaconaghy Belfast BT6 0LF	Single storey extension to rear of existing dwelling and elevation changes.	PERMISSION GRANTED
LA04/2019/2707/LDE	LOCDEV	42 Rugby Road Belfast BT7 1PS	House in Multiple Occupation (HMO)	PERMITTED DEVELOPMENT
LA04/2019/2708/LDE	LOCDEV	10 Sandymount Street Malone Lower Belfast BT9 5DP.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2019/2716/F	LOCDEV	25 St Meryl Park Belfast BT11 8FY	Single storey rear extension. Raised decking area to rear. (Amended description)	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/2717/F	LOCDEV	31 Delhi street Belfast BT7 3AJ	Proposed Dormer window to rear elevation.	PERMISSION GRANTED
LA04/2019/2721/F	LOCDEV	48 Wellington Park Belfast BT9 6DP	Erection of steel railings and gate to front garden on existing plinth walling	PERMISSION GRANTED
LA04/2019/2722/LDE	LOCDEV	10 Dunluce Avenue Belfast BT9 7AY	House in Multiple Occupancy (HMO)	PERMITTED DEVELOPMENT
LA04/2019/2725/F	LOCDEV	47 Ailesbury Crescent Belfast BT7 3EZ	Two storey side and rear extension	PERMISSION GRANTED
LA04/2019/2728/LDE	LOCDEV	7 Rathdrum Street Belfast BT9 7GB.	House in Multiple Occupancy (HMO)	PERMITTED DEVELOPMENT
LA04/2019/2730/F	LOCDEV	2 Portland Place Belfast BT15 1AJ	Relocation of ground floor window to allow alteration of downstairs shower room and w.c.	PERMISSION GRANTED
LA04/2019/2732/LDE	LOCDEV	Apartment 2 14 Wolseley Street Belfast BT7 1LG	House of Multiple Occupation (HMO)	PERMITTED DEVELOPMENT
LA04/2019/2737/A	LOCDEV	The Cylinder building Ormeau Road 3 Cromac Quay Gasworks Belfast BT7 2JD	Erection of 1no. static illuminated building sign on south elevation.	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/2738/F	LOCDEV	44F Glen Road Belfast BT11 8BG	Proposed change of use of ground floor vacant retail unit to funeral directors with consultation rooms.	PERMISSION GRANTED
LA04/2019/2739/A	LOCDEV	The Batik building Ormeau Road 7 Cromac Avenue Gasworks Belfast BT7 2JA	Erection of 1no. static illuminated building sign on north elevation.	PERMISSION GRANTED
LA04/2019/2748/F	LOCDEV	9 Kingscourt Close Castlereagh Road Belfast BT6 9AP	Proposed change of use from residential property to provide tourist accommodation.	PERMISSION GRANTED
LA04/2019/2759/DC	LOCDEV	Lands situated approximately 140m North West of 36 Mill Valley Place BT14 8FX.	Discharge of condition no. 10 of LA04/2019/0314/F (landscape plan)	CONDITION DISCHARGED
LA04/2019/2764/DC	LOCDEV	White Rise Muga Dunmurry Belfast	Discharge of condition no.3 of LA04/2019/0137/F (Light Verification Report)	CONDITION DISCHARGED
LA04/2019/2773/DC	LOCDEV	Weavers Court Business Park Linfield Road Belfast BT12 6GH	Discharge of condition no. 5 of LA04/2019/1856/F	CONDITION DISCHARGED
LA04/2019/2777/LDE	LOCDEV	103 Malone Avenue Belfast BT9 6EQ	House of multiple occupation (HMO)	PERMITTED DEVELOPMENT

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/2780/LBC	LOCDEV	School of Natural & Built Environment Geography Building 6AZ Elmwood Avenue Belfast BT9 6AW	Temporary removal of brickwork and railings to provide a safe pedestrian entrance from Elmwood Avenue to the Geography building. The railings will then be positioned back when the works from the Student's Union are completed.	PERMISSION GRANTED
LA04/2019/2791/LDE	LOCDEV	16 Wellington Park Avenue Belfast BT9 6DT	House of Multiple occupation (HMO)	PERMITTED DEVELOPMENT
LA04/2019/2795/F	LOCDEV	279 Laurelbank Dunmurry Belfast BT17 0RT.	Single storey rear extension with ramped access.	PERMISSION GRANTED
LA04/2019/2805/F	LOCDEV	28 Ainsworth Avenue Edenderry Belfast BT13 3EN	Retrospective change of use of existing dwelling house to a holiday let.	PERMISSION GRANTED
LA04/2019/2807/LDE	LOCDEV	8 Carmel Street Belfast BT7 1QE	House in Multiple Occupancy (HMO)	PERMITTED DEVELOPMENT
LA04/2019/2814/DC	LOCDEV	136 - 152 Beersbridge Road Belfast BT5 4RY	Discharge of Condition no.8 of LA04/2016/1920/F (Verification Report)	CONDITION DISCHARGED
LA04/2019/2816/LDE	LOCDEV	52 Damascus Street Belfast BT7 1QR	House in Multiple Occupancy (HMO)	PERMITTED DEVELOPMENT
LA04/2019/2818/LDE	LOCDEV	Belvoir Park Golf Club 73 Church Road Newtownbreda Belfast BT8 7AN	Golf training swing room as approved under Y/2012/0220/F: relocated position	PERMITTED DEVELOPMENT

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/2821/DC	LOCDEV	140 Donegall Street Belfast BT1 2GX	Discharge of Condition No.15 and 16 - LA04/2015/0609/F	CONDITION DISCHARGED
LA04/2019/2834/LDE	LOCDEV	88 Malone Avenue Belfast	House in Multiple occupancy - (HMO)	PERMITTED DEVELOPMENT
LA04/2019/2841/DC	LOCDEV	Brookfield Mill 307-355 Crumlin Road Belfast BT14 7EA	Discharge of condition no.14 - LA04/2019/0845/F	CONDITION DISCHARGED
LA04/2019/2842/DC	LOCDEV	Lands at no.s 43-63 Chichester Street 29-31 Gloucester Street and Seymour Lane Belfast.	Discharge of Condition no.11 - LA04/2019/0909/F	CONDITION DISCHARGED
LA04/2019/2845/DC	LOCDEV	Lands to a section of existing Tesco car park Knocknagoney Road Belfast BT4 2PN.	Discharge of condition no. 1 of LA04/2019/2113/F (Noise Verification report)	CONDITION NOT DISCHARGED
LA04/2019/2846/DC	LOCDEV	46-52 Upper Queen Street and 11a Wellington Street Belfast BT1 6FD.	Discharge of condition 16 of LA04/2016/2359/F relating to agreement of a travel plan prior to the development becoming operational.	CONDITION NOT DISCHARGED
LA04/2019/2849/LDE	LOCDEV	Apartment 3 11 Landseer Street Belfast BT9 5AL.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2019/2852/LDE	LOCDEV	60 Farnham Street Belfast BT7 2FN.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/2853/NMC	LOCDEV	Ashby Building Stranmillis Road Belfast BT9 5AH.	Non material change to LA04/2018/1927/F LA04/2018/1891/LBC	NON MATERIAL CHANGE GRANTED
LA04/2019/2855/DC	LOCDEV	49 Hawthornden Road Belfast BT4 3JW.	Discharge of condition no. 4 of LA04/2019/0830/F	CONDITION DISCHARGED
LA04/2019/2872/DC	LOCDEV	Open Space West Of Stewartstown Road and South of Pantridge Road Belfast.	Discharge of condition no. 7 of LA04/2018/1890/F (Cycle parking spaces)	CONDITION DISCHARGED
LA04/2019/2875/LDE	LOCDEV	19 Rugby Avenue Belfast BT7 1RD.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2019/2886/LDE	LOCDEV	Flat 2 23 Rugby Avenue Belfast BT7 1RD	House in Multiple Occupancy (HMO)	PERMITTED DEVELOPMENT
LA04/2019/2889/LDE	LOCDEV	33 Sandhurst Gardens Belfast BT9 5AW.	House of multiple occupation (HMO).	PERMITTED DEVELOPMENT
LA04/2019/2891/NMC	LOCDEV	21 Norfolk Drive Glen Road Belfast BT11 8AE.	Non material change to LA04/2019/0469/F	NON MATERIAL CHANGE REFUSED
LA04/2019/2895/DC	LOCDEV	Queens University Students Union 77-79 University Road Belfast.	Discharge of Condition 10 & 11 - LA04/2019/1019/F	CONDITION DISCHARGED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/2899/F	LOCDEV	58 Lagmore Grove Belfast BT17 0TD	Single Storey rear extension	PERMISSION GRANTED
LA04/2019/2901/F	LOCDEV	16 Diamond Gardens Belfast	Single Storey side extension	PERMISSION GRANTED
LA04/2019/2929/DC	LOCDEV	565 Crumlin Road Belfast BT14 7GB	Discharge of Condition no.2 of LA04/2019/1737/F (Management Plan)	CONDITION DISCHARGED
LA04/2019/2946/LDE	LOCDEV	32 Stranmillis Gardens Belfast BT9 5AS.	House in multiple occupation (HMO).	PERMITTED DEVELOPMENT
LA04/2019/2952/LDE	LOCDEV	128 University Avenue Belfast BT7 1GZ.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2019/2954/LDE	LOCDEV	120 University Avenue Belfast BT7 1GZ.	House in Multiple Occupancy (HMO)	PERMITTED DEVELOPMENT
LA04/2019/2963/NMC	LOCDEV	13 Glenmachan Park Glenmahan Road Belfast BT4.	Non material change to Z/2014/0260/F	NON MATERIAL CHANGE REFUSED
LA04/2019/2966/DC	LOCDEV	Lands located to the south of 1-7 Glenmachan park and adjoining Glenmachan Road Belfast BT4.	Discharge of condition 19 of Z/2014/0260/F (obscure glass)	CONDITION NOT DISCHARGED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/2970/DC	LOCDEV	Lands located to the south of 1-7 Glenmachan Park and adjoining Glenmachan Road Belfast.	Discharge of condition 2 of LA04/2016/1935/LBC	CONDITION DISCHARGED
LA04/2019/2975/DC	LOCDEV	Springfield Dam and Park Springfield Road Belfast BT12 7DN.	Discharge of condition 16 LA04/2019/0218/F	CONDITION DISCHARGED
LA04/2020/0034/DC	LOCDEV	Lands at Kings Works channel Commercial Park Queens Road.	Discharge of condition no.15 - LA04/2019/0683/F	CONDITION DISCHARGED
LA04/2020/0036/DC	LOCDEV	Lands at Kings Works Channel Commercial Park Queens Road	Discharge of condition no.12 - LA04/2019/0683/F	CONDITION DISCHARGED
LA04/2020/0055/NMC	LOCDEV	Site North of 18 Bethany Street Ballyhackamore Belfast.	Non material change LA04/2019/1424/F.	NON MATERIAL CHANGE GRANTED
LA04/2020/0081/CONTPO	LOCDEV	Mount Charles Belfast	Felling and tree surgery to approx. 35 trees.	WORKS TO TREES IN CA - AGREED
LA04/2020/0105/NMC	LOCDEV	75 University Road and lands to the rear of 71-75 University Road and 2-8 Fitzwilliam Street	Non material change to Condition 2 of LA04/2019/1582/LBC	NON MATERIAL CHANGE GRANTED
LA04/2020/0112/DC	LOCDEV	Lands at Kings Works Channel Commercial Park Queens Road Belfast.	Discharge of Condition No. 16 of LA04/2019/0683/F	CONDITION DISCHARGED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2020/0113/NMC	LOCDEV	761B Antrim Road Belfast BT15 4EN.	Non material change LA04/2019/1272/F.	NON MATERIAL CHANGE REFUSED
LA04/2020/0134/LDE	LOCDEV	58C University Street Belfast BT7 1HB.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2020/0142/CONTPO	LOCDEV	4 Chichester Park Central Belfast BT15 5DU	Felling of 1 x lime tree to front boundary of property.	PRE DECISION RESOLUTION OF ISSUES
LA04/2020/0147/LDE	LOCDEV	5 Claremont Street Belfast BT9 6AU.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT
Z/2015/0118/F	MAJDEV	37-41 Little Patrick Street Belfast BT15 1BA	Demolition of retail unit and construction of 11 storey mixed use development comprising 50 No. apartments, ground floor retail and parking, first floor retail and basement parking [AMENDED PLANS RECEIVED]	PERMISSION GRANTED

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Development Management Report Committee Application

Summary	
Committee Meeting Date: Tuesday 11 February 2020	
Application ID: LA04/2018/0471/F	
Proposal: Upgrading of playing fields to include 2 new 3G pitch surfaces and 1 grass pitch, floodlights, fencing, dug outs, 1No. 200 seater stands, toilet blocks, turnstiles, additional car parking and associated ground works	Location: The Boys Brigade Recreation Centre 108 Belvoir Drive Belfast BT8 7BA
Referral Route: Planning Committee – major application	
Recommendation:	Approval
Applicant Name and Address: The Boys Brigade Battalion 108 Belvoir Drive Belfast BT8 7BA	Agent Name and Address: Fresh Design 667 Shore Road Whiteabbey BT37 0ST
Executive Summary: <p>Planning permission is sought for upgrading of playing fields to include 2 new 3G pitch surfaces and 1 grass pitch, floodlights, fencing, dug outs, 1No. 200 seater stand, toilet blocks, turnstiles, additional car parking and associated ground works. The site is located within an existing playing field facility off Belvoir Drive in South Belfast. The site comprises sports pitches including a mixture of grassed, hard surfaced, and astro-turf football pitch.</p> <p>The key issues in the assessment of the proposal are as follows:</p> <ul style="list-style-type: none"> • The principle of the development at this location; • Visual impacts of the proposal; • Impact on amenity / character of the area; • Impact on the natural environment; • Impact on transport and other infrastructure; • Flood risk from the proposal; and • Impact on natural heritage. <p>The proposal comprises improvements to an existing sports facility. Whilst the proposal will result in the reduction of playing pitches from 5 to 3 within the site area, there will be no net loss in open space/recreational area, as larger full size pitches are proposed. It is important to note that should the applicant wish to reduce the number of playing pitches available, they may do so without requiring planning permission because this does not involve a material change of use of the land. Access to the park will be unaffected by the proposals.</p> <p>The proposal would not adversely impact on amenity, traffic, heritage assets or flooding. The proposed scale, form, massing, design and materials of structures proposed are considered acceptable and will not adversely impact on local character. Existing trees within the site and around the site periphery, in addition to new planting would filter views of these structures. All</p>	

buildings and structures are of a scale and character that would be reasonably expected at a sports facility. On balance the proposal would not result in detrimental visual impacts.

DFI Roads, Historic Environment Division, NI Water and Rivers Agency have no objections to the proposal. Natural Environment Division (NED) remain outstanding, however the application has been amended seeking to address their concerns set out in their latest response. Lagan Valley Regional Park have objected to the application.

Conditions are necessary to mitigate impacts of the development, including hours of operation of the facility and restriction of floodlighting use to between the months of October and April.

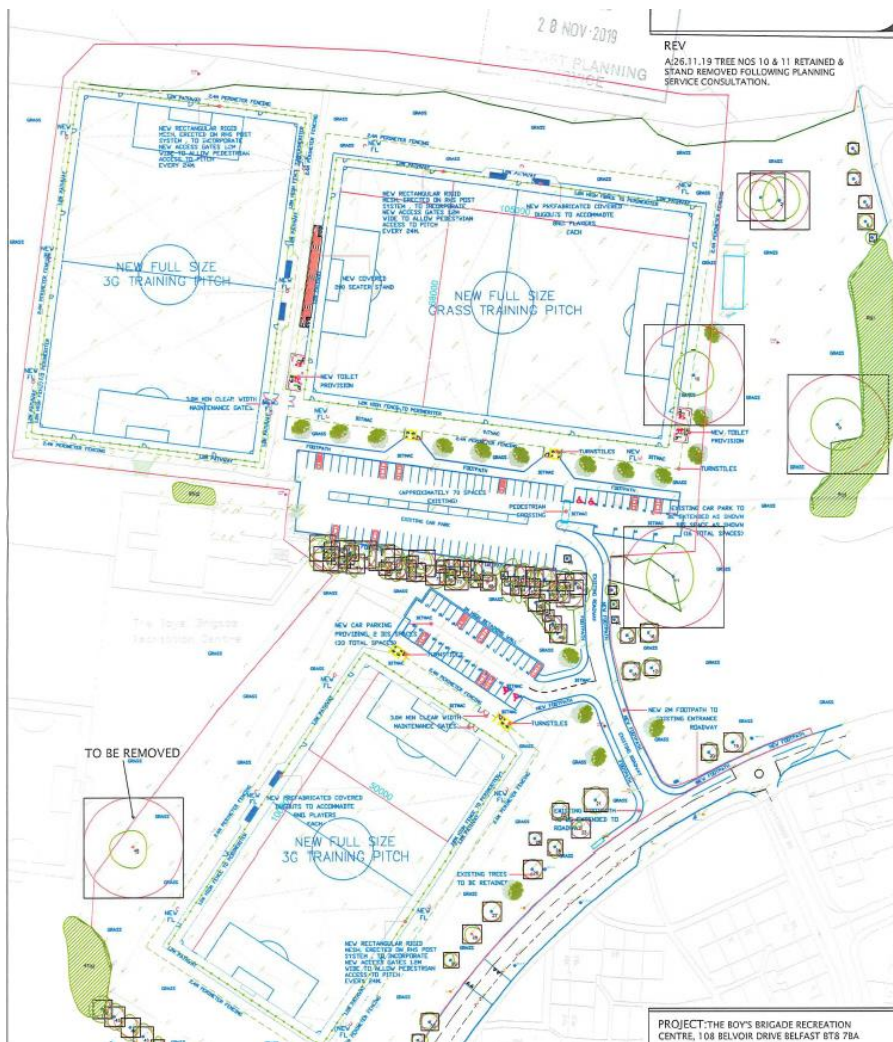
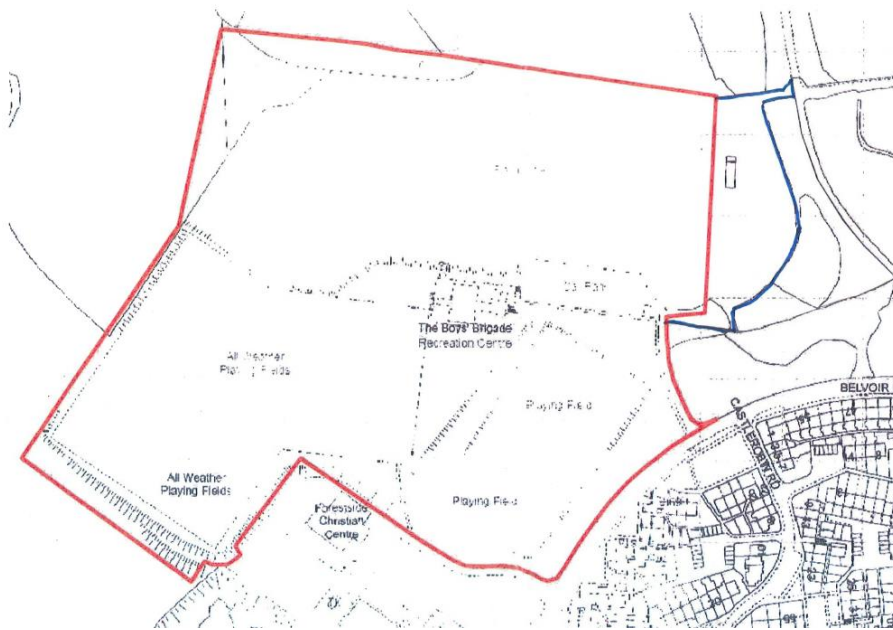
19 objections have been received and 1 letter of support.

Having regard to the policy context and other material considerations, the proposal is considered acceptable and approval of planning permission is recommended due to compliance with policy and taking account of consultation responses.

It is recommended that delegated authority is given to the Director of Planning and Building Control to resolve any issues arising from the outstanding consultation responses including NED and to finalise the wording of conditions.

Case Officer Report

Site Location Plan



Representations:	
Letters of Support	1
Letters of Objection	20
Number of Support Petitions and signatures	No Petitions Received
Number of Petitions of Objection and signatures	No Petitions Received
Representations from Elected Representatives	Councillor David Graham – progress updates
Neighbour Notification Checked	Yes

1.0	Description of Proposed Development The application seeks planning permission for the upgrading of playing fields to include 2 new 3G pitch surfaces and 1 grass pitch, floodlights, fencing, dug outs, 1No. 200 seater stand, toilet blocks, turnstiles, additional car parking and associated ground works.
2.0	Description of Site
2.1	The site is located within an existing playing fields facility off Belvoir Drive in South Belfast. The site comprises sports pitches including a mixture of grassed, hard surfaced, and astro-turf football pitch. The site also comprises green space, a single storey clubhouse building, a further single storey building, and car parking area. There are a number of mature trees throughout the site and around the site periphery. There is a church building/complex adjacent to the site to the west and residential development opposite the site on Belvoir Drive. These streets comprise residential buildings generally two storeys in height with associated garden areas.
Planning Assessment of Policy and other Material Considerations	
3.0	Site History Y/2009/0209/F: Erection of new floodlights, resurfacing and fencing of two football pitches at Boy's Brigade Recreation Centre. Permission Granted 30.12.2009.
4.0	Policy Framework
4.1	Belfast Urban Area Plan 2001 (BUAP) Draft Belfast Metropolitan Area Plan 2004 Draft Belfast Metropolitan Area Plan 2015 Developer Contribution Framework 2020
4.2	Regional Development Strategy (RDS); Strategic Planning Policy Statement (SPPS); PPS2: Natural Heritage; PPS3: Roads Considerations; PPS8: Open Space, Sport and Recreation; PPS15: Planning and Flood Risk; Lagan Valley Regional Park Local Plan 2015; Development Control Advice Note 15 Vehicular Access Standards

5.0	Statutory Consultee Responses
	DFI Roads – no objections NI Water – no objections Rivers Agency – no objections Natural Environment Division – final response outstanding
6.0	Non-Statutory Consultee Responses
	Environmental Health – no objections Lagan Valley Park – objection – impact on Lagan Valley Park; BCC Tree Officer – no objections; BCC Landscape Section – no objection;
7.0	Representations
7.1	The application has been neighbour notified and advertised in the local press. Additional information/amendments have been received during the processing of the application in response to requests for clarification from consultees. Re-advertisement and re-notification of objectors and neighbours was undertaken in accordance with standard procedures following receipt. 15 responses have been received.
7.2	15 objections received raising the following issues (summarised): <ol style="list-style-type: none"> 1) Noise and disturbance impact to existing residents; 2) Contrary to LVRP plan; 3) Impact on character of the LV park; 4) Generation of rubbish; 5) Impact on trees; 6) Potential criminal activity / vandalism / anti-social behaviour; 7) Detrimental impact on wildlife including from noise; 8) Limited social benefit of proposal; 9) Intensification of use of pitches / overdevelopment of the site; 10) Reduced public access to park users; 11) Lack of appropriate consultation / revised proposal from public pre-application consultation; 12) Impact of traffic and parking impacts on area and existing residents; 13) Proximity to community centre and children's park.
8.0	Other Material Considerations
	Belfast Agenda (Community Plan)
9.0	Assessment
9.1	The key issues in the assessment of the proposal are as follows: <ul style="list-style-type: none"> • The principle of the development of at this location; • Visual impacts of the proposal; • Impact on amenity / character of the area; • Impact on the natural environment; • Impact on transport and other infrastructure; • Flood risk from the proposal; • Impact on natural heritage.

	Policy context
9.2	Article 6 (4) of the Planning (Northern Ireland) Act states that in making any determination under the said Act regard is to be had to the local development plan, and that the determination must be made in accordance with the plan unless material considerations indicate otherwise.
9.3	The SPPS sets out five core planning principles of the planning system, including improving health and well-being, supporting sustainable economic growth, creating and enhancing shared space, and supporting good design and place making. The SPPS states at paragraph 1.13 (page 7) that a number of policy statements, including PPS2, PPS3, and PPS 8 remain applicable under ‘transitional arrangements’.
9.4	Paragraphs 4.11 and 4.12 require the safeguarding of residential and work environs and the protection of amenity. Paragraphs 4.13-8 highlight the importance of creating shared space, whilst paragraph 4.23-7 stress the importance of good design. Paragraphs 4.18-22 details that sustainable economic growth will be supported. Paragraphs 4.37-40 highlights the preservation and improvement of the built and natural environment.
9.5	Following the recent Court of Appeal decision on BMAP, the extant development plan is now the BUAP. However, given the stage at which the Draft BMAP had reached pre-adoption through a period of independent examination, the policies within the version of BMAP purported to be adopted still carry weight and are a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker.
9.6	Within the BUAP the site is located within the Lagan Valley Park, and accordingly the Lagan Valley Regional Park Plan (LVRPP) is applicable. The recreation strategy and associated Policy R2 is relevant to the proposal. This policy states that proposals will be assessed based on their impact on the park.
9.7	Within draft Belfast Metropolitan Area Plan 2004 and draft Belfast Metropolitan Area Plan 2015, the site is located outside the development limit within the countryside.
9.8	PPS8 sets out regional policy for open space and recreation. Policy OS1 refers to the protection of open space, Policy OS4 relates to intensive sports facilities, stipulating 5 criteria with which proposals must accord. Policy OS7 relates to floodlighting and stipulates 3 criteria that proposals must satisfy. Paragraphs 6.199 - 6.213 relate to open space. Paragraph 6.213 sets out relevant planning considerations including: location, design, hours of operation, noise, impact upon visual and residential amenity, access and links to public transport; floodlighting; landscaping, public safety (including road safety); nature conservation, biodiversity, archaeology or built heritage. No conflict arises between PPS8 and SPPS policies.
9.9	PPS2 Natural Heritage is relevant to the proposal given the large number of trees within the site. Policy NH2 relates to protected species, whilst Policy NH5 relates to habitats, species or features of natural heritage importance. Natural Heritage in the SPPS is set out at pages 80 – 85. Policy requirements essentially repeat the provisions of PPS2 and accordingly no conflict arises.
9.10	PPS3 refers roads, access and parking considerations and is a material consideration in that any proposals must make necessary provisions for such matters. Car parking and servicing requirements are set out at Policy AMP7, with design considerations set out at AMP9. Transportation considerations in the SPPS are set out at pages 106-110. Policy requirements essentially repeat the provisions of PPS2 and accordingly no conflict arises.

	<p>Principle of Development</p>
9.11	<p>The proposed site forms part of a larger existing playing fields complex. The proposal includes two 3G pitches and a natural turf pitch. Given the proposal retains recreational use it is considered in accordance with the requirements of Policy OS1. Whilst the proposal will result in the reduction of playing pitches from 5 to 3 within the site area, there will be no net loss in open space/recreational area, as larger full size pitches are proposed. It is important to note that should the applicant wish to reduce the number of playing pitches available, they may do so without requiring planning permission because this does not involve a material change to the use of the land. Access to the park will be unaffected by the proposals. The public right of access will remain. Whilst open access to the 3G elements of the pitches will become restricted, access around the site will remain. It is also important to note that the application site is in private ownership, and are not 'publically owned' playing fields. It is considered that the proposals, which will involve improved open space facilities, are on balance acceptable.</p> <p>Visual impacts of the proposal/character of the area</p>
9.12	<p>Policy OS4 of PPS8 requires that:</p> <ul style="list-style-type: none"> • buildings or structures are designed to a high standard, are of a scale appropriate to the local area or townscape and are sympathetic to the surrounding environment in terms of their siting, layout and landscape treatment;
9.13	<p>The 3G pitch surfaces would have a negligible visual impact on the locality. Public views of the surface would read as green space/playing surface. Furthermore there is an existing 3G pitch adjacent to the site that has previously been deemed acceptable and the policy context has not changed since the consideration of that case. The associated fencing and in particular floodlights would have a greater visual impact. However, public views of such structures would largely be limited to near distance views from the Belvoir Drive road. Similarly the proposed spectator stand, by virtue of its design and dimensions, will have a limited visual impact. This stand is located approximately 180m from the public footpath at the closest points. This structure would have no greater visual impacts than the existing buildings on site.</p>
9.14	<p>The proposed scale, form, massing, design and materials are considered acceptable and will not adversely impact on local character. Existing trees within the site and around the site periphery, in addition to new planting would filter views of these structures. All buildings and structures are of a scale and character that would be reasonably expected at a sports facility. On balance, the proposal would not result in detrimental visual impacts.</p> <p>Impact on amenity;</p>
9.15	<p>The application has attracted objections on grounds that the proposal would detrimentally impact on amenity due to noise and light disturbance. Policies OS4 and OS7 of PPS8 require consideration of these issues. Policy OS4 requiring proposals to ensure:</p> <ul style="list-style-type: none"> • there is no unacceptable impact on the amenities of people living nearby by reason of the siting, scale, extent, frequency or timing of the sporting activities proposed, including any noise or light pollution likely to be generated;
9.16	<p>In assessing these impacts, consultation has been undertaken with Environmental Health who have reviewed noise and lighting assessments submitted by the applicant. Environmental Health have concluded that the proposal would not detrimentally impact on amenity through noise or light disturbance. They have recommended planning conditions</p>

	<p>restricting hours of operation to between 07:00 and 23:00. Given this advice, it is considered that the proposal will not result in an adverse noise or light impact. Objections raised regarding these issues are noted, however, the technical evidence provided and associated assessment by Environmental Health are considered to address concerns in relation to these issues. Suitable conditions are necessary in accordance with Environmental Health recommendations.</p>
9.17	<p>Policy OS4 also requires that:</p> <ul style="list-style-type: none"> • there is no adverse impact on features of importance to nature conservation, archaeology or built heritage;
9.18	<p>The site is not located within a Conservation Area, Area of Townscape Character, or within an area of archaeological interest. HED have no objections to the proposal.</p> <p>The site is located adjacent to an Area of Special Scientific Interest (ASSI). Natural Environment Division have indicated in responses to date that they have concerns in relation to the loss of ancient trees within the site and also potential disturbance to bats in the locality from floodlighting. The proposal has been revised to retain two ancient trees, previously scheduled for removal due to their poor condition, by removal of a spectator's stand and relocation of a toilet block. Previous responses had also requested further bat survey studies, with the most recent response advising concerns would be resolved if the operation of the floodlights were restricted to winter months October – April by planning condition. A final response from NED on the proposed revisions remains outstanding at the time of writing and the recommendation of this report is subject to resolving any outstanding matters in this regard.</p>
9.19	<p>The revisions would appear to resolve the issues raised by NED, as the ancient trees would be retained. It is also feasible to condition operating times of the floodlighting in terms of case law tests for conditions. Accordingly, there is reasonable certainty that NED will have no objections to the proposal. Subject to NED's final comments, the proposal is considered compliant with PPS2 and PPS8.</p> <p>Impacts on the Lagan Valley Park</p>
9.20	<p>Policy considerations for proposal within the park are set out in the Lagan Valley Local Plan. These essentially repeat the issues considered above. It is not considered that the proposal will adversely affect the park or its setting as previously discussed. It is important to note that similar recreation improvement schemes have also been accepted within the Lagan Valley Park, including at Queens University Sports pitches at the Upper Malone Road and Newforge Lane Sports facility.</p> <p>Impact on transport and other infrastructure;</p>
9.21	<p>PPS3 and two of the criteria of Policy OS4 relates to transport considerations:</p> <ul style="list-style-type: none"> • the proposed facility takes into account the needs of people with disabilities and is located so as to be accessible to the catchment population giving priority to walking, cycling and public transport; and • the road network can safely handle the extra vehicular traffic the proposal will generate and satisfactory arrangements are provided for site access, car parking,
9.22	<p>DFI Roads have considered the proposal and have no objections. They have considered all representations received in relation to these issues. Accordingly the proposal is</p>

	<p>considered acceptable in terms of traffic, parking and access considerations and therefore in accordance with this criteria and relevant policy within PPS3 and PPS8.</p> <p>Flood risk from the proposal;</p>
9.23	<p>Policy OS4 requires satisfactory arrangements for drainage to be provided, and specific drainage/flood risk policy is set out in PPS15.</p>
9.24	<p>A drainage assessment and associated information was submitted for consideration and consultation undertaken with Rivers Agency and NIW in relation to these matters. Both consultees are satisfied with the mitigation measures proposed and it is therefore considered that the proposal complies with policy and acceptable drainage and flood risk protections measures are proposed.</p> <p>Waste Disposal;</p>
9.25	<p>The proposal will not significantly alter current arrangements for waste disposal. Arrangements for the disposal of Waste water/drainage from the proposed 3G pitch have been deemed satisfactory by Rivers Agency and NI Water. Concerns raised regarding rubbish generation relate to adequate management arrangements for the site and would not warrant refusal on planning grounds.</p> <p>Issues raised by Representations:</p>
9.26	<p>Many of the issues raised have been considered above. However additional matters are addressed as follows:</p> <p>1) Public order / Potential criminal activity / vandalism / anti-social behaviour;</p> <p>This is matter for the relevant authorities and outside the scope of this planning application. It is for the Boys Brigade / landowner to effectively manage the pitches/grounds and for the Police to ensure compliance with relevant public order legislation / regulations.</p> <p>2) Loss of trees;</p> <p>The pitches and associated development are located sufficient distance from existing trees to ensure that they will not be removed / damaged. Planning Conditions could be applied to reinforce this. The proposal also includes the planting of 1,630 trees with further planting of conifers and shrubs. It is considered that this is sufficient to mitigate the loss of any trees. The Council's Tree Officer and Council's Landscape Planning & Development Section have no objections to the application.</p> <p>3) Lack of appropriate consultation;</p> <p>It was a legal requirement under the Planning Legislation at the time of submission for the applicant to undertake pre-community consultation. A pre-application consultation report has been submitted with the application. Advertisement and Notification has been undertaken in accordance with standard requirements. Adequate consultation has been undertaken to satisfy legislative requirements.</p> <p>An objection has raised concerns regarding changes to the proposal following the pre-application consultation process. Any revisions have not substantially changed the nature of the application, and the proposal remains within the parameters of the proposal set out in the Pre-Application Notice.</p>

9.27	<p>Consultations</p> <p>No consultees have any objections to the proposal. NED remain outstanding at the time of writing however it is considered that the latest revisions to the application will address concerns regarding impacts on the natural environment.</p>
10.0	<p>Having regard to the policy context and other material considerations above, the proposal is considered acceptable and approval of planning permission is recommended due to compliance with policy and taking account of consultation responses.</p> <p>It is recommended that delegated authority is given to the Director of Planning and Building Control to resolve any issues arising from the outstanding consultation responses including NED and to finalise the wording of conditions.</p>

Conditions

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.

2. The pitches and floodlighting hereby approved shall be operational only between the hours of 08.00hrs and 22.00hrs Monday to Friday, only between the hours of 08:00hrs and 18:00hrs on a Saturday, and only between the hours 10.00hrs to 18.00hrs on a Sunday or public holiday. Floodlighting shall be operational during the months of October, November, December, January, February, March, and April only and at no other times.

Reason: In the interests of residential amenity and protection of natural heritage assets.

3. The artificial floodlighting scheme of the hereby permitted development shall not commence operating until an artificial lighting verification report is submitted to Belfast Planning Service for review and approval in writing. The report shall verify that the lighting scheme as specified in the Musco drawings stamped by Belfast City Council no's 13-23 has been installed and shall verify that all artificial floodlighting connected with the development has been measured and/or calculated and confirmed to be within the vertical illuminance (Lux) levels for Environmental Zone 2 at the windows of habitable rooms of the nearest residential properties as stipulated in table 2 of the Institute of Lighting Professionals (ILP) Guidance Notes for the Reduction of Obtrusive Light GNOL:2011. All floodlighting shall be optically controlled and directed in such a manner to minimise light pollution from glare and light spill. The floodlight shall be operated in accordance with verification report and to the satisfaction of the Local Planning Authority.

Reason: In the interest of amenity.

4. The public address/tannoy system shall be commissioned, installed, and operated in accordance with the recommendations contained within Section 4.0 of the KRM Noise Assessment The Boy's Brigade Recreation Centre, 108 Belvoir Drive, Belfast, BT8 7BA, dated 25th June 2018 to the satisfaction of the Local Planning Authority.

Reason: In the interests of residential amenity.

5. The vehicular access, including visibility splays and any forward sight distance, shall be provided in accordance with Drawing No 18613-C500 Rev P1 bearing the Belfast Planning Service date stamp 16/8/19, prior to the commencement of any other works or other development hereby permitted.

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

6. 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:18613-C500 Rev P1 bearing the Department for Infrastructure determination date stamp 16/8/19.

REASON: To ensure there is a safe and convenient road system to comply with the provisions of the Private Streets (Northern Ireland) Order 1980.

7. All redundant accesses from the site to the public road shall be permanently closed off and the footpath reinstated in accordance with details to have first been submitted to and approved in writing by the Council.

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.

8. No dwelling shall be occupied until hard surfaced areas have been constructed in accordance with approved drawing no 02 bearing date stamp 23/2/18 to provide adequate facilities for parking and circulating 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 development.

REASON: To ensure that adequate provision has been made for parking.

9. The development shall not become operational until weather protected cycle parking has been fully provided in accordance with the approved plans.

REASON: To ensure acceptable cycle parking facilities on the site and to encourage alternative modes of transport to the private car.

10. All floodlighting on site shall be asymmetric and hooded to avoid upward spill. Lighting shall be directed away from all trees on the boundaries of the application site identified by the red line on drawing number 01 date stamped received 23rd February 2018.

Reason: To protect Bats in their foraging and commuting areas.

11. (a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species and shall be planted before the expiration of the next available planting season to the satisfaction in writing by the Local Planning Authority.

No equipment, machinery or materials shall be brought on to the site for the purpose of the development, until a scheme showing the exact position of protective fencing to enclose all retained trees beyond the outer edge of the overhang of their branches in accordance with British Standard 5837 (2005): Trees in Relation to Construction, has been submitted to and approved in writing by the Local Planning Authority, and; the protective fencing has been erected in accordance with the

approved details. This fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the Local Planning Authority.

In this condition 'retained tree' means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) above shall have effect until the expiration of five years from the first occupation or the completion of the development, whichever is the later.

REASON: To enable the Local Planning Authority to ensure the retention of trees on the site in the interests of visual amenity.

12. All soft landscaping comprised in the approved details shall be carried out within the first planting and seeding season following any part of the development hereby permitted becoming operational. All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

13. No equipment, machinery or materials are to be brought on the site for the purpose of the development including demolition and site clearance until all trees to be retained have been protected by fences or other suitable means of enclosure as per recommendations of BS 5837 'Trees in relation to Construction' 2005.

Protective fencing shall be at least 2.3 metres high, comprising of a scaffolding framework, verticals positioned no more than 3.0 metres apart driven into the ground approximately 0.6 metres, braced to resist impacts, supporting weldmesh panels, fixed in a manner to avoid easy removal as shown in BS 5837 2005, Figure 2.

Within the fenced area no activities associated with building operations shall take place, and the ground levels within those areas shall not be altered. All means of protection shall be retained in situ for the duration of the development.

Reason: To ensure that adequate protection measures are put in place around trees prior to the commencement of development to ensure that the trees to be retained are not damaged or otherwise adversely affected by building operations and soil compaction.

ANNEX	
Date Valid	23rd February 2018
Date First Advertised	16th March 2018
Date Last Advertised	
Details of Neighbour Notification (all addresses)	
<p>11d Breda House Drumart Drive Belfast 1a ,Castlerobin Road,Belfast,Down,BT8 7DW, 1b ,Castlerobin Road,Belfast,Down,BT8 7DW, 2F Castleboy Lodge castlecoole walk Belfast 2a Castleward Park Belfast 2a ,Castlerobin Road,Belfast,Down,BT8 7DW, 2b ,Castlerobin Road,Belfast,Down,BT8 7DW, 3 Castlerobin Road,Belfast,Down,BT8 7DW, 32 Downshire Park North Belfast Down 38 Grays Park Avenue Belfast Down 4, Drumart Green, Belfast, Down, Northern Ireland, BT8 7EZ 5, Castlerobin Road, Belfast, Down, Northern Ireland, BT8 7DW 53 -69 Belvoir Drive Belfast Down 71a ,Belvoir Drive,Belfast,Down,BT8 7DJ, 71b, Belvoir Drive, Belfast, Down, Northern Ireland, BT8 7DJ 73 Belvoir Drive,Belfast,Down,BT8 7DJ, 75a ,Belvoir Drive,Belfast,Down,BT8 7DJ, 75b ,Belvoir Drive,Belfast,Down,BT8 7DJ, 77a ,Belvoir Drive,Belfast,Down,BT8 7DJ, 77b ,Belvoir Drive,Belfast,Down,BT8 7DJ, 79 Belvoir Drive,Belfast,Down,BT8 7DJ, 81a ,Belvoir Drive,Belfast,Down,BT8 7DJ, 81b ,Belvoir Drive,Belfast,Down,BT8 7DJ, 83 Belvoir Drive,Belfast,Down,BT8 7DJ, 85a ,Belvoir Drive,Belfast,Down,BT8 7DJ, 85b ,Belvoir Drive,Belfast,Down,BT8 7DJ, 87a ,Belvoir Drive,Belfast,Down,BT8 7DJ, 87b ,Belvoir Drive,Belfast,Down,BT8 7DJ, 89 Belvoir Drive,Belfast,Down,BT8 7DJ, 8b Belvoir House Drumart Drive Belfast 9, Grays Park Avenue, Belfast, Down, Northern Ireland, BT8 7QE 91a ,Belvoir Drive,Belfast,Down,BT8 7DJ, 91b ,Belvoir Drive,Belfast,Down,BT8 7DJ, 93 Belvoir Drive,Belfast,Down,BT8 7DJ, 95a ,Belvoir Drive,Belfast,Down,BT8 7DJ, 95b ,Belvoir Drive,Belfast,Down,BT8 7DJ, Breda House, 11d, Drumart Drive, Belfast, Down, Northern Ireland, BT8 7EU Forestsideside Christian Centre,88 Belvoir Drive,Belfast,Down,BT8 7FR,</p>	
Date of Last Neighbour Notification	17th December 2019
Date of EIA Determination	27th April 2018

ES Requested	No
<p>Planning History</p> <p>Ref ID: LA04/2016/1469/PAN Proposal: Upgrading existing playing pitches to include upgrading existing grass pitches and the installation of 2 new 3G pitches, floodlights, upgrading of existing changing rooms and car parking facilities, fencing and general environmental improvements to the existing playing fields. Address: The Boy's Brigade Recreation Centre, 108 Belvoir Drive, Belfast, BT8 7BA, Decision: PAN Acceptable Decision Date: 24.07.2016</p> <p>Ref ID: LA04/2016/1204/PAN Proposal: Upgrading existing playing pitches to include upgrading existing grass pitches and the installation of 2 new 3G pitches, floodlights, upgrading of existing changing rooms and car parking facilities, fencing and general environmental improvements to the existing playing fields. Address: The Boy's Brigade Recreation Centre, 108 Belvoir Drive, Belfast, BT8 7BA, Decision: PAN Acceptable Decision Date: 20.07.2016</p> <p>Ref ID: Y/2009/0209/F Proposal: Erection of new floodlights, resurfacing and fencing of two football pitches at Boy's Brigade Recreation Centre. Address: The Boy's Brigade Recreation Centre, Belvoir Drive, Belfast, BT8 4DL Decision: Permission Granted Decision Date: 31.12.2009</p>	
<p>Notification to Department (if relevant) – N/A</p> <p>Date of Notification to Department: Response of Department:</p>	

Development Management Report Committee Application

Summary	
Committee Meeting Date: Tuesday 11 February 2020	
Application ID: LA04/2019/2951/F	
Proposal: Vary condition 11 (b) of approval LA04/2016/2385/F to amend the number of sound events exceeded as follows: (b) not exceed the 45dB LAmax for more than 15 sound events between 23:00 and 07:00 hrs within any proposed bedrooms with windows closed and alternative means of ventilation provided in accordance with current building control requirements.	Location: 81-107 York Street, Belfast.
Referral Route: Committee – variation of condition to a Major planning permission	
Recommendation:	APPROVAL
Applicant Name and Address: LIV Belfast Partners Limited 1st Floor Liberation House Castle Street St Helier Jersey JE1 1GL	Agent Name and Address: Turley Hamilton House 3 Joy Street Belfast BT2 8LE
Executive Summary: The proposal seeks variation of part (b) of condition 11 of an approved scheme (LA04/2016/2385/F, dated 27.06.2017) for purpose built student accommodation comprising 717 beds (report appended). The variation seeks to revise the wording of condition 11 part (b) from (text to be changed in bold) : (b) The entire window system (including frames, seals etc.) and acoustic ventilation have been so installed so as to ensure that internal noise levels within any proposed residential unit shall: <ul style="list-style-type: none"> • Not exceed 40 dB LAeq,16hrs at any time between 07:00hrs and 23:00hrs within any habitable room, with the windows closed and alternative means of ventilation provided in accordance with current building control requirements; • Not exceed 35 dB LAeq,8hr at any time between the hours of 23:00hrs and 07:00hrs; • Not exceed 45 dB LAmax for any single 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. Revised to (text to be changed in bold) :	

- (b) The entire window system (including frames, seals etc.) and acoustic ventilation have been so installed so as to ensure that internal noise levels within any proposed residential unit shall:
- Not exceed 40 dB LAeq,16hrs at any time between 07:00hrs and 23:00hrs within any habitable room, with the windows closed and alternative means of ventilation provided in accordance with current building control requirements;
 - Not exceed 35 dB LAeq,8hr at any time between the hours of 23:00hrs and 07:00hrs **within bedrooms, with the windows closed and alternative means of ventilation provided in accordance with current building control requirements;**
 - Not exceed the 45dB LAmax for **more than 15 sound events** between 23:00 and 07:00 hrs within any proposed bedrooms with windows closed and alternative means of ventilation provided in accordance with current building control requirements.

The remaining sections of the condition will be unaltered / as originally drafted.

The purpose of the condition is to ensure adequate sound insulation measures for prospective residents. The "sound events" would be measured during the verification report process which is also required as part of condition 11. The re-wording would result in a less onerous level of verification of sound levels.

Environmental Health has no objections to the revision.

No objections have been received.

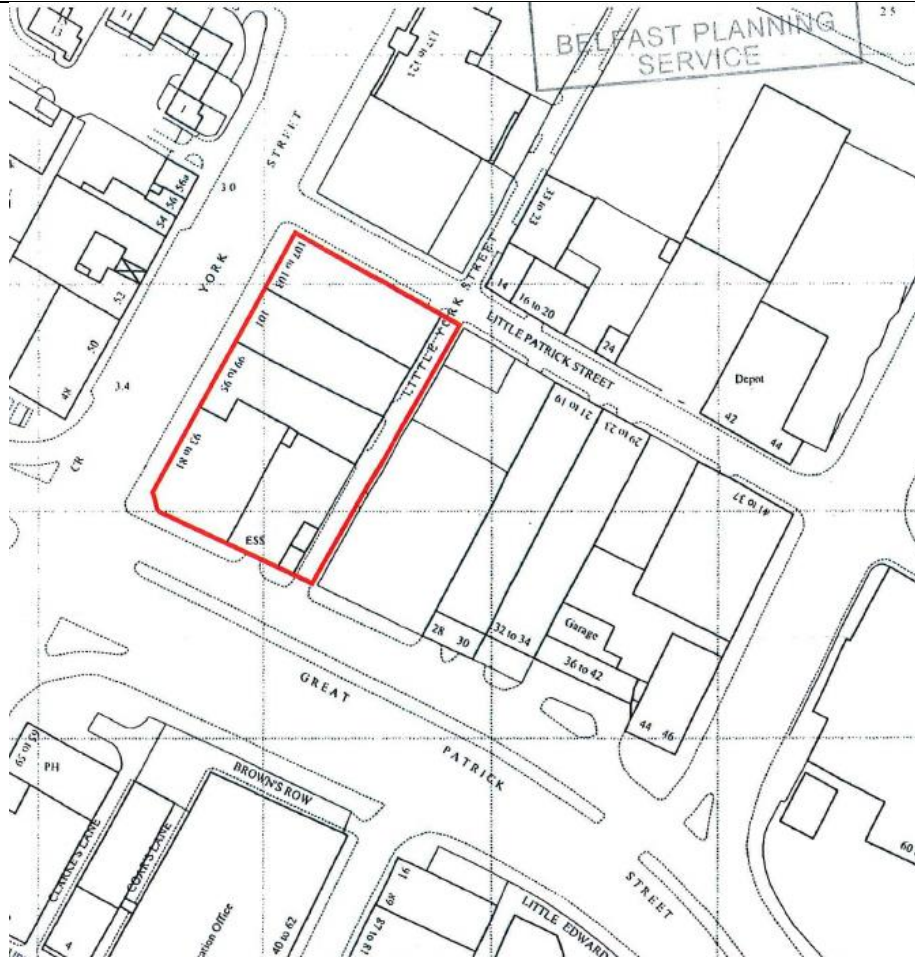
The proposed revision is considered acceptable given the technical response from Environmental Health and given the city centre location of the site. The amenity of prospective residents would therefore be secured to an acceptable level.

Having regard to the policy context, planning history of the site and other material considerations, the proposal is considered acceptable subject to the revised condition and repetition of the other conditions applied to the previous application.

It is recommended that delegated authority is given to the Director of Planning and Building Control to approve the application subject to conditions including repeating the other conditions on the previous consent and completion of an updated Section 76 planning agreement.

Case Officer Report

Site Location Plan



Consultations:

Consultation Type	Consultee	Response
Non-Statutory	Env Health Belfast City Council	No objections

Representations:

Letters of Support	None Received
Letters of Objection	None Received
Number of Support Petitions and signatures	No Petitions Received
Number of Petitions of Objection and signatures	No Petitions Received
Representations from Elected Representatives	None received

Characteristics of the Site and Area

1.0	<p>Description of Proposed Development</p> <p>Vary condition 11 (b) of approval LA04/2016/2385/F to amend the number of sound events exceeded as follows: (b) not exceed the 45dB L_{Amax} for more than 15 sound events between 23:00 and 07:00 hrs within any proposed bedrooms with windows closed and alternative means of ventilation provided in accordance with current building control requirements.</p>
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	<p>The current condition limits this to no more than a single event.</p> <p>Description of LA04/2016/2385/F:</p> <p>Amendment to planning permission Z/2015/0138/F to develop purpose built managed student accommodation comprising 717 beds with shared communal areas, 2 No. retail units at ground floor level; two landscaped courtyards; other ancillary accommodation including a reception/management suite and communal areas; plant and storage areas, and car parking and cycle provision. The development also includes a landscaped courtyard, plant and storage areas, car parking, and cycle provision.</p>
2.0	<p>Description of Site</p> <p>The site abuts York Street and Little Patrick Street and originally comprised a surface level car park and a 5 storey building known as Philip House. On the opposite side of the road is a residential housing area. The site is now a construction site with works being carried out to implement permission LA04/2016/2385/F.</p>
Planning Assessment of Policy and other Material Considerations	
3.0	<p>Planning History</p> <p>LA04/2016/2385/F: Amendment to planning permission Z/2015/0138/F to develop purpose built managed student accommodation comprising 717 beds with shared communal areas, 2 No. retail units at ground floor level; two landscaped courtyards; other ancillary accommodation including a reception/management suite and communal areas; plant and storage areas, and car parking and cycle provision. Address: 81-107 York Street, Belfast, BT15 1AB, Decision: Permission Granted Decision Date: 26.06.2017</p> <p>Ref ID: Z/2015/0138/F Proposal: Demolition of existing buildings and erection of a building ranging in height from 11 to 14 No. storeys (37m X 43m) for managed student accommodation, comprising 590 No. ensuite double bedrooms with shared communal areas and kitchens and 92 studios; 2 No. retail units at ground floor level; two landscaped courtyards; other ancillary accommodation including a reception/management suite and communal areas; plant and storage areas, and car parking and cycle provision. Address: 81-107 York Street, Belfast, BT15 1AB, Decision: Permission Granted Decision Date: 28.06.2016</p> <p>Surrounding Area:</p> <p>Z/2014/1657/F Erection of 11 storey building (34.5m high) comprising a retail unit at ground floor level, 475 managed student accommodation (with communal living rooms kitchen), associated reception/office facility, other ancillary accommodation including landscaped courtyard, plant and storage areas, car parking and cycle provision. Address: 28-30 Great Patrick Street. Decision: Permission Granted Decision Date: 20.05.2016</p>

	<p>Z/2015/0177/F Demolition of the existing building and erection of a 12 storey mixed use building with a ground floor retail unit, 407 managed student accommodation rooms (with communal living rooms, kitchens), associated reception/office facility, gym other ancillary accommodation above. The development also includes a landscaped courtyard, plant and storage areas, car parking, cycle provision and solar PV array. Address:123-137 York Street Decision: Permission Granted Decision Date: 04.07.2016</p> <p>Z/2014/0479/O Demolition of existing building and construction of new multi storey building with retail units at ground floor and purpose built student accommodation Address: 48 - 52 York Street Decision: Permission Granted Decision Date 23rd March 2015.</p> <p>LA04/2015/0716/F Erection of a 11 storey building for managed 354 student accommodation studios with shared communal areas; external courtyard; other ancillary accommodation including a reception/management suite and communal areas; plants and storage areas; cycle provision. 26-44 Little Patrick Street Decision: Permission Granted Decision Date: 17.10.2016</p>
4.0	Policy Framework
4.1	<p>Belfast Urban Area Plan 2001 Draft Belfast Metropolitan Area Plan 2004 Draft Belfast Metropolitan Area Plan 2015 House in Multiple Occupancy Subject Plan 2015 HMO 7- Large Scale Purpose Built Student Accommodation Developer Contribution Framework 2020</p>
4.2	<p>Strategic Planning Policy Statement for Northern Ireland Planning Policy Statement 3: Access Movement and Parking Planning Policy Statement 7: Quality Residential Environments Planning Policy Statement 13:Transportation and Land Use Planning Policy Statement 15: Planning and Flood Risk</p>
5.0	Statutory Consultee Responses
	N/A
6.0	Non-Statutory Consultee Responses
	Environmental Health - No Objections subject to conditions
7.0	Representations
	The application has been neighbour notified and advertised in the local press. No letters of objection have been received.
8.0	Other Material Considerations
8.1	Planning and Place Advice Note: Purpose Built Managed Student Accommodation

8.2	BELFAST: A LEARNING CITY A framework for student housing and purpose built student accommodation
9.0	Assessment
9.1	<p>The key issues in the assessment of the proposed development include:</p> <ul style="list-style-type: none"> • Impact on amenity; <p><u>Policy context</u></p>
9.2	<p>The Strategic Planning Policy Statement (SPPS) sets out five core planning principles of the planning system, including improving health and well-being, supporting sustainable economic growth, creating and enhancing shared space, and supporting good design and place making. Paragraphs 4.11 and 4.12 require the safeguarding of residential and work environs and the protection of amenity. Paragraphs 4.13-8 highlight the importance of creating shared space, whilst paras 4.23-7 stress the importance of good design. Paragraphs 4.18-22 details that sustainable economic growth will be supported. The SPPS states PPS3 and PPS7 remain applicable under ‘transitional arrangements’.</p>
9.3	<p>Section 6 (4) of the Planning (Northern Ireland) 2011 Act states that in making any determination under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material consideration indicate otherwise.</p>
9.4	<p>The adoption of the Belfast Metropolitan Area Plan (BMAP) in 2014 was declared unlawful as a result of a judgment in the court of appeal delivered on 18 May 2017. This means the Belfast Urban Area Plan 2001 (BUAP) and the other Development Plans provides the statutory plan context for the area.</p>
9.5	<p>Draft BMAP 2015 (dBMAP 2015), in its most recent, post-examination form remains a significant material consideration when making planning decisions. It was at the most advanced stage possible prior to formal adoption. However, in assessing this planning application, regard is also had to the provisions of the draft BMAP which was published in 2004 (dBMAP 2004); objections which were raised as part of the plan process; and the Planning Appeals Commission Inquiry report.</p>
9.6	<p>Due to the nature of the proposal the House of Multiple Occupation (HMO) subject plan is also a significant policy consideration.</p> <p><u>Principle of proposed development</u></p>
9.7	<p>The principle of student accommodation has been approved at this site. The application seeks to vary a condition attached to that approval relating to noise impacts on prospective residents and verification of mitigation measures provided.</p> <p><u>Noise</u></p>
9.8	<p>In considering the previous application, through the consultation process it was established that the development site is located in an area subject to high level of background noise, the site being next to two busy roads (York Street and Great Patrick Street). Consequently a Noise Report was submitted by the applicant which proposed various mitigation measures to overcome excessive noise. This adequately addressed concerns and was subject to a planning condition any approval to ensure that a noise verification report is submitted in line with Belfast City Council EPU's recommendations.</p>

9.9	<p><u>Condition 11 as approved reads as follows:</u></p> <p>Prior to occupation of the proposed development, the applicant must submit, to the Belfast Planning Service for approval, a Noise Verification Report (VR) which demonstrates that:</p> <p>(a) Glazing to be installed in the three outward facing facades and the internal courtyard facade of the proposed building have been installed as per figure B of the submitted LA Noise Impact Assessment, dated February 2015 referenced MRL/0965/L01;</p> <p>(b) The entire window system (including frames, seals etc.) and acoustic ventilation have been so installed so as to ensure that internal noise levels within any proposed residential unit shall:</p> <ul style="list-style-type: none"> • Not exceed 40 dB LAeq,16hrs at any time between 07:00hrs and 23:00hrs within any habitable room, with the windows closed and alternative means of ventilation provided in accordance with current building control requirements; • Not exceed 35 dB LAeq,8hr at any time between the hours of 23:00hrs and 07:00hrs; • Not exceed 45 dB LAmax for any single 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>(c) the combined rating level from building plant services does not exceed the background sound level (for both day or night) at the nearest residential unit as assessed in accordance with BS4142:2014;</p> <p>(d) The proposed floor / ceiling / wall constructions between plant room, gym, retail, common room/social seating areas and student accommodation have been constructed as per recommended section 3.4 of the LA Noise Impact Assessment, referenced MRL/0965/L01 and are capable of providing a sound reduction of at least 60 dB Dw so that suitable internal noise levels within student accommodation can be achieved as per recognised guidance.</p> <p>(e) That an impact resilient layer is incorporated into the floor build up in the gym.</p>
9.10	<p>Environmental Health have been consulted on the proposed variation. They have no objection to the variation of condition 11(b) with respect to the number of exceedances of 45dB LA max to not exceed the 45dB LAmax for more than 15 sound events between 23:00 and 07:00 hrs within any proposed bedrooms with windows closed and alternative means of ventilation provided in accordance with current requirements. This would result in a less onerous level / greater flexibility in the number of permitted occurrences where 45db would be exceeded during the night time period. This is considered reasonable in this locality.</p>
9.11	<p>Environmental Health also advise that condition 11 (b) is amended with respect to the 35dB LAeq limit specified for the night time period 23:00 and 07:00. This level should only apply to bedrooms during this time period. This section therefore also requires amendment to include reference to bedrooms.</p>
9.12	<p>The revised condition should therefore read as follows (revisions in bold):</p> <p>Prior to occupation of the proposed development, the applicant must submit, to the Belfast Planning Service for approval, a Noise Verification Report (VR) which demonstrates that:</p> <p>(a) Glazing to be installed in the three outward facing facades and the internal courtyard facade of the proposed building have been installed as per figure B of the submitted LA Noise Impact Assessment, dated February 2015 referenced MRL/0965/L01;</p> <p>(b) The entire window system (including frames, seals etc.) and acoustic ventilation have been so installed so as to ensure that internal noise levels within any proposed residential unit shall:</p>

<p>9.13</p> <p>9.14</p>	<ul style="list-style-type: none"> • not exceed 40 dB laeq,16hrs at any time between 07:00hrs and 23:00hrs within any habitable room, with the windows closed and alternative means of ventilation provided in accordance with current building control requirements; • not exceed 35 dB laeq,8hr at any time between the hours of 23:00hrs and 07:00hrs within bedrooms, with the windows closed and alternative means of ventilation provided in accordance with current building control requirements. • not exceed 45 dB LAmax for more than 15 sound events 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>(c) the combined rating level from building plant services does not exceed the background sound level (for both day or night) at the nearest residential unit as assessed in accordance with BS4142:2014;</p> <p>(d) The proposed floor / ceiling / wall constructions between plant room, gym, retail, common room/social seating areas and student accommodation have been constructed as per recommended section 3.4 of the LA Noise Impact Assessment, referenced MRL/0965/L01 and are capable of providing a sound reduction of at least 60 dB Dw so that suitable internal noise levels within student accommodation can be achieved as per recognised guidance.</p> <p>(e) That an impact resilient layer is incorporated into the floor build up in the gym.</p> <p>Reason: in the interests of amenity.</p> <p>Approval of a variation of condition application creates a new standalone planning permission. It is therefore necessary to repeat all the other conditions from the previous planning permission.</p> <p>The previous planning permission was subject to a Section 76 planning agreement which secured £361,654 towards public realm improvements. These monies have been paid and therefore it is not necessary to require additional monetary contributions because that planning obligation has already been fulfilled. The planning agreement did, however, include other clauses relating to management of the property and accordingly a new agreement will be necessary.</p>
<p>10.0</p>	<p>Summary of Recommendation: Approval</p> <p>Having regard to the development plan, relevant planning policies, and other material considerations, it is determined that the development will not cause demonstrable harm to the interests of acknowledged importance. It is recommended that delegated authority is given to the Director of Planning and Building Control to approve the application subject to conditions including repeating the other conditions on the previous consent and completing an updated Section 76 planning agreement.</p>
<p>Recommended conditions:</p> <p>11 (b) Prior to occupation of the proposed development, the applicant must submit, to the Belfast Planning Service for approval, a Noise Verification Report (VR) which demonstrates that:</p>	

(a) Glazing to be installed in the three outward facing facades and the internal courtyard facade of the proposed building have been installed as per figure B of the submitted LA Noise Impact Assessment, dated February 2015 referenced MRL/0965/L01;

(b) The entire window system (including frames, seals etc.) and acoustic ventilation have been so installed so as to ensure that internal noise levels within any proposed residential unit shall:

- not exceed 40 dB LAeq,16hrs at any time between 07:00hrs and 23:00hrs within any habitable room, with the windows closed and alternative means of ventilation provided in accordance with current building control requirements;
- not exceed 35 dB LAeq,8hr at any time between the hours of 23:00hrs and 07:00hrs within bedrooms, with the windows closed and alternative means of ventilation provided in accordance with current building control requirements.
- not exceed 45 dB LAm_{ax} for more than 15 sound events 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.

(c) the combined rating level from building plant services does not exceed the background sound level (for both day or night) at the nearest residential unit as assessed in accordance with BS4142:2014;

(d) The proposed floor / ceiling / wall constructions between plant room, gym, retail, common room/social seating areas and student accommodation have been constructed as per recommended section 3.4 of the LA Noise Impact Assessment, referenced MRL/0965/L01 and are capable of providing a sound reduction of at least 60 dB Dw so that suitable internal noise levels within student accommodation can be achieved as per recognised guidance.

(e) That an impact resilient layer is incorporated into the floor build up in the gym.

Reason: in the interests of amenity.

All other conditions from the previous permission LA04/2016/2385/F also to be repeated.

ANNEX	
Date Valid	19th December 2019
Date First Advertised	3rd January 2020
Date Last Advertised	
Details of Neighbour Notification (all addresses)	
The Owner/Occupier, 1 Lancaster Street,Belfast,Antrim,BT15 1EZ	
The Owner/Occupier, 1,48a Frederick House,York Street,Belfast,Antrim,BT15 1AS	
The Owner/Occupier, 1-51 ,York Street,Belfast,Antrim,BT15 1ED	
The Owner/Occupier, 101 York Street,Belfast,Antrim,BT15 1AB	
The Owner/Occupier, 123 York Street,Belfast,Antrim,BT15 1AB	
The Owner/Occupier, 14 Little Patrick Street,Belfast,Antrim,BT15 1BA	
The Owner/Occupier, 16-20 ,Little Patrick Street,Belfast,Antrim,BT15 1BA	
The Owner/Occupier, 2 Curtis Street,Belfast,Antrim,BT1 2ND	
The Owner/Occupier, 2,48a Frederick House,York Street,Belfast,Antrim,BT15 1AS	
The Owner/Occupier, 2-24 ,York Street,Belfast,Antrim,BT15 1AP	
The Owner/Occupier, 20 Great Patrick Street,Belfast,Antrim,BT1 2LT	
The Owner/Occupier, 23-33 ,Little York Street,Belfast,Antrim,	
The Owner/Occupier, 2nd & 3rd Floor,81-93 Magnet House,York Street,Belfast,Antrim,BT15	
The Owner/Occupier, 3 Lancaster Street,Belfast,Antrim,BT15 1EZ	
The Owner/Occupier, 4-6 ,Curtis Street,Belfast,Antrim,BT1 2ND	
The Owner/Occupier, 40 Academy Street,Belfast,Antrim,BT1 2NQ	
The Owner/Occupier, 48-50 ,York Street,Belfast,Antrim,BT15 1AS	
The Owner/Occupier, 48d ,York Street,Belfast,Antrim,BT15 1AS	
The Owner/Occupier, 5 Lancaster Street,Belfast,Antrim,BT15 1EZ	
The Owner/Occupier, 53-65 ,York Street,Belfast,Antrim,BT15 1AA	
The Owner/Occupier, 81-99 Magnet House,York Street,Belfast,Antrim,BT15 1AB	
The Owner/Occupier, Curtis Street,Belfast,Antrim,	
The Owner/Occupier, First Floor,20-24 Interpoint,York Street,Belfast,Antrim,BT15 1AQ	
The Owner/Occupier, Ground & 1st Floor,81-93 Magnet House,York Street,Belfast,	
The Owner/Occupier, Ground Floor,20-24 Interpoint,York Street,Belfast,Antrim,BT15 1AQ	
The Owner/Occupier, Second Floor,20-24 Interpoint,York Street,Belfast,Antrim,BT15 1AQ	
The Owner/Occupier, Second Floor,20-24 Interpoint,York Street,Belfast,Antrim,BT15 1AQ	
The Owner/Occupier, Units 52 York Street,Belfast,Antrim,BT15 1AS	
The Owner/Occupier, Young Business Centre,103 York Street,Belfast,Antrim,BT15 1AB	
Date of Last Neighbour Notification	9th January 2020
Date of EIA Determination	N/A
ES Requested	No
Planning History	
Ref ID: LA04/2016/2385/F	
Proposal: Amendment to planning permission Z/2015/0138/F to develop purpose built managed student accommodation comprising 717 beds with shared communal areas, 2 No. retail units at ground floor level; two landscaped courtyards; other ancillary accommodation including a reception/management suite and communal areas; plant and storage areas, and car parking and cycle provision.	

Address: 81-107 York Street, Belfast,
Decision: PG
Decision Date: 27.06.2017

Ref ID: LA04/2018/0033/DC
Proposal: Discharge of condition LA04/2016/2385/F
Address: 81-107 York Street, Belfast,
Decision: RL
Decision Date:

Ref ID: LA04/2018/0074/DC
Proposal: Discharge planning condition 13 of LA04/2016/2385/F relating to archaeological programme of works
Address: 81-107 York Street, Belfast,
Decision: WITHDR
Decision Date: 19.02.2018

Ref ID: LA04/2017/2777/DC
Proposal: Discharge of condition 9 relating to Piling Risk Assessments of LA04/2016/2385/F
Address: 81-107 York Street, Belfast,
Decision: RL
Decision Date:

Ref ID: LA04/2016/2312/DC
Proposal: Discharge of condition 7 (submission of piling risk assessment) of Planning Approval Z/2014/1657/F
Address: Site at 28-30 Great Patrick Street, Belfast, BT1 2LT,
Decision: AL
Decision Date:

Ref ID: LA04/2016/2288/NMC
Proposal: Non-material change following Grant of Planning Permission (Z/2014/1657/F)
Address: 28-30 Great Patrick Street, Belfast, BT1 2LT,
Decision: CG
Decision Date:

Ref ID: LA04/2016/2310/DC
Proposal: Discharge of (Condition 3 relating to landscaping) pre commencement planning condition.
Address: Site at, 28-30 Great Patrick Street, Belfast, BT1 2LT,
Decision: AL
Decision Date:

Ref ID: LA04/2016/2272/DC
Proposal: Discharge of Condition 2 (samples of external materials) pre-commencement conditions of approval Z/2014/1657/F
Address: 28-30 Great Patrick Street, Belfast, BT1 2LT,
Decision: AL

Decision Date:

Ref ID: LA04/2017/0167/DC

Proposal: Discharge of condition 2 request of Z/2014/1657/F
Address: Site at, 28-30 Great Patrick Street, Belfast, BT1 2LT,
Decision: AL
Decision Date:

Ref ID: LA04/2017/2528/DC

Proposal: Discharge of condition 2 Z/2014/1657/F relating to materials on Gable Elevation
Address: Site at, 28-30 Great Patrick Street, Belfast, BT1 2LT,
Decision: AL
Decision Date:

Ref ID: LA04/2018/0812/F

Proposal: Proposed change of use of ground floor plant area into additional retail floor area
Address: 28-30 Great Patrick Street, Belfast, BT1 2LT,
Decision: PG
Decision Date: 12.06.2018

Ref ID: LA04/2016/1213/RM

Proposal: Demolition of existing buildings and erection of 11 storey building comprising of 3 no. ground floor retail units, 307 studios for use as purpose built managed student accommodation with associated communal and amenity facilities, including gym and all associated site and access works.
Address: 48-52 York Street, Belfast, BT15 1AS,
Decision: PG
Decision Date: 02.10.2017

Ref ID: Z/2007/0194/F

Proposal: Demolition of existing buildings and construction of new 11 storey office building (Amended scheme)
Address: 101-107 York Street, Belfast, BT15 1AB
Decision:
Decision Date: 14.01.2009

Ref ID: Z/2013/1122/F

Proposal: To vary conditions 3, 4, 7, 12, 14, 15, 16, 17, 18, 19, 20, & 27 and remove conditions 23, 24, 25, 26, 28, 29, 30, & 31 included on the decision notice for the approved University of Ulster Greater Belfast development (Z/2012/0361/F). (Conditions 1, 2, 5, 6, 8, 10, 11, 13, 21, 22, 32 and 33 are to remain unchanged)
Address: Proposed Greater Belfast Development, York Street/Donagall Street/Frederick Street, Belfast,
Decision: PG
Decision Date: 13.10.2014

Ref ID: LA04/2018/2063/DC

Proposal: Discharge of condition 6 of Z/2014/1657/F relating to submission of a noise verification report.

Address: 28-30 Great Patrick Street, Belfast, BT1 2LT.,

Decision: RL

Decision Date:

Ref ID: LA04/2019/2320/DC

Proposal: Discharge of condition 5 Z/2013/1122/F

Address: Greater Belfast Development, York Street/Donagall Street/Frederick Street, Belfast.,

Decision:

Decision Date:

Ref ID: LA04/2019/2303/NMC

Proposal: Proposed alteration to window alignment to suit new internal layout and changed room sizes; alteration to window configuration to internal courtyard elevations; general rearrangement of internal layout of common areas at ground and first floor; and additional plant room space to accommodate sprinkler storage tanks.

Address: 81-107 York Street, Belfast.,

Decision:

Decision Date:

Ref ID: LA04/2019/2643/DC

Proposal: Discharge of condition no. 9 of LA04/2016/1213/RM

Address: 48-52 York Street, Belfast, BT15 1AS,

Decision:

Decision Date:

Ref ID: LA04/2019/2645/DC

Proposal: Discharge of condition 5 - LA04/2016/1213/RM (Archaeological Programme of Works)

Address: 48-52 York Street, Belfast, BT15 1AS,

Decision: RL

Decision Date:

Ref ID: Z/2012/0361/F

Proposal: New university campus in Belfast City Centre. Development of 3 no. new buildings (Block A, Block B and Block C) with total floor area (gross external) of 85736 sqm. The maximum height of the buildings is 12 storeys at corner of Frederick Street and York Street. The development will be characterised by 2 no. lantern features at the corners of York Street and Donagall Street and York Street and Great Patrick Street. Public realm improvements to York Lane and in proximity to university buildings. Demolition of existing footbridge and development of new footbridge over York Street. Minor works to the existing Block 82 external facades. (Further Environmental Information received)

Address: Metropole, Orpheus, Interpoint, York House, Playboard and Block 82, York Street / Frederick Street / Great Patrick Street, Belfast, BT15 1ED,

Decision: PG

Decision Date: 20.05.2013

Ref ID: LA04/2019/1075/DC

Proposal: Discharge of condition no. 13 of LA04/2016/2385/F

Address: 81-107 York Street, Belfast.,
Decision: AL
Decision Date:

Ref ID: LA04/2019/1108/DC
Proposal: Discharge of conditions 2 & 3 LA04/2016/2385/F
Address: 81-107 York Street, Belfast.,
Decision: AL
Decision Date:

Ref ID: LA04/2019/0954/NMC
Proposal: Proposed alteration to window alignment to suit new internal layout and changed room sizes; alteration to window configuration to internal courtyard elevations; general rearrangement of internal layout of common areas at ground and first floor including relocation of gym to first floor; and additional plant room space to accommodate sprinkler storage tanks.
Address: 81-107 York Street, Belfast.,
Decision: CR
Decision Date:

Ref ID: LA04/2019/0691/DC
Proposal: Discharge of planning condition No.9 of LA04/2016/2385/F
Address: 81-107 York Street, Belfast.,
Decision: AL
Decision Date:

Ref ID: LA04/2019/0287/DC
Proposal: Discharge of condition 6 Z/2014/1657/F relating to provision of noise verification report
Address: Site at, 28-30 Great Patrick Street, Belfast, BT1 2LT.,
Decision: AL
Decision Date:

Ref ID: LA04/2015/0184/F
Proposal: Belfast Streets ahead-phase 3. Public realm/ environmental improvement project to improve streetscape and create flexible public spaces through the provision of high quality natural stone paving, street furniture, trees, lighting and soft landscaping. Stopping up of a section of Library Street to create Library Square. Stopping up of a section of Academy Street to extend Cathedral Gardens
Address: Royal Avenue, York Street (part), Frederick Street, Great Patrick Street (part), York Lane, Library Street (part), Little Donegall Street (part), Academy Street, Talbot Street, Curtis Street, Clarkes Lane, Exchange Street West & Cathedral G
Decision: PG
Decision Date: 26.11.2015

Ref ID: LA04/2015/0557/DC
Proposal: Discharge of condition 16 of Planning Permission Z/2012/0361/f
Address: York Street/Frederick Street/Great Patrick Street, Belfast,
Decision: AL
Decision Date:

Ref ID: LA04/2015/1069/DC

Proposal: Discharge of Conditions 9, 11, 12, 13, 14, 15, 16, 18, 24, 25, 26, 27, 28, 29, 30 and 31 of Planning Approval Z/2012/0361/F

Address: Metropole, Orpheus, Interpoint, York House, Playboard and Block 82, York Street / Frederick Street / Great Patrick Street, Belfast, BT15 1ED,

Decision: AL

Decision Date:

Ref ID: Z/2014/1245/F

Proposal: .Relocation and increase in height of roof-top flues and minor amendments to the elevational treatments to the University of Ulster's Greater Belfast Development campus previously approved under planning application Z/2010/0361/f

Address: 'Metropole' 'Orpheus' 'Interpoint' 'York House' 'Playboard' and 'Block 82' York Street/Frederick Street/Great Patrick Street, Belfast, BT15 1ED,

Decision: PG

Decision Date: 18.11.2014

Ref ID: Z/2015/0138/F

Proposal: Demolition of existing buildings and erection of a building ranging in height from 11 to 14 No. storeys (37m X 43m) for managed student accommodation, comprising 590 No. ensuite double bedrooms with shared communal areas and kitchens and 92 studios; 2 No. retail units at ground floor level; two landscaped courtyards; other ancillary accommodation including a reception/management suite and communal areas; plant and storage areas, and car parking and cycle provision.

Address: 81-107 York Street, Belfast, BT15 1AB,

Decision: PG

Decision Date: 28.06.2016

Drawing Numbers and Title

01

Notification to Department (if relevant) – N/A

Date of Notification to Department:

Response of Department:

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Committee Application

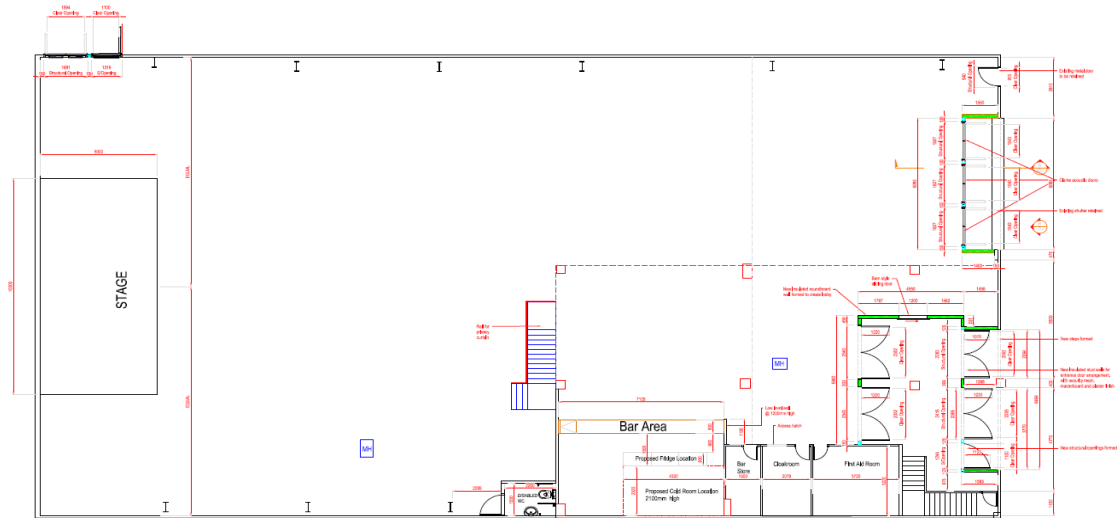
Development Management Report	
Application ID: LA04/2018/2903/F	Date of Committee: Tuesday 11 February 2020
Proposal: Change of use of warehouse and offices to event space / entertainment venue (with ancillary bar) including internal and external alterations.	Location: Arnott's 16-20 Dunbar Street Belfast BT1 2LH
Referral Route: Belfast City Council (Application Site includes Right of Way over BCC Land)	
Recommendation:	Approval
Applicant Name and Address: The Limelight Belfast Ltd 17 Clarendon Road Belfast BT1 3BG	Agent Name and Address: Clyde Shanks 5 Oxford Street Belfast BT1 3LA
<p>Executive Summary:</p> <p>Full permission is sought for the change of use of warehouse and offices to an event space including internal and external alterations.</p> <p>The key issues in assessment of the proposed development are:</p> <ul style="list-style-type: none"> • Principle of event space at location • Impact on amenity • Impact on traffic flow and parking • Impact on Conservation Area <p>It is considered that the proposed change of use is compliant with relevant policy and is therefore acceptable, subject to conditions.</p> <p>NI Water, DfI Roads, BCC Estates and Environmental Health were consulted and have no objections, subject to conditions.</p> <p>One objection to the proposal has been received and all the issues raised including noise and outdoor smoking are dealt with in the case officer report.</p> <p>Belfast City Council owns adjacent land and have granted a temporary licence for part of it to be used as an emergency fire escape route for the proposed venue.</p> <p>Recommendation</p> <p>Approval - it is recommended that the application is given temporary approval subject to conditions and it is requested that delegated authority be given to the Director of Planning and Building Control to finalise the wording of conditions.</p>	

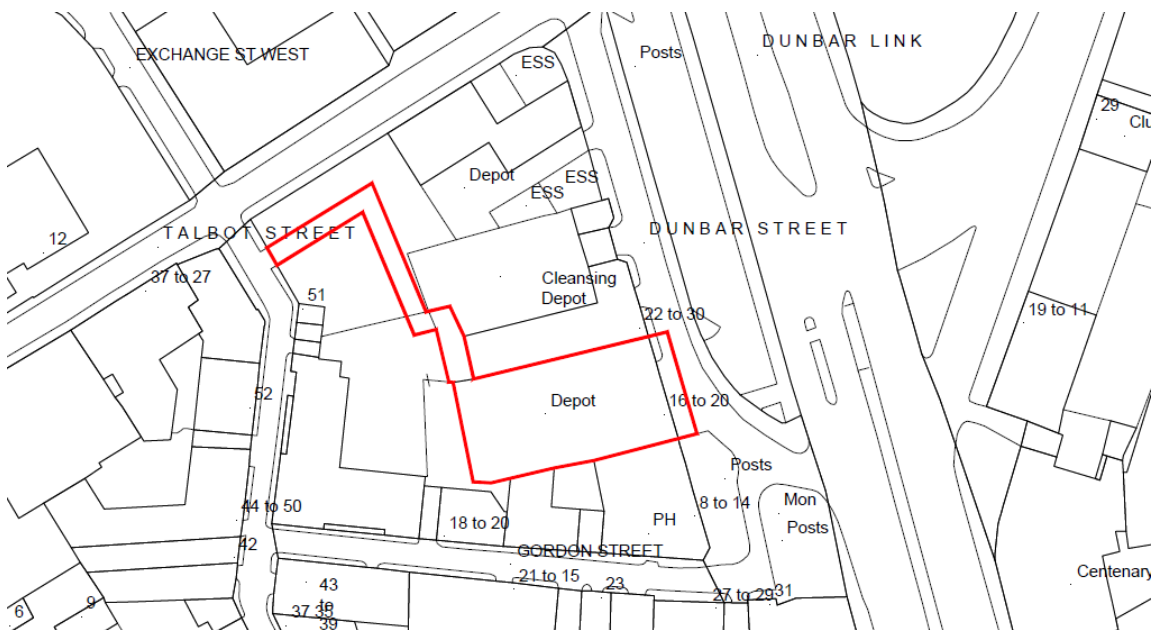
Characteristics of the Site and Area

1.0 Description of Proposed Development

1.1 The application is for full permission for the change of use of a warehouse and offices to an event space including internal and external alterations.

1.2 Proposed Elevations and Ground Floor Plan



<p>2.0</p> <p>2.1</p> <p>3.0</p>	<p>Description of Site</p> <p>The site is located at 16-20 Dunbar Street in Belfast City Centre. It consists of an 882sqm 2-storey warehouse building, currently occupied by Arnott's fruit and veg wholesalers. The area is in mixed use with adjacent uses including a night club and a Belfast City Council cleansing depot. There is a public parking area to the front of the building between Dunbar Street and Dunbar Link, beyond which lies Corporation Street. The site is within the Cathedral Conservation Area.</p> <p>Site Location Plan</p> 
<p>Planning Assessment of Policy and other Material Considerations</p>	
<p>4.0</p>	<p>Site History</p> <p>Z/1978/0254 - 16-20 DUNBAR STREET - REPLACEMENT OF BOMB-DAMAGED WAREHOUSE - PERMISSION GRANTED</p>
<p>5.0</p>	<p>Policy Framework</p> <p>BUAP 2001 Draft Belfast Metropolitan Area Plan 2004 Version of Belfast Metropolitan Area Plan published 03.09.14 Strategic Planning Policy Statement (SPPS) Planning Policy Statement 3: Access, Movement and Parking Planning Policy Statement 4: Planning Policy Statement 6: Planning, Archaeology and the Built Environment</p>
<p>6.0</p>	<p>Statutory Consultees Responses</p> <p>NI Water - No objection</p>

7.0	<p>Non-Statutory Consultees Responses</p> <p>Dfl Roads</p> <ul style="list-style-type: none"> - No objection <p>BCC Environmental Health</p> <ul style="list-style-type: none"> - No objection <p>BCC Estates</p> <ul style="list-style-type: none"> - No objection
8.0	<p>Representations</p> <p>The application has been neighbour notified and advertised in the local press. One objection (with additional comment) has been received. A summary of the issues raised is as follows:</p> <ul style="list-style-type: none"> - Inadequate noise testing and noise mitigation measures - No provision of a smoking area or a waste storage area - No construction, traffic safety or crowd control management plans - Anti-social behaviour created by the development - Impact on adjacent Salvation Army Night Shelter residents - No demonstration of need for the proposed development - Concern about structural adequacy of the building (including asbestos sheeting) and impact of proposed changes <p>A response to the issues raised is provided below (paragraph 10.20).</p>
9.0	<p>Other Material Considerations</p> <p>None</p>
10.0	<p>Assessment</p>
10.1	<p><u>Plan Status/Relevant Policy/Constraints</u></p> <p>The extant development plan is the BUAP. However, given the stage at which the Draft BMAP had reached pre-adoption through a period of independent examination, the policies within the Draft BMAP are a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker.</p>
10.2	<p>The site is within the development limit of Belfast as designated in both the BUAP and the draft BMAP. The site falls within the Belfast City boundary, Core Area of Parking Restraint, Cathedral Conservation Area and the Scotch and Cathedral Quarters Character Area in the draft BMAP. The proposed use generally falls within Class D1 Assembly and Leisure with respect to the concert hall function whilst the bar element is a sui generis use. As the site is not zoned for any specific use the proposal is not contrary to the development plan.</p>
10.3	<p><u>SPPS</u></p> <p>The Strategic Planning Policy for Northern Ireland (SPPS) is a material consideration for all decisions on individual planning applications and provides general policy context.</p>
10.4	<p>Under the SPPS, the guiding principle for planning authorities in determining planning applications is that sustainable development should be permitted, having regard to the</p>

	development plan and all other material considerations, unless the proposed development will cause demonstrable harm to interests of acknowledged importance. In practice this means that development that accords with an up-to-date development plan should be approved and proposed development that conflicts with an up-to-date development plan should be refused, unless other material considerations indicate otherwise.
10.5	Paragraph 6.270 of the SPPS advises that its aim is to support and sustain vibrant town centres through their promotion as the first choice for retailing and other complementary functions. The SPPS advocates a town centre first approach for the location of future retailing and other main town centre uses. Footnote 58 Page 101 indicates “other town centre uses” includes leisure. The Concert Hall element of the proposal falls within Class D1 Assembly and Leisure. Given that the proposed site is within the City Centre boundary the leisure use is compliant with the SPPS.
10.6	<p><u>Consideration</u> The main issues for the assessment of this proposal are:</p> <ul style="list-style-type: none"> • Principle of event space at location • Impact on amenity • Impact on traffic flow and parking • Impact on Conservation Area
10.7	<p><u>Principle of Event Space at Location</u> The proposal is for the change of use of a warehouse and associated offices to an event space including internal and external alterations. The Agent has indicated that the space will be used for live music concerts; live comedy; live podcast recordings and TV/Film recordings with a maximum to two events per week. The proposed use generally falls within Class D2 Assembly and Leisure (Concert Hall). The bar function is a sui generis use. As the site is not zoned for any specific use the proposed use is not contrary to the development plan. An events venue will of course have associated impacts such as noise, disturbance and event management which must be considered.</p>
10.8	The ground floor internal alterations include demolishing internal walls and a mezzanine deck and creating a stage, bar area, foyer and cloakrooms. The first floor is to be reconfigured to create toilet areas and staff offices/facilities. External alterations include new and reconfigured entrance openings to the front elevation and a new emergency exit on the right hand side elevation.
10.9	Paragraphs 4.11 and 4.12 of the SPPS require consideration to be given to amenity impacts arising from development including health and well-being, design and general nuisance. Policy PED 9 of PPS 4 Planning and Economic Development sets out general criteria which provides useful guidance for sui generis uses with (a), (b), (c), (e)€, (g) and (h) of particular relevance with respect to compatible land use. Residential amenity, natural and built heritage, noise nuisance and adequate traffic and servicing arrangements.
10.10	Surrounding land uses to the site include a cleansing depot, night club/entertainment outlets and office development. There is apartment development 40m to the west of the site on Hill Street, a Salvation Army Hostel 65m to the south-east on Victoria Street and a Ramada Hotel 75m to the north on Talbot Street. Due to the mixed use and commercial nature of the area the proposal is considered to be compatible with surrounding land uses, subject to mitigating measures to protect nearby residents from noise emissions.
10.11	

10.12	<p>The existing building is not listed and is of no particular architectural merit. The proposed external alterations to the building are minor and acceptable. See paragraph 10.13 below re potential noise nuisance, emissions etc. See paragraph 10.16 below re impact of the proposal on the existing road network, access arrangements, parking impact etc.</p>
10.13	<p>Subject to acceptable impact on amenity and traffic flow/parking, the proposed change of use and associated external alterations are considered to be compliant with the SPPS and PPS4.</p>
10.14	<p><u>Impact on Amenity</u> The submitted Noise Impact Assessment details a capacity within the venue for up to 1600 patrons. The Agent has advised that no more than 2 events per week would be held at the venue. The Noise Assessment indicates that on a weekday these would not operate outside of licensing hours (1.00hours) whilst at weekends or public holidays an event can run up until 2.30hrs. The applicant has not provided an Event Management Plan therefore it is recommended that a Condition be attached requiring that such a Plan be submitted and agreed in writing with the Council prior to the approved use becoming operational.</p>
10.15	<p>The Council's Environmental Health Service was consulted with regard to the proposal and its impact on general amenity. Initially it responded with concerns about the impact of noise associated with the proposed development on nearby noise sensitive premises. A Noise Impact Assessment was subsequently submitted and on review EH advised that it still had concerns and requested clarification and additional information relating to the noise mode used in the NIA, monitoring period, door performance data etc.</p>
10.16	<p>Following discussions relating to the emergency fire escape route (see below) a revision to the NIA was submitted. On re-consultation EH advise that it has reviewed the revised NIA and additional information from the Noise and Acoustic Consultants, and has no further objection to the proposal subject to conditions.</p>
10.17	<p><u>Impact on Traffic Flow</u> DfI Roads was consulted and offered no objection in terms of potential impact on traffic flow or public safety. A condition relating to the prevention of doors and windows opening over the public road/footway was requested.</p>
10.18	<p><u>Impact on Conservation Area</u> The application site falls within the Cathedral Conservation Area. The Conservation Officer was consulted for comment and responded that the existing building has little architectural merit with roller shutter doors and PVC/wooden windows. The exterior change is a minor alteration. It is considered that the alteration is an improvement from what already exists to the front elevation. Therefore, it would be difficult to conclude that the development would have a detrimental impact on the character of the Conservation Area. The proposal is therefore considered compliant with Policy BH 12 of PPS 6 relating to New Development in a Conservation Area.</p>
10.18	<p><u>Fire Escape Route</u> Although a Building Control matter rather than planning per se, an issue arose relating to the fire escape route originally proposed by the applicants. This proposed a route from the proposed additional new side exit through the adjoining BCC cleansing depot. BCC Estates advised that it would not be able to consent to any request for an emergency access over the depot land to serve the proposed event space, as the site would not be safe for the proposed use. Representatives for the applicant entered into negotiations with BCC regarding the emergency exit arrangements and following a site meeting on 09 May 2019 an agreement was reached in which an escape route through the car park to</p>

10.19	<p>the west of the site was agreed. A revised site location plan was submitted to reflect this and BCC Estates confirmed that a temporary licence had been granted over its land to accommodate this route. The Licence has only been granted on a temporary basis given long term redevelopment opportunity of the land.</p> <p>It is recommended that planning permission be temporary to align with the Licence Agreement for a Right of Way over BCC land as any modified access arrangements may require updated assessment.</p>
10.20	<p><u>Response to Issues Raised by Objector</u></p> <p>The Council's Environmental Health Unit considered the Noise Impact Assessment submitted by the applicants and having made recommendations to mitigate noise emissions is satisfied that neighbouring residents (including the Salvation Army shelter residents) will not be adversely affected by the proposed development, subject to conditions.</p> <p>Outdoor smoking regulations apply and it is considered that compliance with these regulations will not result in any adverse impact on neighbouring amenity.</p> <p>There is no requirement for a construction management plan for development of this scale.</p> <p>DfI Roads was consulted and offers no objection to the proposal and did not request any traffic management plan.</p> <p>No evidence has been submitted to support the concern that the proposal will lead to anti-social behaviour. A condition has been recommended that the operator submit an Event Management Plan to Council for agreement prior to the new use becoming operational and the premises be operated accordingly.</p> <p>Policy directs complementary town centre uses (including leisure) to city / town centre locations, it is therefore considered that a development such as the proposal is suitable and compatible with the locality.</p> <p>The structural requirements of the Building Regulations will apply to any parts of the building affected by any increase in imposed loading resulting from the change of use and any new structures proposed.</p> <p>As part of the Entertainment Licensing application a Structural floor certificate must be submitted. This is a structural certificate together with relevant structural calculations confirming that the floors of the premises satisfy the requirements of BS 6399: Part 1 1996; Loading for Buildings; Part 1 Code of Practice for Dead and Imposed loads.</p> <p>With regard to the asbestos sheeted roof covering, the applicant has proposed to encapsulate this to protect patrons in the building. With regard to the impact on neighbouring properties, consideration would be within the remit of Environmental Health.</p>
10.21	<p><u>Conclusion</u></p> <p>The proposed change of use is considered compliant with relevant policy and therefore acceptable, subject to conditions. Approval recommended.</p>
11.0	Summary of Recommendation: Approval

12.0	<p>Conditions</p> <ol style="list-style-type: none"> 1. The permission hereby granted shall be for a limited period of 2 years only from the date of this decision notice. Reason: To enable the Council to consider the development in the light of circumstances then prevailing. 2. Windows or doors shall not open out over the public road, verge or footway. Reason: In the interest of pedestrian safety, road safety and convenience of road users. 3. The event space hereby approved shall include the acoustic mitigation measures as detailed within the F.R. Mark Noise Report, titled: 'Response to Belfast City Council Environmental Health Service Regarding Noise Impact Assessment for proposed change of use from existing commercial warehouse to Entertainment Premises, Dunbar Street, Belfast,' prepared by F.R. Mark & Associates, Noise and Acoustic Consultants, dated November 2019. Reason: Protection of human health and residential amenity. 4. The Music Noise level associated with the development hereby permitted shall be set to ensure that the resulting dB LAeq at the façade of nearby noise sensitive premises does not exceed the background dB LA90 level without entertainment noise present, in each octave band. Reason: Protection of human health and residential amenity. 5. Prior to the approved use becoming operational, an Event Management Plan will be submitted to Belfast City Council for agreement in writing. The development shall operate in accordance with the approved Event Management Plan thereafter. Reason: Protection of human health and residential amenity.
13.0	<p>Informatives</p> <ol style="list-style-type: none"> 1. 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 Roads Section Engineer whose address is: Belfast North Section Office, 148-158 Corporation Street, Belfast, BT1 3DH. A monetary deposit will be required to cover works on the public road. 2. Precautions shall be taken to prevent the deposit of mud and other debris on the adjacent roads by vehicles travelling to and from the construction site. Any mud or debris deposited on the road must be removed immediately by the contractor.

	<p>3. All construction plant and materials shall be stored within the curtilage of the site.</p> <p>4. 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 if not already applied for.</p> <p>5. The grant of planning permission by the Council relating to Council land does not confer the right to use the land, which should be sought separately.</p> <p>6. Clean Neighbourhoods and Environment Act (NI) 2011</p> <p>Where Belfast City Council is satisfied that a statutory noise nuisance exists, the Council has a duty to serve a Noise Abatement/Prohibition Notice on the Licensee as the person responsible of the premises from which the nuisance arises.</p> <p>Patron noise associated with the development should be suitably managed and controlled to ensure that residential premises are not disturbed by noise.</p> <p>7. Noise Act 1996</p> <p>The Noise Act 1996 applies to night-time noise between 11pm to 7am. Where excessive noise from an offending premises affects a residential premises, a Warning Notice can be served. Failure to comply with the permitted level can result in a fixed penalty fine of £500 or prosecution in the courts.</p> <p>8. The Smoking (NI) Order 2006</p> <p>The applicant is advised to ensure that the designated smoking area is suitably managed and controlled to prevent noise, anti-social behaviour or litter causing disturbance or loss of amenity.</p> <p>9. The Local Government (Miscellaneous Provisions) Order 1985</p> <p>The applicant is reminded that disturbance by noise is a material consideration in the granting of any Entertainment Licence deemed necessary by Belfast City Council.</p>
Notification to Department (if relevant)	
N/A	
Representations from Elected members:	
N/A	

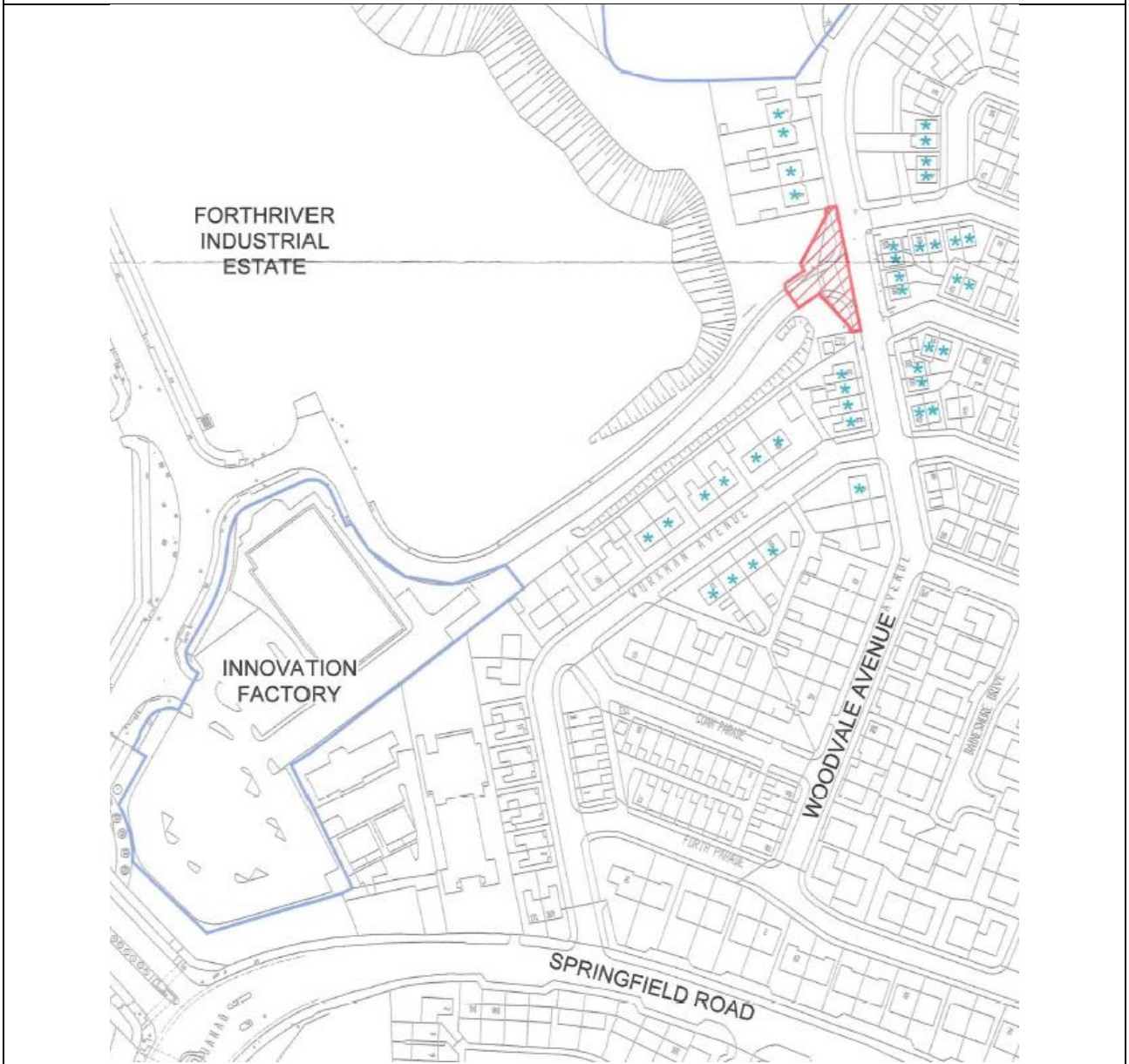
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Committee Application

Development Management Report	
Application ID: LA04/2019/2928/F	Date of Committee: Tuesday 11 th February 2020
Proposal: Realigned fence and vehicle & pedestrian gates to replace existing. Widened pedestrian gates with additional landscaping, widened footpaths and the resurfacing of an existing road entrance.	Location: Lands at the existing Invest NI Forthriver Industrial Estate Woodvale Avenue
Referral Route: Application made by Belfast City Council	
Recommendation: Approval subject to conditions	
Applicant Name and Address: Belfast City Council City Hall Belfast BT1	Agent Name and Address: McAdam Design 1c Montgomery House Castlereagh Business Park 478 Castlereagh Road Belfast BT5 6BQ
<p>Executive Summary:</p> <p>Full planning permission is sought for an amended access to the Forthriver Industrial Estate from Woodvale Avenue. The access will provide both pedestrian and vehicle access to the site.</p> <p>The proposed gates measure a height of 2.5m with new paladin fencing on either side of the entrance gates also 2.5m in height. Associated landscaping is proposed on both sides of the entrance, along with resurfacing of the existing ground. It is proposed that the vehicle access extends to a width of 5.8m, whilst the pedestrian access is 2.9m in width.</p> <p>The proposed access will also help create and enhance shared space by providing greater connectivity to the Forthriver Industrial Estate for residents from the Woodvale area. The proposed access is also considered to support the good design paragraphs within the SPPS in that its makes positive use of the assets of the site by including landscaping to enhance the character of the area.</p> <p>The scale and nature of the development is considered acceptable, in that the 2.5m gates and paladin fencing is similar in scale to the existing gates on the site. The proposal will not alter the character of the existing development as it has already been established with the existing although currently redundant access. The alterations to the access will allow for its use to become operational and provide a greater contribution to the connectivity of the area and the quality of the environment.</p> <p>No third party representations have been received.</p> <p>DFI Roads has been consulted and offered no objection to the proposal.</p> <p><u>Recommendation – Approve</u></p> <p>Having regard to the policy context and other material considerations, the proposal is considered acceptable and planning permission is recommended subject to conditions.</p>	

Case Officer Report

Site Location Plan



Characteristics of the Site and Area	
1.0	Description of Proposed Development
1.1	Full planning permission is sought for an amended access to the Forthriver Industrial Estate from Woodvale Avenue. The access will provide both pedestrian and vehicle access to the site.
1.2	The proposed gates measure a height of 2.5m with new paladin fencing on either side of the entrance gates also 2.5m in height. Associated landscaping is proposed on both sides of the entrance, along with resurfacing of the existing ground. It is proposed that the vehicle access extends to a width of 5.8m, whilst the pedestrian access is 2.9m in width.
2.0	Description of Site
2.1	The site encompasses an irregular portion of land located at the entrance to Forthriver Industrial Estate from Woodvale Avenue. An existing access is currently on the site and is currently closed off to Woodvale Avenue with metal gates approximately 2.5m in height.
2.2	A number of semi-detached residential properties are located opposite and adjacent to the site which contribute to the character of the area. The wider context of the area is defined by a large Industrial Estate to the rear of the site, and the residential properties east of the site which are predominantly semi-detached and finished in red brick.
Planning Assessment of Policy and other Material Considerations	
3.0	Site History <ul style="list-style-type: none"> LA04/2016/2678/F Forthriver Business Park, Springfield Road, Belfast, BT12 7DG, Provision of vehicular and pedestrian gates and fencing. Provision of street lighting. 10nr columns along access road to Woodvale Avenue. PERMISSION GRANTED
4.0	Policy Framework
4.1	Belfast Urban Area Plan 2001 (BUAP)
4.2	(Draft) Belfast Metropolitan Area Plan 2015 Following the recent Court of Appeal decision on BMAP, the extant development plan is now the BUAP. However, given the stage at which the Draft BMAP had reached pre-adoption through a period of independent examination, the policies within the Draft BMAP still carry weight and are a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker.
4.3	Strategic Planning Policy Statement for Northern Ireland (SPPS)
4.4	Planning Policy Statement 3: Access Movement and Parking
4.4.1	Policy AMP 2
5.0	Statutory Consultees Responses
5.1	DFI Roads – No objection subject to informatives
6.0	Non Statutory Consultees Responses

6.1	None
7.0	Representations
7.1	The application has been advertised in the local press and neighbours notified. No representations have been received regarding the application.
8.0	Other Material Considerations
8.1	None
9.0	Assessment
9.1	The key issues to be considered are: <ul style="list-style-type: none"> - The impact on the character and appearance of the area - Road safety
9.2	The access will provide both pedestrian and vehicle access to the site from Woodvale Avenue. The proposed gates measure a height of 2.5m with new paladin fencing on either side of the entrance gates also 2.5m in height. Associated landscaping is proposed on both sides of the entrance, along with resurfacing of the existing ground. It is proposed that the vehicle access extends to a width of 5.8m, whilst the pedestrian access is 2.9m in width.
9.3	The site is located within white land as designated by the Draft Belfast Metropolitan Plan and has no particular zoning. The site is located at the entrance to Forthriver Industrial Estate off Woodvale Avenue. The area is characterised by a large area of vacant land to the rear of the site, and a number of residential properties which are located adjacent and opposite the site, these are predominantly semi-detached and finished in red brick.
9.4	The proposal is considered compliant with the relevant core planning principals within the SPPS, in that it encourages the improvement of health and well-being by providing better connected communities with a safe pedestrian environment as stated within paragraph 4.5 of the SPPS. The proposed access will also help create and enhance shared space by providing greater connectivity to the Forthriver Industrial Estate for residents from the Woodvale area. The proposed access is also considered to support the good design paragraphs within the SPPS in that its makes positive use of the assets of the site by including landscaping to enhance the character of the area.
9.5	Policy AMP 2 within PPS 3 states that planning permission will only be granted for a development involving the intensification of an existing access onto a public road where; there will be no prejudice to road safety, or will not significantly inconvenience the flow of traffic. There are a number of factors within Policy AMP 2 to be considered to ensure the proposal is considered acceptable. The scale and nature of the development is considered acceptable, in that the 2.5m gates and paladin fencing is similar in scale to the existing gates on the site. The proposal will not alter the character of the existing development as it has already been established with the existing although currently redundant access. The alterations to the access will allow for its use to become operational and provide a greater contribution to the connectivity of the area and the quality of the environment.
9.6	DFI Roads have been consulted and offered no objection to the proposal.
9.7	Taking into account the location of the site and the character of the surrounding area the proposal will not have a significant adverse impact on any existing properties in terms of amenity by way of noise or disturbance.

10.0	<p>Summary of 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.</p>
11.0	<p>Conditions</p> <p>1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <p>Informatives:</p> <ol style="list-style-type: none"> 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. 2. All construction plant and materials shall be stored within the curtilage of the site. 3. Provision shall be made to the satisfaction of DfI, to ensure that surface water does not flow from the site onto the public road. 4. 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>Notification to Department (if relevant)</p>	
<p>Representations from Elected members: No representation has been received from elected members.</p>	

ANNEX	
Date Valid	17th December 2019

Date First Advertised	10 th January 2020
Date Last Advertised	10 th January 2020
Details of Neighbour Notification (all addresses)	
<ul style="list-style-type: none"> • The owner/Occupier, • 11 Woodvale Avenue, Belfast, Antrim • The owner/Occupier, • 124 Woodvale Avenue, Belfast, Antrim • The owner/Occupier, • 126 Woodvale Avenue, Belfast, Antrim • The owner/Occupier, • 128 Woodvale Avenue, Belfast, Antrim • The owner/Occupier, • 130 Woodvale Avenue, Belfast, Antrim • The owner/Occupier, • 132 Woodvale Avenue, Belfast, Antrim • The owner/Occupier, • 33 Woodvale Avenue, Belfast, Antrim • The owner/Occupier, • 41 Woodvale Avenue, Belfast, Antrim • The owner/Occupier, • 44 Dhu Varren Parade, Belfast, Antrim • The owner/Occupier, • 52 Dhu Varren Parade, Belfast, Antrim 	
Date of Last Neighbour Notification	9 th January 2020
Date of EIA Determination	
ES Requested	No
Drawing Numbers and Title	
<ul style="list-style-type: none"> 01- Location Plan, 02- Existing Layout and Levels 03- Proposed Layout Plan 04- Gates Elevations and Details 	
Notification to Department (if relevant) N/A	
Date of Notification to Department:	
Response of Department:	

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: Tuesday 11 February 2020	
Application ID: LA04/2019/2343/F	
Proposal: Demolition/removal of existing temporary building and erection of new two-storey Community Centre and Crèche	Location: Walkway Community Association 1-9 Finvoy Street and lands between 31 Upper Newtownards Road and Bloomfield Baptist Church Belfast BT5 5DH
Referral Route: Belfast City Council is the applicant	
Recommendation:	Approval
Applicant Name and Address: Belfast City Council 9 Adelaide 9-21 Adelaide Street Belfast BT2 8DJ	Agent Name and Address: Michael Whiteley Architects Parkway Studios Belmont Business Park 232-240 Belmont Road Belfast BT4 2AW
<p>Executive Summary: The application is for full planning permission for the proposed demolition/removal of existing temporary building and erection of new two-storey Community Centre and crèche (Both use Class D1).</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; • Proposed crèche use; • Height, scale, massing, layout and design; • Impact on the proposed Area of Townscape Character; • Visual Impact; • Impact on residential amenity of neighbours; • Parking provision and access; • Other environmental factors. <p>The applicant engaged in Pre- Application Discussion in 2019 and feedback was provided to the agent and applicant.</p> <p>The principle of a new community centre is acceptable and will provide a new centre for the local community and provide a new crèche facility to enable the relocation of an existing crèche on Newtownards Road to relocate to this building. Both uses are considered compatible with one another and with the adjacent existing uses surrounding the site.</p> <p>The proposal is considered to be sympathetic and complementary to the area, with the modern contemporary element of the proposal being located on the edge of the ATC whilst sitting comfortably with the surrounding properties. The Upper Newtownards Road portion of the building again whilst taking a contemporary design approach is of similar scale, form and finishes and respects the area in which it is located. It is considered that the proposal will not detrimentally impact on the character and appearance of the proposed Area of Townscape Character.</p> <p><u>Consultees</u> Rivers Agency and NIEA offer no objection.</p>	

Final Environmental Health response remains outstanding at the time of writing this report, however, they have raised no fundamental concerns. They are content in respect noise and lighting with odour and contaminated information submitted. Conditions can be applied as necessary

A Travel Plan requested by DFI Roads to be submitted by the applicant remains outstanding at the time of writing this report. The site is considered to be in a highly accessible, sustainable location. Upon receipt of the information DFI Roads will be re-consulted and conditions imposed if necessary.

No representations have been received.

The scheme will not result in unacceptable detrimental impact to residential amenity. In particular light, shadow and dominance to adjoining neighbour no.31 Upper Newtownards Road has been assessed and the scheme has been reduced and impacts are considered not to be significant. The visual amenity of the area or the proposed Area of Townscape Character will not be detrimentally impacted.

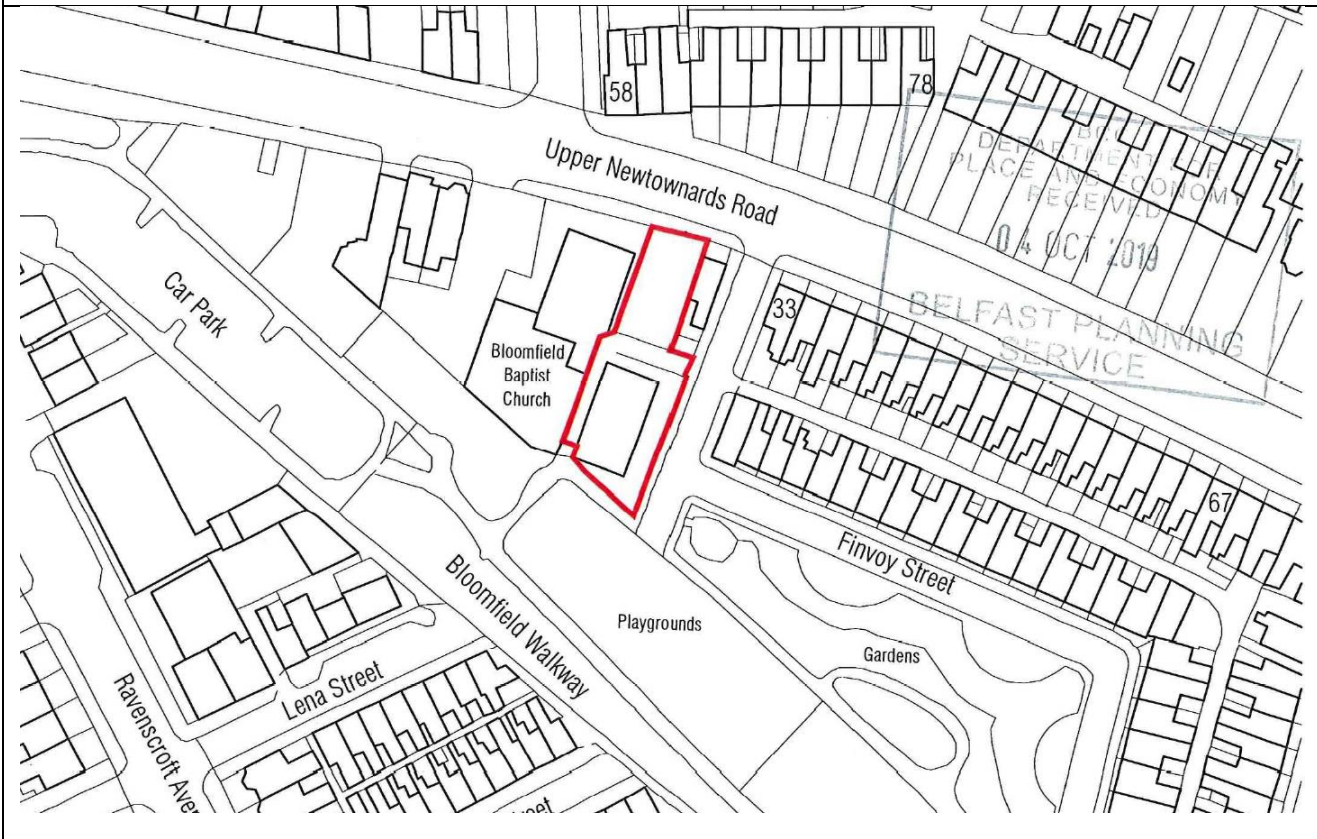
The proposal contributes to the implementation of the Belfast Agenda in respect of 'Living Here' and providing physical investment in this neighbour and social innovation in the community.

Recommendation

The application is recommended for approval subject to Conditions – delegated authority is requested to the Director of Planning and Building Control to finalise the wording of Conditions

Case Officer Report

Site Location Plan

**Consultations:**

Consultation Type	Consultee	Response
Statutory	NIEA	Content
Non-Statutory	Env Health Belfast City Council	Consultation reminder letter
Non-Statutory	Env Health Belfast City Council	Consultation reminder letter
Statutory	DFI Roads - Hydebank	Advice
Non-Statutory	Env Health Belfast City Council	Consultation reminder letter
Non-Statutory	Env Health Belfast City Council	Add Info Requested
Statutory	Historic Environment Division (HED)	Content
Statutory	Rivers Agency	Advice
Statutory	NIEA	Advice
Non-Statutory	Env Health Belfast City Council	Consultation reminder letter

Representations:

Letters of Support	None Received
Letters of Objection	None Received
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 The proposal is for full planning permission for proposed demolition/removal of existing temporary building and erection of new two-storey Community Centre and crèche (Land use Class D1).
2.0	Description of Site The site is located at the Walkway Community Centre, 1-9 Finvoy Street and encompasses land between no.31 Upper Newtownards Road, Belfast. Currently on the site is a two storey building of a temporary construction. This building is two storey, with a flat roof and finished in grey cladding. The site is bounded by existing 2m high paladin fencing and boundary wall walls varying in height from 1.75m to 2.7m. Access to the building is from Finvoy Street. The site gently slopes from the north to the south west and from the east to the north west. Parking is on street. The Upper Newtownards Road, an arterial route, runs along the northern boundary of the site. The area is characterised by two storey terrace dwellings along Finvoy Street and two and three storey terrace dwellings along the frontage of the Upper Newtownards Road. To the west of the site is the existing Bloomfield Baptist Church and associated church hall and to the south is the Comber Greenway and playground.
Planning Assessment of Policy and other Material Considerations	
3.0	Site History
3.1	LA04/2019/1428/PAD - New community centre to replace existing building. Facilities to include multi use rooms of various scales, break out coffee space, dedicated crèche facilities, centre admin + all associated ancillary spaces. A new community venue to accommodate current + future running programmes.
3.2	Z/2000/2878/F - Retention of permission for existing Community Centre – Granted
3.3	Z/2000/2324/F - Proposed extension at first floor level to provide additional accommodation to existing community centre – Granted
3.4	Z/1995/0295 - Erection of temporary community centre – Granted
4.0	Policy Framework
4.1	Belfast Urban Area Plan 2001
4.2	Draft Belfast Metropolitan Area Plan 2004
4.3	Draft Belfast Metropolitan Area Plan 2015
4.4	4.4.1 Strategic Planning Policy Statement for Northern Ireland (SPPS) 4.4.2 Planning Policy Statement 3: Access, Movement and Parking 4.4.3 Planning Policy Statement 15: Planning & Flood Risk
5.0	Statutory Consultees Responses
5.1	NIEA – Land, Soil and Air – No objection subject to conditions
5.2	NIEA – Drainage and Water – No objection and referred to standing advice

5.2	Rivers Agency – No objection
5.3	DRD Transport NI – No objection subject to conditions
6.0	Non-Statutory Consultees Responses
6.1	BCC Environmental Health – final response outstanding at time of writing of the report. EHO offer no objection in principle.
7.0	Representations
7.1	The application has been re-neighbour notified and re-advertised in the local press. No representations have been received at the time of writing this report.
8.0	Other Material Considerations
8.1	The adopted Belfast Urban Area Plan 2001 designates the site as;
8.3	Housing Action Area
8.4	Under the draft BMAP 2004 plan the site is proposed to be designated within;
8.2	An Area of Townscape Character – Hollywood Arches - BT 051
8.3	Under the draft BMAP 2015 plan the site is proposed to be designated within;
8.4	An Area of Townscape Character – Hollywood Arches - BT 034
8.5	DCAN 13: Crèches, Day Nurseries and Pre-School Play Groups
9.0	Assessment
9.1	The key issues in the assessment of the proposed development include; <ul style="list-style-type: none"> • Principle of development and use; • Proposed crèche use; • Height, scale, massing, layout and design; • Impact on the proposed Area of Townscape Character; • Visual Impact; • Impact on residential amenity of neighbours; • Parking provision and access; • Other environmental factors.
9.2	The Belfast Urban Area Plan 2001 (BUAP) is 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	Section 6 (3) of the Planning Act for Northern Ireland 2011 states; <i>'If to any extent a policy contained in a local development plan conflicts with another policy in that plan the conflict must be resolved in favour of the policy which</i>

	<i>is contained in the last development plan document to be adopted or, as the case may be, approved’.</i>
9.5	The Draft Belfast Metropolitan Plan is a material consideration
9.6	The adopted Belfast Urban Area Plan 2001 designates the site within a Housing Action Area.
	<u>Principle of development and use</u>
9.7	The principle of the development is considered acceptable at this location, the existing use as a community centre will be retained and enhanced alongside provision for a new crèche.
9.8	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.
	<u>Proposed Crèche Use</u>
9.9	The proposal includes the relocation of an existing crèche TLC Daycare which, currently operates from 395-405 Newtownards Road. The proposal will provide crèche accommodation for 16 children and 6 staff as per the P1D form submitted by the applicant. A total floor space of 56m ² will be for the proposed crèche. The proposed scale and numbers of proposed children and staff is considered to be acceptable and of a level that will not result in unacceptable noise, nuisance or disturbance to nearby residential properties and is a use that is a compatible use alongside the community centre.
	<u>Height, scale, massing, layout and design</u>
9.10	The proposal comprises a two storey building which will replace the existing two storey building with a link to a two storey element fronting onto the Upper Newtownards Road. The link is to be single storey with a two storey link corridor located parallel to the north western boundary of the site.
9.11	The proposed building has been reduced, to address Planning Service concerns in relation to the potential impact of the development on the neighbouring residential property at no. 31 Upper Newtownards Road.
9.12	<ul style="list-style-type: none"> • The height of the single storey link element has been reduced by 0.75m to 3.5m to address concern regarding dominance of the proposed building on the residential neighbour; • The north eastern portion of the building to the rear of no.31 Upper Newtownards Road has been taken back by 1m to increase the separation distance between the proposed building and no.31; • The entrance foyer has been taken back 0.3m to increase the separation distance between the proposed building and no.31 Upper Newtownards Road; • The first floor void above the entrance foyer has been removed; • The height of the proposed roof line along the north eastern portion of the building has been reduced by 0.5m.
9.13	The proposed building is to have a ridge height of 9.9m in line with that of the existing dwelling at no.31 Upper Newtownards Road with pitched roof and a mono pitched element taking cues from the existing dwelling and the Bloomfield Baptist Church. The link elements of the building consists of a two storey element 7m in height and a single storey element 3.5m in height, both of which are to be flat roofed with parapet wall. The rear

	<p>element of the building is two storey and with a ridge height 11.2m from finished floor level. This is an increase of 4.6m from the building currently in situ on the site.</p>
9.14	<p>The proposed finishes include brick, render, blue/black slate effect tiles to the Upper Newtownards Road portion of the building with the link elements are to be finished in render. The rear Finvoy Street element of the building is to be of a more contemporary modern form finished in PCC Aluminium curtain walling and cladding panels in metallic beige/grey and a spandrel panel in the same metallic beige/grey.</p>
9.15	<p>The architectural approach is modern yet sympathetic to its context, taking its design from the architecture in the context of the area. The proposed design and architectural treatment and materials are acceptable using red brick, render and slate which is characteristic of the area.</p>
9.16	<p>The upper Newtownards Road boundary is to be a brick wall and piers with railings in between. The Finvoy Street boundary is to be a 2.1m high rendered wall with railings, which will provide access to a small courtyard leading to the entrance to the community centre. Covered secure bicycle parking for 6 bicycles is proposed, within this courtyard, however no details for this structure have been provided. However, this can be dealt with prior to the commencement of works through the attachment of a negative condition.</p>
9.17	<p><u>Impact on the proposed Area of Townscape Character</u> The Holywood Arches ATC designation BT 051 is contained in the Belfast Metropolitan Area Plan 2015 (BMAP) (2004 version). The plan remains in draft as a consequence of a Court of Appeal judgement and the BUAP, despite its vintage, as already referred to above, operates as the LDP for the area. The draft BMAP, published in 2004 and 2015, is a material consideration in the determination of planning applications.</p>
9.18	<p>Draft BMAP proposes that the site is contained within the proposed Holywood Arches Area of Townscape Character BT 051. Policy ATC2 of APPS6 states that development proposals will only be permitted in an ATC where the development maintains or enhances its overall character and respects the built form of the area. The policy applies in respect of designated ATCs, but makes no reference to proposed ATCs. From the wording of the policy it is considered that Policy ATC 2 does not apply in respect to development proposals within proposed ATCs. This is as per planning appeal decision 2017/A0219. However the paragraph 6.21 of the Strategic Planning Policy Statement for Northern Ireland (SPPS) and policy UE 3 – Areas of Townscape Character and Areas of Village Character of draft BMAP applies.</p>
9.19	<p>Paragraph 6.21 of the Strategic Planning Policy Statement for Northern Ireland (SPPS) states that new development which maintains or enhances the overall character of the area and respect the built form should be permitted. It is considered that the proposal complies with para.6.21 of the SPPS. Policy UE 3 sets out key design criteria for proposals within ATCs. Designation BT 051 states that one of the key features of the Holywood Arches Area of Townscape Character is the terraced houses on the Upper Newtownards Road.</p>
9.20	<p>It is considered the proposal complies with the Key Design Criteria as set out in Policy UE 3 in that the height does not exceed 3 storeys (criterion 1B), the size, plot ratio and footprint to open space is acceptable for the use that is proposed and is compatible with the character and appearance of the immediate neighbourhood (criterion 2B), the proposal maintains the existing building line along the Upper Newtownards Road (criterion 2C), no removal or trees or soft landscaping is proposed (criterion 3A), the proposal maintains the form and layout of existing buildings and incorporates detailing and finishes in keeping with the area (criterion 4a), the main two storey element located to the rear of the front portion at Upper Newtownards Road, while it is not an extension it does not exceed two storey in height (criterion 5A).</p>

9.21	The proposal is considered to be sympathetic and complementary to the area, with the modern contemporary element of the proposal being located on the edge of the ATC whilst taking its design from the surrounding properties to the Upper Newtownards Road portion of the building being of similar scale, form and finishes and respecting the area in which it is located and therefore, it is considered the proposal complies with policy UE3 of draft BMAP.
9.22	<p><u>Visual Impact</u></p> <p>In respect of visual impact of the proposed building, it is considered that the building can be integrated successfully in to the urban landscape in which it is proposed without detrimentally impacting, on the visual amenity of the area. Following the receipt of amendments it is considered to be of an acceptable scale, design and finish to ensure it will not detrimentally impact on the visual amenity of the area nor the Comber Greenway or the residential area in which it is located directly adjacent to the site.</p>
9.23	<p><u>Impact on neighbours</u></p> <p>Whilst it is acknowledged that the proposed community centre will impact on the adjacent residential dwelling at no.31 Upper Newtownards Road, in terms of overshadowing, this is not considered to be of an unacceptable level to result in a significant impact to residential amenity of the dwellings occupants. The nature and irregular shape of the site wrapping around the north western (side) and south eastern (rear) boundaries of no.31 Upper Newtownards Road, means it is inevitable that any form of development on this site will impact to a degree on the residential property at no.31 Upper Newtownards Road. However, the applicant has taken steps and has reduced the proposal to address Planning Service's concerns to ensure no unacceptable impact to no. 31 Upper Newtownards Road and without losing the overall proposed functionality of the new community centre development.</p>
9.24	In terms of overlooking the increased separation distances and layout of the proposed building ensures that no unacceptable overlooking shall result to the occupants of no.31 Upper Newtownards Road.
9.25	In respect of the adjacent Bloomfield Baptist Church and its associated Church Hall, the development will impact the church on one side, its eastern side, in the mornings however, it is considered that the proposal will not impact on the users of the Church to an unacceptable extent. On balance the two uses combined serve the local community and may benefit mutually from the uplift in the facilities provided by the new community centre.
9.26	No representations from nearby residential properties have been received at the time of writing of this report. The application has been re-neighbour notified and re-advertised. In the event of any late representations being received these will be dealt with as late items.
9.27	<p><u>Parking provision and access</u></p> <p>DFI Roads were consulted and requested the submission of an outline Travel Plan, including the role of a Travel Coordinator and a parking survey. This information was awaiting submission at the time of this report and on receipt will be forwarded to DFI Roads for re-consultation. The proposal is located on an arterial route with easy access to public transport including the Glider. It is assumed that the catchment for the community centre will be from the immediate area in which it is located or within close proximity to the site and therefore it is considered to be a sustainable location. Provision of secure covered cycle storage for 6no. bicycles, promoting the use of a sustainable mode of travel is also included.</p>
9.28	<p><u>Other environmental factors</u></p> <p>Rivers Agency were consulted and have no objection to the proposal. NIEA Land, Soil and Air and Drainage and Water have no objection subject to conditions. Environmental Health</p>

9.29	<p>and NIEA requested the submission of a Generic Quantitative Risk Assessment (GQRA). Environmental Health and NIEA were re-consulted and NIEA have responded with no objection subject to conditions. Environmental Health's response was outstanding at the time of writing this report.</p> <p><u>Recommendation</u> The proposal is considerable to be acceptable subject to conditions. The proposal will provide a new and improved community centre and crèche for the wider community benefit without unacceptable detrimentally impact to the residential amenity of its neighbours, the visual amenity of the area or the proposed Area of Townscape Character.</p>
9.31	<p>The proposal contributes to the implementation of the Belfast Agenda in respect of 'Living Here' and providing physical investment in this neighbour and social innovation in the community.</p>
9.34	<p>Having regard to the policy context and other material considerations above, the proposal is considered acceptable and planning permission is recommended. Delegated authority is sought for the final wording of conditions from the Director of Planning and Building Control.</p>
10.0	<p>Summary of Recommendation: Approval subject to final responses from consultees and conditions.</p>
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. Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011. 2. 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) and/or the Land Contamination: Risk Management (LCRM) guidance, as applicable. 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. This strategy should be completed by competent persons in accordance with the Model Procedures for the Management of Land Contamination (CLR11) and/or Land Contamination: Risk Management (LCRM) guidance, as applicable. Reason: Protection of environmental receptors to ensure the site is suitable for use. 3. After completing the remediation works under Condition 11; and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with the Planning Authority. This report should be completed by competent persons in accordance with the Model Procedures for the Management of Land Contamination (CLR11) and/or the Land Contamination: Risk Management (LCRM) guidance, as applicable. 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>4. Prior to the commencement of construction, the applicant shall submit to and have agreed in writing by the Planning Service, details of the secure covered bicycle storage.</p> <p>Reason: To protect residential amenity.</p>
<p>Notification to Department (if relevant)</p> <p>N/A</p>	
<p>Representations from Elected members:</p> <p>N/A</p>	

ANNEX	
Date Valid	29th October 2019
Date First Advertised	22nd November 2019
Date Last Advertised	7th February 2020
Details of Neighbour Notification (all addresses)	
2 Finvoy Street, Belfast, Down, BT5 5DH	
31 Upper Newtownards Road, Belfast, Down, BT4 3HT	
33 Upper Newtownards Road, Belfast, Down, BT4 3HT	
4 Finvoy Street, Belfast, Down, BT5 5DH	
60 – 68 Upper Newtownards Road, Belfast, Down, BT4 3EN	
Bloomfield Baptist Church, Upper Newtownards Road, Belfast, Down, BT4 3HT	
Flats 1-3, 66 Upper Newtownards Road, Belfast, Down, BT4 3EN	
Date of Last Neighbour Notification	3rd February 2020
Date of EIA Determination	N/A
ES Requested	No
Drawing Numbers and Title	
Drawing No's. 01 -02A-09A	

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