



## Belfast City Council

<b>Report to:</b>	Parks and Leisure Committee
<b>Subject:</b>	Drumglass Gate Lodge
<b>Date:</b>	13 January 2011
<b>Reporting Officer:</b>	Andrew Hassard, Director of Parks and Leisure
<b>Contact Officer:</b>	Stephen Walker, Principal Parks and Cemeteries Development Manager

<b>1</b>	<b>Relevant Background Information</b>
	<p>The Committee is asked to note that the former Belfast Corporation was gifted Drumglass Park by way of a Lease dated 8 September 1924. At that time the land contained the dwelling known as Drumglass Gate Lodge. The Lease also contained a covenant which restricted use of the site to “a public park or children’s playground”.</p> <p>In 1991 the Council sold the Gate Lodge to a private individual on a long Lease dated 21 November 1991. The 1991 lease restricts use of the Gate Lodge to residential purposes only but such use may be altered with the “prior written consent of the Council”, and “such consent would not to be unreasonably withheld”. The current owner of the Gate Lodge has applied for Planning Permission to change the use of the property to a ‘Boutique Retail Store’ and has also written to the Council seeking consent to such change of use. The Planning Application does not appear to involve any structural alterations to the property other than the creation of a new pedestrian access point in the boundary wall fronting the Lisburn Road.</p> <p>The Committee is asked to note that as Drumglass Park was gifted to the former Corporation the gift is subject to Charity Law and any change of use which falls outside the terms of the 1924 Lease would require the approval of Charities Branch (Department for Social Development).</p>

<b>2</b>	<b>Key Issues</b>
	<p>The key issue for the Committee is whether it wishes to withhold its consent.</p> <p>The current owner of the Gate Lodge has stated that while the property is</p>

	located on the edge of a Park, it fronts the Lisburn Road and is situated in what has become principally a commercial location. She states that commercial activity in an adjoining car park takes place on a twenty four hour basis thus making sleep difficult in the Gate Lodge and rendering residential occupancy uninviting. The owner currently rents commercial premises on the opposite side of the Lisburn Road and would intend to transfer her business to the Gate Lodge, providing the Council agree to her request.
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<b>3</b>	<b>Resource Implications</b>
	<p><u>Financial</u> There are no financial implications. The Estates Management Unit (Property and Projects Department) has made an assessment of value and are of the view that no additional value attaches to the grant of change of use.</p> <p><u>Human Resources</u> No additional human resources required.</p> <p><u>Asset and Other Implications</u> The 1991 Lease, under which the property was sold, does not provide the owner with any vehicular right of way through Drumglass Park to the house site. In view of this it would be officers' view that the proposed change of use would not have a detrimental impact on the adjoining Park. Any subsequent proposed structural alterations would be subject to a separate application for Council consent.</p>

<b>4</b>	<b>Equality and Good Relations Considerations</b>
	There are no equality or Good Relations issues associated with this matter.

<b>5</b>	<b>Recommendations</b>
	It is recommended that the Committee approve the proposed change of use of Drumglass Gate Lodge from residential to 'retail boutique' subject to the approval of Charities Branch (DSD) and thereafter the approval of the Strategic Policy and Resources Committee in accordance with Standing Orders 45 and 60.

<b>6</b>	<b>Decision Tracking</b>
	The Director of Parks and Leisure to liaise with Director of Property and Projects with a view to bringing a report to Strategic Policy and Resources Committee once the views of Charities Branch (DSD) have been obtained.

<b>7</b>	<b>Key to Abbreviations</b>
	DSD: Department for Social Development.

<b>8</b>	<b>Documents Attached</b>
	Appendix 1: Map showing the location of Drumglass Gate Lodge (shaded blue) and the extent of the immediately surrounding Council ownership/Drumglass Park, shaded yellow.

