

### Drumglass Gate Lodge

The Director reminded the Committee that, by way of a lease dated 8th September, 1924, the former Belfast Corporation had been gifted the Drumglass Park, which at that time had contained a dwelling known as the Drumglass Gate Lodge. The lease had incorporated a covenant which restricted the use of the site to "a public park or children's playground".

The Director reported that, during 1991, the Council had sold the Gate Lodge to a private individual under a long-term lease which restricted the use of the Gate Lodge for residential purposes only. However, the lease had stipulated such use could be altered with the "prior written consent of the Council" and that such "consent could not be unreasonably withheld". He pointed out that the current owner of the Gate Lodge had applied for planning permission to change the use of the property to a "boutique retail store" and had written also to the Council seeking consent to that change of use. The planning application did 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. In addition, as the Drumglass Park had been gifted to the former Corporation, it was subject to charity law and any change of use which fell outside the terms of the 1924 lease would require the approval of the Department for Social Development's Charities Branch.

The Director stated that the current owner of the Gate Lodge had stated that, whilst the property was located on the edge of the Park, it fronted onto the Lisburn Road and was situated in an area which had become a commercial location. The owner had indicated also that the commercial activity in an adjoining car park took place on a 24-hour basis and thus made sleep difficult therefore rendering residential occupancy uninviting. The owner rented commercial property currently on the opposite side of the Lisburn Road and would intend to transfer her business to the Gate Lodge.

Accordingly, he recommended that the Committee grant approval for the proposed change of use of the Drumglass Gate Lodge from a residential property to a "retail boutique", subject to the approval of the Charities Branch of the Department for Social Development.

The Committee adopted the recommendation.