

Planning Committee

Thursday, 30th July, 2015

MEETING OF PLANNING COMMITTEE

Members present: Councillor Garrett (Chairperson);
Aldermen McGimpsey and
L. Patterson; Councillors Armitage,
Campbell, Heading, Hutchinson,
Johnston, Magee, McAteer,
McDonough-Brown and Mullan.

In attendance: Mr. P. Williams, Director of Planning and Place;
Mr. C. McIlwaine, Area Planning Manager;
Miss N. Largey, Divisional Solicitor; and
Mr. B. Flynn, Democratic Services Officer.

Apologies

Apologies were reported on behalf of Alderman R. Patterson and Councillor Bunting.

Declaration of Interest

No declarations of interest were declared by Members.

Appeal Decisions Notified

The Committee noted the outcomes of a number of recent planning appeal cases.

IKEA – ‘Park and Ride’ Facility – Planning Appeal

The Committee was reminded that, at its meeting on 23rd April, it had noted the contents of a report which had provided an overview of an appeal which had been lodged by the operator of an unauthorised fee paying car park at the IKEA site, which was adjacent to the George Best Belfast City Airport. It was reported that the Planning Appeals Commission had, on 29th June, dismissed the appeal and the Committee was advised that the Council had subsequently written to both the operator and the landowner to advise them that, should they continue to operate the facility, an Enforcement Notice would be issued.

After discussion, during which the Committee noted the outcome of the appeal case, it was requested that the Council should seek to meet with the Board of the George Best Belfast City Airport to discuss the wider economic development issues which had been presented by the case.

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Planning Decisions Issued Under Delegated Authority

The Committee noted a list of decisions which had been issued between 10th June and 23rd July by the Director of Planning and Place and the Town Solicitor.

Items Withdrawn from Agenda

The Committee noted that the following items had been withdrawn from the agenda:

- Z/2014/0697/F: 263 - 268 Malone Road (demolition of two semi-detached houses to enable the construction on nine apartments in one block); and
- Z/2014/1769/F: 341 Ravenhill Road (demolition of existing building to enable the development of a two-storey club/community facility).

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

1. Z/2010/0767/F – 170 Upper Malone Road

The Committee considered an application for a 45-bedroom specialist nursing home at the site of a former equestrian centre at the above-mentioned location. The case officer reported that, having considered the scheme against existing planning policy, a recommendation to approve was proposed to the Committee.

The Committee received representations from Mr. P. Fleming, planning consultant, who outlined a range of issues on behalf of the objectors to the proposal. The Members were then addressed by Mr. M. Gordon, representing Turley Associates, who spoke in favour of the development.

Proposal

Moved by Councillor Heading,
Seconded by Councillor Mullan,

That the Committee agrees to defer consideration of the application to enable a site visit to be undertaken in order to assess road safety provision at the site.

On a vote by show of hands, five Members voted for the proposal and five against. The Chairman exercised his second and casting vote against the proposal and it was declared lost by six votes to five.

Accordingly, the Committee adopted the recommendation and granted approval to the application, subject to the imposing of the conditions as outlined within the case officer's report.

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2. Z/2015/0059/F - 76 Kensington Road

The Committee considered an application for a single-storey side extension, with alternations to the dwelling, to enable the relocation of vehicular access to a property.

The Committee granted approval.

3. Z/2013/1482/F – St Thomas’ Hall, 138a Upper Lisburn Road

The Committee considered an application for the demolition of St Thomas’s Hall, 138a Lisburn Road, to enable the erection of a four-storey apartment block which would contain 17 apartments.

A Member suggested that it might be appropriate for the Committee to undertake a site visit to satisfy itself that the proposal would not be out of character with the surrounding vicinity, nor represent an overdevelopment of the site.

Moved by Councillor Johnston,
Seconded by Councillor Heading and

Resolved - That the Committee agrees to defer consideration of the application to enable a site visit to be undertaken.

It was noted that the site visit would take place on Wednesday, 5th August, at 5:00 p.m.

4. LA04/2015/0135/F - 139 Shore Road

The case officer outlined the principal aspects of the above-mentioned proposal, which sought retrospective approval for the change of use from a retail unit to a hot food outlet.

The Committee granted approval, subject to the imposing of conditions as outlined within the case officer’s report.

5. Z/2015/0060/F – 273 Grosvenor Road

The Committee considered the above-mentioned application for the change of use from a retail unit to a hot food outlet.

The Committee granted approval, subject to the imposing of conditions as outlined within the case officer’s report.

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6. Z/2015/0099/F – 20a - 22 Old Cavehill Road

The Committee was informed that the application for the erection of seven dwellings had been deferred by the former Town Planning Committee in March 2015, when an opinion to refuse had been recommended. Following a subsequent office meeting, the applicant had reduced the scale of the scheme from nine to seven dwellings and, accordingly, a recommendation to approve was proposed to the Committee.

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

7. Z/2014/0739/F – 453-459 Antrim Road

The Committee considered an application for the renewal of an planning permission, that is, 'Z/2008/0336/F', for the demolition of existing buildings to enable the erection of 29 apartments with associated car parking and landscaping.

The Committee granted approval for the renewal of the planning permission as outlined.

8. Z/2015/0122/O – 10 Carncoole Park

The Committee was informed that the application sought outline approval for eight dwellings and two apartments, with associated car parking. The case officer reported that, having regard to the development plan, relevant planning policies and other material considerations, it was deemed that the development would result in demonstrable harm to the character of the area and its residential amenity; it was therefore recommended that the application be refused.

The Committee refused the application for the reasons set out in the case officer's report.

9. LA04/2015/0194/F – Cathedral Gardens/Buoys Park – erection of bronze sculpture

The Committee considered an application for the erection of a three-metre high bronze sculpture, which would include a granite plinth, on a paved area within the Cathedral Garden (Buoys Park).

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

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10. Z/2011/0380/F – Chancery House, 88 Victoria Street

The Committee was informed that the application sought full planning permission for the demolition of an existing building to enable the construction of a six-storey building to include retail outlets at ground floor level.

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

11. Z/2013/0603/F – Maguire's Garage, 534-538 Falls Road

The Members were advised that the application sought full planning permission for the refurbishment of an existing petrol station, which would include a reconfigured forecourt, a new canopy, and the erection of a retail unit with associated site and access works.

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

12. Z/2014/1162/F – 30c Sydney Street West

The Committee considered an application for the demolition of an existing factory to enable the construction of 15 townhouses in four blocks.

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

13. Z/2014/1373/F – Warehouse/Office at Kennedy Way Industrial Estate

The case officer outlined the scope of the application which sought permission for the construction of a warehouse building with ancillary office space.

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

14. Z/2015/0079/RM – 3G Pitch/MUGA at Girdwood Site (Clifton Park Avenue)

The Committee considered an application for a multi-use synthetic sports pitch, which would include eight floodlighting columns and perimeter fencing.

The Committee granted approval, subject to the imposing of any additional conditions which the Director of Planning and Place might deem necessary in considering a consultation response from the Northern Ireland Environment Agency.

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15. Z/2014/0600/F – Mill Valley Road/Ligoniel Road

The Committee was informed that the application sought full permission for the erection of seven apartments (a change of house type from that previously approved under planning ref: Z/2007/1648/F), together with associated car parking and site works.

The case officer reported that the application had been presented previously to the former Town Planning Committee in March with a recommendation to refuse. However, a range of amendments and further information was received by the Council which had satisfactorily addressed design issues and, therefore, the recommendation had been changed to an approval.

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

16. Z/2014/1554/F – 253-257 Ligoniel Road

The Committee considered an application for the development of six one-bedroom apartments. The case officer indicated that the proposal had complied with all of the relevant planning policies and that no objections had been received.

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

**Consideration of Planning Applications from
the Department of the Environment – ('Legacy Applications')**

The Committee considered the following report:

“1.0 Purpose of Report

1.1 To seek approval for the determination of planning applications transferred from DOE, to be delegated to the Director of Planning & Place, in consultation with the Town Solicitor and Chair and Vice Chair of the Committee.

2.0 Recommendation

2.1 To authorise the Director of Planning & Place, in consultation with the Town Solicitor and Chair & Vice Chair of the Planning Committee, to determine 'legacy' applications under delegated authority. This is subject to a list of the applications being circulated to members of the Planning Committee for consideration and who, within 14 days of the list being circulated, can request an application on the list be referred to Committee for decision.

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3.0 Key Issues

- 3.1** The Council inherited a substantial 'legacy' of planning applications when planning functions were transferred on 1 April 2015. Approximately 780 live cases were inherited from DOE, including applications in Belfast, parts of Lisburn, Castlereagh and North Down.
- 3.2** Current live caseload is 918 of which 450 pre-date 1 April. Of the 450 'legacy' cases, it is estimated that 185 would be categorised as non-delegated under the current delegation scheme. A further 148 non-delegated applications have been received since 1 April and will have to be brought for Committee consideration.
- 3.3** Not all of the 185 non-delegated cases can be delegated to officials. In law, the Planning Committee must deal with major applications; those made by the Council or its elected members; and those on land in which Council has an estate.
- 3.4** As members are aware, the Committee is currently dealing with approximately 20 applications per meeting, most meetings have lasted in excess of three hours to date.
- 3.5** If Committee was to deal with the non-delegated 'legacy' applications that would have ramifications for new applications as the 'legacy' applications would have to be cleared before the Committee could determine more recent applications.
- 3.6** Members are reminded that if a decision is not made within 8 weeks of a non-major application being lodged (or 16 weeks in the case of a major application), an applicant can appeal that 'non-decision' to the Planning Appeals Commission ('the PAC'). If the PAC finds in favour of the application it has the power to make an order for costs against the Council.
- 3.7** Given the existing workload for Committee, the possible implications of not determining applications in a timely fashion, and to assist Council to meet key performance indicators, authority is sought to delegate the power to determine 'legacy' applications to officers, in conjunction with the Town Solicitor and the Chair and Vice Chair.
- 3.8** If the authority is granted, a list of 'legacy' applications will be circulated to members of the Planning Committee who can request that an application be brought to Committee.

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- 3.9 In addition, the Director of Planning & Place, Town Solicitor, Chair or Vice Chair can refer any application on the list to the Committee where they judge it raises issues which should be considered by it.**

After discussion, the Committee agreed that the list of 'legacy' applications be circulated to all Members of the Council by Tuesday, 11th August.

It was agreed further that Members could request that only applications within their District Electoral Areas could be brought to the Committee should sufficient planning or material considerations be demonstrated to the Director of Planning and Place and the Town Solicitor, in consultation with the Chairperson and Deputy Chairperson.

Chairperson