

Planning Committee

Tuesday, 15th December, 2015

MEETING OF PLANNING COMMITTEE

- Members present: Councillor Garrett (Chairperson);
Aldermen L. Patterson and Stalford;
Councillors Armitage, Bunting, Campbell,
Heading, Hutchinson, Johnston, Magee,
McAteer, McDonough-Brown and Mullan.
- In attendance: Mr. P. Williams, Director of Planning and Place;
Mr. J. Walsh, Town Solicitor;
Mr. C. McIlwaine, Area Planning Manager;
Miss N. Largey, Divisional Solicitor; and
Mr. B. Flynn, Democratic Services Officer.

Apology

An apology was reported on behalf of Alderman McGimpsey.

Minutes

The minutes of the meeting of 17th and 19th November were taken as read and signed as correct. It was reported that those minutes had been adopted by the Council at its meeting on 1st December, subject to the omission of those matters in respect of which the Council had delegated its powers to the Committee.

Declarations of Interest

The Chairperson (Councillor Garrett) declared an interest in application Z/2013/1434/F – former Visteon Site at Finaghy Road North/Blacks Road, in that he had been contacted by constituents regarding the proposal. However, he pointed out that he had clarified this matter with the Town Solicitor and pointed out that any interest was non-pecuniary and that he remained ‘without bias’ in respect of the application.

Councillor Heading declared interests in two applications, in that he had been contacted by constituents regarding the proposals. However, he pointed out that his interests were non-pecuniary and he remained ‘without bias’ in respect of the following:

- Z/2013/1434/F – former Visteon Site at Finaghy Road North/Blacks Road; and
- Z/2012/1417/F - Blackmountain Landfill at Upper Springfield Road.

Councillor McAteer declared an interest in application Z/2012/1417/F - Blackmountain Landfill at Upper Springfield Road, in that her employers, that is, the West Belfast Partnership Board, had made representations to the Department of the Environment in respect of the proposal. It was noted, however, that the views of her employers did not impinge upon Councillor McAteer’s ability to consider the proposal objectively in her capacity as a Member of the Committee.

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Councillor Mullan indicated that she had deferred item Z/2011/0726/0 – one to eight Springfield Heights and north of Moyard Crescent when it had been presented to the Council's former Town Planning Committee.

Noted.

Committee Meeting Dates - 2016

The Committee agreed to meet at 5:00 pm on the following dates during 2016:

- Tuesday, 19th and Thursday, 21st January (if required)
- Tuesday, 16th and Thursday 18th February (if required)
- Tuesday, 15th and Monday 21st March (if required)
- Tuesday, 19th and Thursday 21st April (if required)
- Tuesday, 17th and Thursday 19th May (if required)
- Tuesday, 14th and Thursday 16th June (if required)
- Council recess (if necessary, a meeting will be scheduled)
- Tuesday, 16th and Thursday 18th August (if required)
- Tuesday, 20th and Thursday 22nd September (if required)
- Tuesday, 18th and Thursday 20th October (if required)
- Tuesday, 15th and Thursday 17th November (if required)
- Tuesday, 13th and Thursday 15th December (if required)

Regionally Significant Application – Wastebeater, Kennedy Way

The Committee noted that correspondence had been received from the Department of the Environment indicating that an application which had been submitted by 'Wastebeater' for the demolition of an existing office block to enable the erection of a building for use as a waste treatment and transfer facility at Kennedy Way had been withdrawn by the applicant.

Routine Correspondence

The Committee noted the receipt of correspondence from the Housing Executive which related to the extinguishment of a Public Right of Way at Benmore Drive, Finaghy.

Appeal Decisions Notified

The Committee noted the outcomes of a three planning appeals, which related to applications at 44 Ulsterville Avenue, lands adjacent to 392 and 394 Belmont Avenue and at 11 William Street South.

Planning Decisions Issued Under Delegated Authority

The Committee noted a list of decisions which had been taken under delegated authority by the Director of Planning and Place and the Town Solicitor between 10th November and 7th December.

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Application Z/2010/0245/F – Apartments at 55-71 Ormeau Road

The Committee was reminded that, at its meeting on 15th September, it had granted approval to an application for 83 apartments at 55 to 71 Ormeau Road. At that meeting, the Town Solicitor had pointed out that the Northern Ireland Environment Agency (NIEA) had raised objections to the proposal and, should the Committee approve the application, it would be necessary, under the provisions of The Planning (Notification of Applications) Directions 2015, to advise the Department of the Environment [DoE] of that decision.

Accordingly, the DoE had been advised of the Committee's decision and, subsequently, correspondence had been received which had indicated that it had not deemed it necessary that the decision be referred to it.

Noted.

Committee Site Visits

Pursuant to its decisions at the meeting of 17th November, it was noted that the Committee had undertaken site visits on Saturday, 21st November in respect of the following applications:

- Z/2011/0726/O – 1-8 Springfield Heights and north of Moyard Crescent;
- Z/2012/1417/F – Blackmountain Landfill at Upper Springfield Road; and
- Z/2013/1434/F – the former Visteon Site at Finaghy Road North/Blacks Road.

Application Withdrawn

The Committee noted that item Z/2014/1223/F, which referred to application at the Macrory Memorial Presbyterian Church at Duncairn Gardens/Hillman Street had been withdrawn from the planning process.

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

Request for Pre-Determination Hearing – Visteon Application

The Committee was reminded that, at its meeting on 17th November, it had deferred consideration of an application for a comprehensive mixed-use development, which would comprise 244 social and private/affordable residential units, with public open space/linear park at the site of the former Visteon factory off Black's Road. That decision had been taken to enable the Council to assess the implications of the Department of the Environment's Planning Advice Note 'Implementation of Planning Policy for the Retention of Zoned Land and Economic Development Uses', and to enable the Committee to undertake a site visit to acquaint itself with the location and the proposal at first hand.

The Committee was informed that, since its meeting on 17th November, a request had been submitted by the Campaign for the Economic Regeneration of the

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Former Visteon Site [the objector] to hold a pre-determination hearing in respect of the above-mentioned application.

The Town Solicitor indicated that the Committee could opt to hold a pre-determination hearing and, in that regard, he outlined the legislative context, which was set out within Section 30 of the Planning Act (Northern Ireland) 2011. He added that the objector had requested also, should the Committee accede to the request, that a pre-notification period of 14 days be afforded to all participants to enable them to prepare adequately for the hearing.

The Town Solicitor advised the Committee that, should it agree to hold a pre-determination hearing, it was entitled to establish measures which it deemed appropriate to manage its proceedings. Those procedures could relate to the number of speakers and to the duration of representations.

Accordingly, he suggested that there were three options which the Committee might consider, viz.,

- to consider the planning application that evening without holding a pre-determination hearing;
- to hold a pre-determination hearing and to accede to the 14 day notification period; and
- to hold a pre-determination hearing that evening and to defer consideration of the application to Thursday, 17th December at 4:30 p.m.

After discussion, the Committee agreed to hold a pre-determination hearing that evening and to defer formal consideration of the application to Thursday, 17th December at 4:30 p.m. It agreed further that the pre-determination hearing would take place in the following order:

1. to receive an overview of the application from planning officials;
2. to receive representations from the objector and the applicant, limiting each to ten minutes speaking time; and
3. to receive representations from Elected Members limiting each to two minutes speaking time.

Adjournment

The Committee adjourned at 5.25 pm to host the pre-determination hearing and re-convened at 6:05 pm.

Z/2012/1417/F Blackmountain Landfill Site at 117 Upper Springfield Road

(Councillor Bunting, who had not been in attendance at the meeting on 17th November, when the item had been deferred, took no part in the discussion or decision-making process in respect of this application.)

The Committee was reminded that, at its meeting on 17th November, it had deferred consideration of an application for the change of use of aggregate storage

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buildings to a waste transfer station, incorporating a facility for the importation, storage and treatment of hazardous waste, at Blackmountain Landfill site, 117 Upper Springfield Road, Hannahstown. That decision had been taken to enable the Committee to undertake a site visit in order to acquaint Members with the site and to assess the proximity of housing within the location.

The Committee received a deputation consisting of Mr. J. McClean and Mr. G. Daye, on behalf of the Mount Eagles Drive Action Group, who outlined a range of objections to the proposal. They referred particularly to the health implications which could arise as a result of asbestos being stored and treated at the site. They expressed concern also that the tourism potential of the Black and Divis Mountains could be impacted upon should the development be permitted.

Proposal

After discussion, it was

Moved by Councillor Campbell,
Seconded by Councillor McAteer,

That the opinion to approve the application be rejected and, accordingly, the Committee refuses the application on the grounds that the proposal, if permitted, would contravene Planning Policy Statement 16, specifically TSM 8 (relating to tourism development), which states, amongst other things, that *'planning permission will not be granted to a development that would, in itself, or in combination with existing and approved development in the locality, have an adverse impact on a tourism asset'*, that being, the Black and Divis Mountains.

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

Z/2011/0726/0 – 1-8 Springfield Heights and north of Moyard Crescent

(Councillor Mullan left the Committee table at this point.)

The Committee re-considered an application, which included an addendum report, which sought outline permission for a residential development, which would include access and ancillary site works on lands northwest of one to eight Springfield Heights and north of Moyard Crescent. The Chairperson reminded the Committee that, at its meeting on 17th November, it had deferred consideration of the matter to enable the Council to assess the implications of the Department of the Environment's Planning Advice Note 'Implementation of Planning Policy for the Retention of Zoned Land and Economic Development Uses', and to enable the Committee to undertake a site visit, which had taken place on 21st November.

The Planning Officer, in response to a Member's question, clarified that the application which was before the Committee was seeking outline permission only. He added that any future application received for the site would be assessed as a

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'reserved matter' and would be required to be in accordance with the outline approval, which would include any conditions attached.

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

(Councillor Mullan returned to the Committee table at this point.)

Z/2013/0557/A – hoarding and shrouding on scaffolding at Carlton House, 1-6 Shaftesbury Square

The Committee considered an application which sought retrospective consent to display a hoarding and shrouding on scaffolding located at Carlton House, 1-6 Shaftesbury Square.

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

Z/2014/1665/F – mixed-use development at Peter Pan Complex, 90-120 Springfield Road

The Planning Case Officer outlined the principal aspects of an application which sought permission for the demolition of existing buildings to enable the erection of two commercial units, which would include the re-instatement of an existing bookmakers and one retail unit, together with 90 affordable housing units, with associated parking, landscaping site and access works, at the Peter Pan Complex, 90-120 Springfield Road.

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

LA04/2015/0675/F – change of use/extension at 75-81 Victoria Street

The Committee considered an application which sought permission for the change of use and extension to an existing office building to provide for hotel accommodation with associated bar and restaurant at 75 to 81 Victoria Street.

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

Z/2015/00148/F – replacement stand and ancillary works at Crusaders FC, Shore Road (amended plans)

The Planning Case Officer outlined the principal aspects of an application which sought permission for the demolition of the existing stand at the St. Vincent's Street side of Seaview Football Stadium, the home of Crusaders FC. It was pointed out that the development would provide for a replacement stand (1246 seats), include parking provision, changing rooms and associated rooms and offices on the upper floors with a new vehicle entrance from the Shore Road.

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

Z/2014/0978/F – pitch and changing facilities/accommodation at St Mary's Christian Brothers' Grammar School

The Committee considered an application for a single-storey structure containing a synthetic surface sports training pitch with changing facilities and ancillary accommodation at St. Mary's Christian Brothers' Grammar School, located at 147a Glen Road.

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

LA04/2015/0190/F – development adjacent to Commissioning Quay, Musgrave Channel, Harbour Estate

The Committee received an overview of an application which sought permission for the construction of a containment bund, using quarry rubble and rock armour, for the disposal and storage of marine contaminated silt which was deemed unsuitable for disposal at sea on a site located adjacent to the Commissioning Quay, Musgrave Channel, Belfast Harbour Estate.

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

Z/2014/1536/F – two storey extension to the rear of St. Malachy's College, Antrim Road

The Committee was apprised of the principle aspects of an application which sought permission for a two-storey extension to an existing classroom block to the rear of St. Malachy's College, 36 Antrim Road.

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

Z/2013/0169/F – demolition/construction of bar, betting office, ATM and 16 apartments at 469-487 Crumlin Road

In considering the above-mentioned application, a number of Members suggested that it would be prudent to undertake a site visit to enable the Committee to assess the location of the proposed apartments in relation to an adjacent public house.

Moved by Councillor Hutchinson,
Seconded by Councillor Bunting and

Resolved – that the Committee agrees to defer consideration of the above-mentioned application to enable the Committee to undertake a site visit to acquaint itself with the location and the proposal at first hand.

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Z/2013/1402/F – demolition/construction of bar, betting office, ATM and 26 apartments at Antrim Road/Halliday's Road

The Planning Officer outlined the principal aspects of an application for the demolition of existing public house, betting office and snooker hall, to enable the construction of a new betting office, public house, installation of a bank machine and 26 apartments on land at 151-167 Antrim Road and at 12 Halliday's Road.

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

LA04/2015/0222/F – Grove Playing Fields at Skegoneill Avenue

The Committee considered an application which sought permission to amalgamate a vacant site within the Grove Playing Fields, 195 Skegoneill Avenue, to create an extended park area at Grove Playing Fields Belfast

It was noted that the application, in accordance with the Scheme of Delegation, had been presented to the Committee since the Council was the applicant.

The Committee granted approval, subject to the imposing of the conditions set out within the report.

LA04/2015/0290/F – change of use re: off sales to takeaway/cafe at 26 Beechfield Street

The Committee was apprised of the principal aspects of an application for the change of use from a licensed off sales to a hot food take away and cafe at 26 Beechfield Street.

The Planning Officer indicated that the proposal would, if permitted, be contrary to the Strategic Planning Policy Statement for Northern Ireland (SPPS) and Development Control Advice Note 4, in that it would cause demonstrable harm to the adjoining residential properties since it would affect the amenity of residents by reason of noise, vibrations, odours, litter and the potential for disturbance and antisocial behaviour. Accordingly, the Committee was recommended to refuse the application for the reasons outlined.

The Committee refused the application for the reasons outlined within the case officer's report.

LA04/2015/0185/F – new offices and accommodation for Northern Ireland Fire and Rescue Service at Boucher Crescent

The Committee considered an application for the development of new offices, workshop, stores and accommodation for the Northern Ireland Fire and Rescue Service at its Training Centre, 79 Boucher Crescent.

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

LA04/2015/0780/F – two storey side and rear extension at 4 William Alexander Park

The Committee considered an application for a two-storey side and rear extension, which would include the demolition of an existing garage, to enable the erection of a single-storey side extension and the replacement of a single storey flat roof with a hip pitched roof at 4 William Alexander Park.

It was noted that the application, in accordance with the Scheme of Delegation, had been presented to the Committee since the applicant was a member of Council staff.

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

Adjournment

The Committee adjourned at this point and agreed to re-convene at 4:30 pm on Thursday, 17th December to consider the following items:

1. Purpose-Built Managed Student Accommodation - Best Practice Guide; and
2. Z/2013/1434/F – the former Visteon Site at Finaghy Road Road/Blacks Road.

Chairperson