

Planning Committee

Tuesday, 13th November, 2018

MEETING OF PLANNING COMMITTEE

Members present: Councillor Garrett (Chairperson);
Alderman McGimpsey;
Councillors Carson, Dorrian, Hussey,
Hutchinson, Johnston, Lyons, Magee,
McAteer and Mullan.

In attendance: Ms. N. Largey, Divisional Solicitor;
Mr. E. Baker, Development Engagement Manager;
Mr. S. McCrory, Democratic Services Manager; and
Mrs. L. McLornan, Democratic Services Officer.

Also attended: Councillor Heading.

Apologies

Apologies for inability to attend were reported on behalf of Councillor Nicholl.

Minutes

The minutes of the meetings of 16th and 26th October 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 November, subject to the omission of those matters in respect of which the Council had delegated its powers to the Committee.

Declarations of Interest

No declarations of interest were reported.

Schedule of Meetings 2019

The Committee agreed to the Schedule of Meetings for January – April 2019, and agreed that Planning Committee meetings would take place on:

- Tuesday, 15th January;
- Thursday, 17th January (if required);
- Tuesday, 19th February;
- Thursday, 21st February (if required);
- Tuesday, 12th March;
- Thursday, 14th March (if required);
- Tuesday, 9th April; and
- Thursday, 11th April (if required).

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Abandonments/Extinguishments of Public Rights of Way

The Committee noted the receipt of correspondence from the Department for Infrastructure which related to the proposal to abandon the lands at:

- Ballysillan Park/Crumlin Road Junction.

The Committee noted the receipt of correspondence from the Northern Ireland Housing Executive which related to:

- the extinguishment of a Public Right of Way at the length of the layby along with grass verge, located to the rear of the layby, extending between the properties numbered 97 and 107 Gilnahirk Road, Belfast;
- the extinguishment of a Public Right of Way at Mountcollyer Gainsborough; and
- the NIHE having submitted a Vesting Order relating to land at the former Hannahstown Hill/Glen Road and which land is situated in the Parish of Shankill and Barony of Belfast Upper and the Townland of Englishtown in the City and County Borough of Antrim.

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 10th October and 5th November, 2018.

Matters referred back from Council/Motions

Motion – Social Housing

(Councillor Heading attended in connection with this item)

The Committee was reminded that the Council, at its meeting on 1st November, had considered the following motion which had been proposed by Councillor Heading, and seconded by Councillor Lyons:

“This Council congratulates the children and families of the Build Homes Now and Homes Now campaign on the production of their film ‘Waiting on a Childhood’, which documents their experiences and campaign to tackle homelessness.

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The Council recognises that we are in the midst of a housing and homelessness crisis.

The Council recognises the impact of homelessness on the children of Belfast. Recent figures from the Housing Executive show that there are at least 20,950 children on the housing waiting list in total. At least 13,636 of these children are said to be in 'housing stress' and at least 11,372 are full duty housing applicants. On three separate occasions in the last 10 years, the United Nations has intervened, urging the Westminster Government and the devolved Stormont Executive to intensify their efforts to address and overcome persistent religious inequalities in social housing.

The Council calls upon the Department for Communities and the Northern Ireland Housing Executive to work with the Council to use all available powers, including powers of vesting, zoning and planning, to ensure that housing provision meets current and projected needs in the city of Belfast."

In accordance with Standing Order 13(f), the motion was referred, without discussion, to the Planning Committee.

Councillor Heading suggested that the Committee should investigate the potential of having a dedicated post within the Planning and Building Control to lead on social housing applications. He also requested that the Roads Service be invited to take part in the Pre- Application Discussion process when dealing with social housing applications.

Moved by Councillor Magee,
Seconded by Councillor Carson and

Resolved - that an additional line be added to the motion as follows:

"The Council further calls on the Department for Communities and the Northern Ireland Housing Executive to reinstate the ring-fencing of social housing provision in areas which have acute housing stress, a targeted protection of housing delivery to areas with the highest demand."

After discussion, the Committee:

1. endorsed the motion, as amended;
2. agreed to hold a round table discussion with the Build Homes Now and Homes Now campaign group to discuss the issues and requirements relating to social housing across the City, and to hold a screening of the film "Waiting on a Childhood", with all Members invited to attend; and
3. agreed that a report would be submitted to a future meeting, providing an update on the work which the Council has undertaken on these issues to date, and to investigate the potential of creating a dedicated social housing post within the Planning and Building Control section.

Miscellaneous Item

Public Realm Catalyst Project Pilot

(Ms. A. McGlone, Regeneration Project Officer, attended in connection with this item)

The Regeneration Project Officer outlined to the Committee that, under Section 76 of the Planning Act (Northern Ireland) 2011, the Council had secured approximately £3 million in developer contributions which were to be used towards enhancing public realm in the city centre.

She outlined to the Members that a governance model for overseeing the spending of the contributions was currently under development but that, in the absence of such arrangements, a catalyst pilot project had been identified in the vicinity of College Avenue, College Street and College Court. She explained that the project had been drawn up in partnership with the Department for Communities (DfC).

The Committee was reminded that Student Roost at Swanston House (LA04/2015/1252/F) and No. 78 College Avenue (LA04/2015/0419/F) had both been subject to Section 76 planning agreements which, together, had secured £475,650.

The Members were advised that the DfC had indicated that it would support the project, in partnership with the Council, and provide the gap in funding subject to approval of its departmental budget.

In response to a Member's question, the Regeneration Project Officer confirmed to the Committee that, with the exception of a short stretch of pavement adjacent to 78 College Avenue, the pilot area was not included in the Department's current Streets Ahead programme.

She clarified to the Members that the Council would only release the developer contribution funding once the DfC had committed to the project, and that the necessary permissions and consents were in place.

The Committee noted the information which had been provided and noted that a report would be submitted to the Strategic Policy and Resources Committee seeking its approval for the use of the developer contribution funds for the proposed project.

The Committee further noted that:

1. there might be an opportunity to bring forward a programme of further small, public realm 'Catalyst Projects' in conjunction with DfC, further details of which would be submitted to a future meeting; and
2. a governance model for overseeing the spending of developer contributions was currently under development and would be submitted to a future meeting.

Withdrawn Item

The Committee noted that item LA04/2016/2359/F – Demolition of existing buildings and erection of 7 storey office building with retail unit on ground floor at 46-52 Upper Queens Street and 11a Wellington Street had been withdrawn from the agenda.

(Councillor Dorrian left the meeting at this point.)

Planning Applications

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

LA04/2018/0040/F - Demolition, refurbishment, creation of new floorspace and change of use from King's Hall venue to primary health care centre and associated works including boundary treatments on the Kings Hall And RUAS Site, South Of Upper Lisburn Road/Balmoral Avenue West Of Harberton Park And North-east Of Balmoral Golf Club;

LA04/2018/0047/DCA - Demolition of 29 Balmoral Avenue; and

LA04/2018/0048/LBC - Conversion of, alterations to and side extension to King's Hall to accommodate Primary Health Care Centre, demolition of existing extensions to King's Hall and relocation and restoration of existing railings and pillars to the front of King's Hall.

The Committee agreed to consider the aforementioned applications together.

Before presentation of the applications commenced, the Committee agreed to defer consideration of the applications to enable a site visit to be undertaken to allow the Committee to acquaint itself with the location and the proposals at first hand.

The Committee agreed to receive a briefing on the development, on a date to be agreed with the Chairperson, before the next scheduled meeting.

The Committee noted that, as the application had not yet been presented, all Members' present at the next meeting would be able to take part in the debate and vote on the items.

LA04/2016/1915/F Renewal of planning permission Z/2007/2120/F – refurbishment and construction works to an existing listed building to form 18 2-bedroom apartments, retail and commercial office spaces at 2/14 Little Donegall Street.

The case officer provided the Committee with an overview of the report.

He advised the Committee that there was an error in one section of the case officer's report relating to the location of the site and he confirmed that the site was bounded by Library Street and Little Donegall Street to the sides and Union Street to the rear.

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The Committee was advised that the application sought renewal of a previously approved scheme from 2011.

He explained to the Members that the main issues which had been considered were:

- the principle of the use in this location;
- impact on the listed building;
- impact on the character of the area;
- impact on residential amenity; and
- traffic and parking; and
- drainage/flooding.

He outlined to the Members that Policy FLD3 of PPS15 required the application to be accompanied by a drainage assessment and that the Committee was requested to delegate authority to resolve this outstanding issue with the Rivers Agency.

The Committee was advised that no consultees had lodged objections to the application, with one representation having been received raising concerns including loss of historic fabric/buildings and insufficient consideration of PPS6 in the design and access statement.

He outlined that there had been no change in policy considerations in relation to Listed Buildings and that the requirements of PPS6, BH7 and BH8 were deemed to be met.

During discussion, Members raised concerns in relation to the size of the proposed amenity space, by way of an internal atrium, and the size of the apartments.

In response, the case officer reminded the Committee that, while space standards for accommodation did not apply to city centre applications, the size of the apartments did, in fact, exceed space guidelines for two bedroom/four person apartments.

A number of Members expressed concerns regarding restricted daylight in the six apartments which would be located centrally in the building, and which would have no direct outlook to the public street.

In response to a Member's question, the case officer confirmed that no technical tests had been carried out to determine the amount of light which would be available to the six central apartments.

He explained that, while the amenity space was small, the arrangements had been considered acceptable under the previous application, and, as there had not been a change in policy in relation to those aspects, that, on balance, the history outweighed the concerns stated.

A Member stated that they would have liked to have seen the original Listing description as had been made available to the Special Committee for the Listed Building Consent application for Bank Buildings.

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The case officer advised that, on balance, the application had been considered acceptable.

The Development Engagement Manager sought to clarify that the Committee's concerns about the proposal related to the substandard level of amenity that would be afforded to the central apartments due to poor outlook and lack of day light, and the substandard level of private amenity space. He also advised the Committee that, as the drainage issues had not been resolved to date, that would be a further potential ground for refusal.

The recommendation to approve the application was then put to the Committee when two Members voted in favour and eight against and it was declared lost.

Proposal

Moved by Councillor Johnston,
Seconded by Councillor Carson and

Resolved – that the Committee agrees to defer consideration of the application to enable potential reasons for refusal to be outlined for consideration in an amended report at the next meeting.

LA04/2018/2281/F - Alteration to existing building comprising removal of existing cladding panels to be replaced by weather protection, The Gas Works, 24 Cromac Place

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

The Committee was apprised of the principal aspects of the application, where the case officer explained that the application related to the removal of existing cladding panels and the erection of weather protection in the form of steel framing system, insulation and Siniat Board.

He explained that the proposal related to Phase 1 of a two-part operation, which was to remove existing cladding and to temporarily re-clad the building. He outlined that the proposed re-cladding of the building was for fire safety reasons, in response to the Grenfell fire.

The Committee was advised that no objections had been received and that the application was considered acceptable on a temporary basis.

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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LA04/2018/2201/F - Relocation of 3 shipping buoys from Cathedral Gardens to Titanic Quarter to form part of the envisaged 'Maritime Mile' on the green space lying immediately to the West of the Premier Inn, Titanic Quarter

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 case officer explained to the Committee that the application related to the relocation of 3 historical shipping buoys from Cathedral Gardens to the green space adjacent to the Arc building in the Titanic Quarter, in order to form part of the 'Maritime Mile'.

The Committee noted, as set out in the Late Items Report Pack, that there had been a minor adjustment to the layout of the buoys due to nearby electric cabling. The case officer explained that the neighbours needed to be notified about this minor change.

The Committee agreed to delegate authority to the Director of Planning and Building Control to issue approval to the application, subject to the imposing of the conditions and to the re-notification of neighbours about the amended layout of the buoys.

Chairperson