

Planning Committee

Thursday, 14th November, 2019

SPECIAL MEETING OF PLANNING COMMITTEE

- Members present: Councillor Brooks (Deputy Chairperson);
Alderman McCoubrey; and
Councillors Collins, Garrett,
Groogan and Hussey.
- Also attended: Councillor Corr (did not participate in the vote).
- In attendance: Mr. A. Thatcher, Director of Planning
and Building Control;
Ms. N. Largey, Divisional Solicitor;
Mr. E. Baker, Planning Manager (Development
Management); and
Mrs. L. McLornan, Democratic Services Officer.

(Councillor Brooks, Deputy Chairperson, in the Chair)

Apologies

Apologies for inability to attend were received from Councillors Carson, Canavan, Murphy, McMullan, McKeown and O'Hara.

Declarations of Interest

Alderman McCoubrey advised the Committee that, in relation to item 2, namely LA04/2019/0683/F - Demolition of existing industrial warehouse buildings and erection of warehouse distribution facility on Lands at Kings Works, Channel Commercial Park, Queens Road Titanic Quarter, he was on the Belfast Harbour Commissioners Board but that he had sought legal advice and it had been confirmed that there was no conflict of interest in relation to the application.

(Reconsidered item) LA04/2019/0683/F - Demolition of existing industrial warehouse buildings and erection of warehouse distribution facility, associated ancillary office, van storage, yards, car parking and accesses on Lands at Kings Works, Channel Commercial Park, Queens Road Titanic Quarter

The Divisional Solicitor advised the Committee that, as there was not a quorum of Members present who had also been in attendance for the initial presentation of the application at the meeting on 12th November, the Committee could either suspend paragraph 21 of the Committee's Operating Protocol, namely, that "Members must be present for the entire item, including the officer's introduction and update; otherwise they cannot take part in the debate or vote on that item" or, given that all speakers were

**Special Planning Committee,
Thursday, 14th November, 2019**

present, that the Case officer could present the application to the Committee in its totality, in order that a determination could be made.

The Committee agreed that the Case officer should present the entire application again in order that a decision could be made on the application.

The Case officer provided the Committee with the key aspects of the application at Kings Works.

He outlined the key issues which had been considered in the assessment of the proposed development, including the acceptability of a storage and distribution facility on the site, scale, massing and design, the impact on built and archaeological heritage, contaminated land, flooding and traffic and parking.

He advised the Committee that the site was located within an established industrial area within the wider Titanic Quarter, which formed part of the mixed use Titanic Quarter zoning. He explained that the proposed storage and distribution use was appropriate to the area. He highlighted to the Members that the main distribution building was smaller than the existing industrial building on the site by approximately 3,000m² and was 1metre lower in height and would therefore have no greater impact on the setting of nearby listed structures and monuments.

The Committee was advised that, given the scale of the existing building on the site and its potential to accommodate an industrial use, together with consideration of the applicant's Transport Assessment, it was considered that, on balance, there would not be detrimental impact on the existing road infrastructure.

The Case officer outlined that DAERA, DFI Roads, Rivers Agency, NI Water and the Health and Safety Executive had offered no objection to the proposals. He explained that a response was still outstanding from the Belfast Harbour Commissioners. He advised the Members that, as detailed in the Late Items pack, Environmental Health had responded with a number of conditions. He explained that, in the event of an approval, the conditions would be added to the decision notice. He advised that no third party objections had been received.

He reminded the Committee that consideration of the application had been deferred at its meeting on Tuesday, 12th November, in order to allow further information to be circulated to Members, specifically the response from RPS to the Department for Infrastructure's (DfI) Consultation response, dated 27th September 2019. The Members noted that the information had since been circulated and was in front of the Committee for its consideration in conjunction with the original case officer's report. He explained that the recommendation remained as an approval, subject to conditions.

The Chairperson welcomed Mr. B. Kelly, Turley, and Mr. C. O'Hara, Technical Director at RPS, to the meeting. They welcomed the Planning Department's recommendation to approve the application. They reiterated that the application complied with planning policies and that no third party objections had been received. Mr. Kelly advised that the proposal would bring additional employment to the area. They advised the Committee that a robust traffic assessment had taken place as part of the application.

**Special Planning Committee,
Thursday, 14th November, 2019**

(Councillor Harvey joined the meeting at this point
and did not participate in the vote)

A Member queried how DFI Roads' response had changed from considering the application unacceptable to then being acceptable.

The Committee was advised that Mr. L. Walsh, Department for Infrastructure, was in attendance and he was welcomed to the meeting. He explained that DFI had initial concerns regarding the application and that there had been a significant engagement with the applicant and agent. He stated that DFI challenged the modelling work, the departure profile and the modal split and that it was a rigorous process. He advised the Members that DFI Roads was now content that there was capacity at the M3 junction, even at peak times.

In response to a Member's query, Mr. Walsh confirmed that, if the application was to be approved at the site, the Practical Reserve Capacity would still be just under 10%.

The Committee granted approval to the application, subject to the imposing of the conditions set out within the case officer's report, subject to resolving any outstanding issues in relation to archaeology and built heritage on the site and providing the necessary remediation for ground gases within the site, and delegated power to the Director of Planning and Building Control for the final wording of the conditions.

Presentation - NIHE

The Chairperson welcomed Mr. C. Bailie, Chief Executive of the Northern Ireland Housing Executive (NIHE), and Mr. R. Hawe, Belfast City Centre Projects Manager, NIHE, to the meeting.

Mr. Hawe advised the Committee that, over the last few years, through the work on the Belfast Agenda and the Local Development Plan (LDP), the NIHE had strengthened its working relationship with the Council and particularly with the Planning Department.

He outlined that the main roles of the NIHE were to assess the housing need and demand across Northern Ireland, provide its customers with good quality and affordable homes and to act as a Statutory Consultee for Local Development Plans (LDPs) and for residential planning applications.

The Members were apprised of the strategic context within which the NIHE worked. He explained that there 11,000 households on the housing waiting list, 8,000 of which were classified as "in urgent need". The Committee was advised that, last year, the NIHE had delivered 386 additional social homes in Belfast but that this number needed to increase. Mr. Hawe pointed out that housing associations struggled to secure sites to deliver social housing and that it was therefore important to look at new and innovative ways of meeting the social need.

**Special Planning Committee,
Thursday, 14th November, 2019**

The Committee was informed that existing social housing tended to be largely segregated, unlike other forms of housing tenure, and that the Housing Executive firmly believed that social housing should be integrated with all other tenures, as it facilitated choice, widened housing options, increased community cohesion and created sustainable neighbourhoods.

Mr. Hawe advised the Members that delivering additional social and affordable housing would contribute towards the aims of the Belfast Agenda, such as increasing the City's population by 66,000 and allocate land for 31,000 new homes by 2035. He emphasised to the Committee that the NIHE hoped that the new residential developments coming forward within the City would include social and affordable housing to help promote balanced and sustainable communities.

He reported that there was some confusion as to what constituted affordable housing. He explained that the SPPS defined affordable housing as the social rented sector and intermediate housing, such as co-ownership, but that the definition was currently under consultation by the Department for Communities.

The Committee was advised that applicants for social housing currently selected two Common Landlord Areas (CLAs) to indicate where they would like to be housed, with Belfast being divided into 122 CLAs. Mr. Hawe advised that allocations from the waiting list were made to newly built developments as well as through the re-letting of existing stock. He outlined that, annually, 2,000 allocations were made and, unfortunately, that left a large shortfall of unmet need.

The Chief Executive of the NIHE explained that good community planning, integrated thinking and future proofing were crucial in tackling the housing waiting list. He explained that a fundamental review of the housing selection scheme had taken place two years ago but that it was awaiting Ministerial sign-off. He emphasised to the Committee that the NIHE wanted to move away from asking applicants for just two areas to much broader areas of choice.

The Members were advised that the NIHE produced a Commissioning Prospectus to provide housing associations and developers with detailed information on the requirements for new social and affordable housing across NI.

Mr. Hawe explained that there were not a lot of large brownfield sites available in the city and that higher density sites were therefore inevitable. He added that, apartment living wasn't historically common in NI and that a cultural change would have to take place in order that the aims in the Belfast Agenda were met.

He provided the Committee with an overview of a pilot scheme which NIHE would operate for the recently approved mixed-use Waterside development at the former Sirocco site. The Members were reminded that there would be 650 new homes on the site, 77 of which would be social housing. He explained that the 16 acre site would be a pilot for the NIHE's city centre waiting list, whereby they wanted to see all types of households on site, not just single person apartments, where the dwellings would have greater interior space standards. He added that all of the ground floor apartments would be designed to be suitable for wheelchair users.

**Special Planning Committee,
Thursday, 14th November, 2019**

In terms of the NIHE providing evidence to the Local Development Plan, Mr. Hawe explained that it undertook a Housing Needs Assessment, which amalgamated a number of CLAs into 18 broader social market geographies. He outlined that, through analysis of past trends, NIHE then tried to predict what the demand would be over the next five years. The Members were advised that the calculation showed a requirement for 4,500 additional homes throughout Belfast over the next five years.

A Member queried the recent change in planning consultation responses from the NIHE, whereby it had recently stated for the first time that it would like to see 20% social and affordable in residential developments. In response, Mr. Hawe explained that the NIHE wanted to promote mixed tenure housing. He outlined that the NIHE would support a minimum of 20% social and affordable housing in the vast majority of cases but that there would be some rare cases where the social need was being met elsewhere. He added that the NIHE would provide reasons if it did not feel that there was a need for social or affordable housing in a residential scheme.

The Director of Planning and Building Control advised the Committee that, currently, unless a voluntary agreement was reached, developers were not required to provide a certain percentage of social housing despite NIHE requesting it, as there was no policy basis for it.

In response to a Member's query regarding the draft policy of "a minimum of 20% social/affordable housing", and as to whether NIHE would consider requiring more than 20% in some developments, Mr. Hawe explained that they would look at applications on a case by case basis, but suggested that it might put some developers off.

A Member stated that Housing Association rents priced out many people from the market. A further Member stated that it was unfortunate that the NIHE did not borrow significant finances which it had access to in order to build more homes.

In response to further Members' questions, Mr. Bailie explained that the NIHE had a strong ambition to build new homes again, particularly through the use of modern methods of construction. However, he outlined that there were significant financial constraints for the NIHE in terms of borrowing, whereas housing associations received more than half the capital costs through grants and were then able to borrow the rest. He advised that, in practice, the NIHE could not borrow in the same way as it would be scored against the NI block grant.

A Member queried a number of occasions where a NIHE consultation response had stated that there was no need for social housing in certain areas when representatives of local communities would say otherwise. The Member stated that there was an issue of undocumented housing stress throughout the City, with large numbers of single people who had not applied for social housing, as it was common knowledge that there was next to no availability for one person dwellings within their chosen areas.

Mr. Bailie explained that the NIHE carried out "Latent Demand" tests to determine whether anyone would be interested in applying to live in an area, if housing was to be built. He added that the NIHE had discussed the issue at the Housing Council earlier that

**Special Planning Committee,
Thursday, 14th November, 2019**

day and that they would certainly consider ways in which they could make their demand assessment process more accurate.

Mr. Hawe added that the evidence used by NIHE was usually the waiting list but that they were aware of the issues and were trying to proactively engage with people who hadn't come forward to NIHE yet. He provided an example of the upcoming Hope Street scheme, whereby they were going to carry out a major household survey with 1000 people in the surrounding area to determine who might be interested but had not previously applied for social housing.

After further discussion, the Director of Planning and Building Control thanked Mr. Bailie and Mr. Hawe for their contributions. He explained that the Council's Planning Department, particularly the Local Development Team, continued to work well with the NIHE and that he was hopeful that they were moving towards the new policy framework as the adopted Policy through the Local Development Plan.

Chairperson