

Planning Committee

Tuesday, 11th February, 2020

MEETING OF PLANNING COMMITTEE

- Members present: Councillor Carson (Chairperson)
Alderman Rodgers; and
Councillors Brooks, Collins, Garrett,
Groogan, Hanvey, Hussey,
Maskey, McKeown, Murphy,
Nicholl and O'Hara.
- In attendance: Mr. A. Thatcher, Director of Planning and
Building Control;
Mr. E. Baker, Planning Manager
(Development Management);
Ms. N. Largey, Divisional Solicitor; and
Mrs. L. McLornan, Democratic Services Officer.

Apologies

No apologies were reported.

Minutes

The minutes of the meetings of 21st and 23rd January were taken as read and signed as correct. It was reported that those minutes had been adopted by the Council at its meeting on 3rd February, subject to the omission of those matters in respect of which the Council had delegated its powers to the Committee.

Declarations of Interest

Alderman Rodgers declared an interest in Item 5a, namely LA04/2018/0471/F - Upgrading of playing fields to include 2 new 3G pitch surfaces and 1 grass pitch, floodlights, fencing, dug outs, 1No. 200 seater stand, toilet blocks, turnstiles, additional car parking and associated ground at the Boys Brigade Recreation Centre, 108 Belvoir Drive, in that he was the Honorary President of the Belfast Battalion of the Boys Brigade. He left the room for the duration of the item and did not participate in the vote.

Councillor Brooks declared an interest in the same item, in that he was a season ticket holder at Linfield Football Club, while the project was a BB-led initiative, Linfield FC had a role in it. He left the room during the item and did not participate in the vote.

Pre-Emptive Committee Site Visits

In response to a suggestion from the Planning Manager (Development Management) relating to a number of major planning applications which were due to be considered by the Committee over the next few months, the Committee agreed to undertake pre-emptive site visits to the following four sites:

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- LA04/2019/2850/F - Extensions to existing aerospace manufacturing facility and associated site works to include internal access road , replacement car parking, drainage and existing access onto Heron Road at Bombardier Wing Manufacturing and assembly Facility Airport Road West Belfast BT3 9ED;
- LA04/2019/2810/F - Titanic Quarter eastern access road including new signalised junction on Sydenham Road and associated works at lands to the south and east of Belfast Metropolitan College east of Public Records Office of NI north of Sydenham Road west of Cuming Road and south of Hamilton Road Titanic Quarter Belfast;
- LA04/2019/2387/F - Residential development comprising 151 apartments and ancillary uses including; management suite, communal space, reception area and servicing (refuse/recycling/bicycle storage) and plant equipment; and associated car parking and public realm improvements to Scrabo Street, Station Street and Middlepath Street at Land adjacent to Quay Gate House 15 Scrabo Street Belfast BT5 4D: footpaths and public realm at Scrabo Street, Station Street and Middlepath Street; and
- LA04/2019/2299/F - Demolition of existing property and re-development of the site including the provision of approximately 243,000sqft gross build floorspace comprising class B1 (a0 office on 6 levels over active ground floor uses including retail (A1), restaurants, cafes and bars (sui generis) with a hotel of 174 bedrooms over ground plus 7 levels and associated double deck carparking of 62 spaces and related access for the redevelopment at 1-7 Fountain Street 24-40 Castle Street and 6-8 Queen Street Belfast.

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 7th January and 3rd February 2020.

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Miscellaneous Items

Planning Performance Update – April to December 2019

The Planning Manager (Development Management) provided the Committee with a detailed overview of the Planning Service's performance from 1st April to 31st December, 2019. He explained that the report provided statistics on the progress across the three statutory targets for major development applications, local development applications and enforcement cases. It also provided information relating to performance against the Council's corporate targets.

The Committee was advised that a total of 2,153 valid applications had been received between 1st April and 31st December 2019, which was a 15% increase compared to the same period for the previous year. He outlined that the number of local applications received had reduced by 8% while the number of major applications had increased by 20%. He highlighted to the Committee that "other development", such as Certificates of Lawful Use Development and Discharge of Condition applications, were not included in statutory performance targets but currently made up 42% of applications received. He explained that applications such as Discharge of Conditions, had increased by 38% from the previous year and did not attract a fee. He advised the Members that officers would continue to appeal to the Department regarding the requirement for a fee for the work associated with those applications.

He advised the Committee that approvals had been granted for over 1,300 residential units, 5 outdoor leisure facilities and 440 house-holder applications. He highlighted that the number of major decisions which had been issued had doubled and that the overall number of decisions issued had increased by 13%. The Members were advised that 93% of applications were approved.

In relation to enforcement, he advised the Members that 51% of cases had been resolved and that the Enforcement team had exceeded their targets by 23%.

The Committee was reminded that the statutory target for major applications was that they should be processed within an average of 30 weeks. The Planning Manager highlighted to the Members that the average processing time for major applications had almost halved from the previous year, from 78 weeks in 2018, to 37 weeks in 2019. He advised that the statutory target for processing local applications was 15 weeks and that they had been processed in 13.8 weeks in 2019, compared with 15.2 weeks in 2018.

A Member stated that he wished to put on record his thanks to the Planning Service for the steady progress which had been made in terms of meeting the targets.

The Planning Manager advised the Committee that performance would continue to be closely monitored.

Noted.

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Updated Training Schedule for Planning Committee Workshops

The Planning Manager (Development Management) provided the Committee with the following revised schedule of Workshops for the Thursday sessions between March 2020 and May 2021:

Committee	Workshop Topics
12 March 2020	Supplementary Planning Guidance (SPG) / Priorities / Process within LDP / Policy Relationships / Future Status
16 March 2020	Transportation Issues / Highways / Access / Transport (subject to attendance by DFI Roads to be confirmed)
April 2020	Supplementary Planning Guidance (SPG) / Detailed approach to guidance and Policy relationships
May 2020	Performance (2019/2020 Year End) / Improvement
June 2020	Local Development Plan Examination Process
July 2020	No Workshop Meeting
August 2020	Reviewing the Planning Committee Protocol
September 2020	Urban Design and Conservation / SPG Review
October 2020	No Workshop Meeting
November 2020	Development Management / Process / Decision Making / Appeals / Performance (2020/2021 Q1 + Q2) / Improvement
December 2020	No Workshop Meeting
January 2021	No Workshop Meeting
February 2021	Developer Contributions
March 2021	No Workshop Meeting
April 2021	Planning Conditions and Legal Agreements
May 2021	Performance (2020/2021 Year End) / Improvement

He explained that Supplementary Planning Guidance (SPG) Workshops were included which were important in supporting the implementation of the operational policies in the draft Local Development Plan, Plan Strategy. The SPG topics included affordable housing, the evening economy, viability, sensitive uses, householder (design guidance), waste, residential design, flooding, urban design, sustainable drainage systems and employment land supply.

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The Members were advised that the updated training programme proposed that performance and improvement workshops be undertaken bi-annually rather than quarterly, with quarterly performance reports circulated by email.

The Committee was advised that the Department for Infrastructure (DfI) had confirmed its attendance at a Special Transport Workshop, which would take place on Monday, 16th March at 5 p.m. The Members were asked to provide officers with any specific areas which they would like the DfI representatives to cover at the Workshop.

The Committee noted the update which had been provided.

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)**

**LA04/2018/0471/F - Upgrading of playing fields to include
2 new 3G pitch surfaces and 1 grass pitch, floodlights, fencing,
dug outs, 1No. 200 seater stand, toilet blocks, turnstiles,
additional car parking and associated ground at the Boys
Brigade Recreation Centre, 108 Belvoir Drive**

(Alderman Rodgers and Councillor Brooks declared an interest and left the room at this point.)

The Principal Planning Officer provided the Committee with an overview of the details of the major application for the upgrading of facilities within an existing playing field off Belvoir Drive in the south of the City.

He outlined the key issues which were considered during the assessment of the application, including the principle of the development, the visual impacts of the proposal, the impact on the amenity and character of the area, impact on the natural environment and heritage and flood risk.

He explained to the Members that, while the proposal would result in the reduction of playing pitches from 5 to 3 within the site, there would be no net loss of open/recreational space, as larger full-size pitches were proposed. He advised the Committee that, should the applicant wish to reduce the number of pitches available, they could so do without planning permission as it did not involve a material change of use of the land.

The Committee was advised that the proposal would not adversely impact on amenity, traffic, heritage assets or flooding and that the proposed scale, form and massing were acceptable and would not impact on the local character of the area. The Planning officer explained that access to the park would be unaffected by the proposals.

He reported that DfI Roads, HED, NI Water and Rivers Agency had no objections to the proposal.

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He drew the Committee's attention to the Late Items Pack, where the Natural Environment Division (NED) had submitted its consultation response on 7th February. NED had expressed concerns regarding the designated Belvoir Area of Special Scientific Interest (ASSI), the proposed felling of ancient oak trees, the potential use of herbicides, parking and bats. He explained to the Committee that the applicant had agreed that all ancient oak trees would now be retained, that herbicide would be precluded within the Root Protection Zone (RPZ), by condition, that DfI Roads were content with the parking provision and that floodlighting would only be used between October and April, and that no impact on bats was likely. The officers advised that they would provide NED with clarification that the ancient oak trees were being retained and that works within the RPZ would be conditioned to prevent damage to the tree roots.

In response to a Member's question regarding the proposed works within the Root Protection Zones, the Principal Planning officer explained that officers felt that the minor works which were required to be carried out could be dealt with through conditions or a through a construction method statement.

The Committee was advised that the Tree Officer had recommended that canopy works be carried out to reduce the weight of the older trees.

The Members were provided with a detailed light spill analysis diagram which illustrated that no residential properties would be affected by the proposed floodlighting.

The Committee granted approval to the application, subject to officers dealing with the outstanding issues which had been raised by NED, 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.

(Alderman Rodgers and Councillor Brooks returned to the meeting at this point.)

**LA04/2019/2951/F - Vary condition 11 (b) of approval LA04/2016/2385/F to amend the number of sound events exceeded as follows:
(b) not exceed the 45dB LAmax for more than 15 sound events between 23:00 and 07:00 hrs within any proposed bedrooms with windows closed and alternative means of ventilation provided in accordance with current building control requirements at 81-107 York Street**

The Principal Planning officer outlined the details of the application to vary a technical condition, 11 (b) of a previous approval, namely, LA04/2016/2385/F, for purpose built student accommodation comprising 717 beds.

He explained that the variation of the condition related to a technical point regarding the sound levels within the building, where the 45dB LAmax should not be exceeded for more than 15 sound events between 23:00 and 07:00 hrs.

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He outlined to the Committee that Environmental Health had no objections to the revision and that no other objections had been received.

The Committee was reminded that, as the original approval had been granted with a Section 76 Legal Agreement, if the variation was granted, an updated Agreement would have to be agreed to reflect the change.

The Chairperson advised the Members that Ms. E. Walker, agent, was in attendance to answer any questions from Members.

In response to a Member's query as to why up to 15 sound events would be permitted, Ms. Walker explained that they had a noise consultant on their team and they had examined other similar properties. She advised the Members that the current condition did not take account the reality of passing ambulances or fire engines which would pass the building and register a sound above 45dB. She emphasised that Environmental Health was content with the proposed variation.

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, noting that an updated Section 76 Legal Agreement would be drawn up.

LA04/2018/2903/F - Change of use of warehouse and offices to event space including internal and external alterations at Arnott's, 16-20 Dunbar Street

The Principal Planning Officer provided the Committee with an overview of the details of the application for the change of use from a warehouse and office to an event space.

She advised the Members that the application was in front of Members as it included a right of way, as an emergency exit, through a Council-owned car park to the west of the site. She explained that a temporary licence had been granted to accommodate the escape route but that it was only on a temporary basis given the long term redevelopment opportunity of the land.

She outlined the key issues in the assessment of the development were the principle of an event space at that location and the impact on amenity, traffic flow, parking and on the Conservation Area.

The Committee was advised that the proposed change of use was compliant with relevant policy and was therefore acceptable, subject to conditions.

The Principal Planning Officer advised the Members that NI Water, DfI Roads, BCC Estates and Environmental Health had all been consulted and had no objections subject to conditions.

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One objection had been received, raising issues with noise and outdoor smoking and she explained that the issues had been covered within the Case officer's report.

The Committee's attention was drawn to the Late Items Pack, where the agent had requested that the temporary approval be granted for three years. The Principal Planning Officer advised the Members that the agent had advised that three years, instead of two, would allow the operator sufficient time to carry out the internal set up works as well as a realistic timeframe to book future events and would also ensure the marketability of the site which required a calendar of events.

The Committee was advised that an Event Management Plan (EMP) had not yet been provided and it was therefore recommended that a condition be attached requiring that an EMP be submitted and agreed in writing, prior to the approved use becoming operational.

The Committee granted a temporary approval of three years to the application, subject to the conditions in the Case officer's report, and delegated power to the Director of Planning and Building Control for the final wording of the conditions.

LA04/2019/2928/F - Realigned fence and vehicle & pedestrian gates to replace existing. Widened pedestrian gates with additional landscaping, widened footpaths and the resurfacing of an existing road entrance on lands at the existing Invest NI Forthriver Industrial Estate, Woodvale Avenue

The Principal Planning Officer outlined the details of a Belfast City Council application for an amended access to the Forthriver Industrial Estate from Woodvale Avenue.

She explained that the proposed gates measured 2.5metres high with new paladin fencing on either side of the entrance gates at the same height.

The Committee was advised that the proposed access would help create and enhance shared space by providing greater connectivity to the Estate for residents from the Woodvale area. She reported that the proposed access was considered to support the good design paragraphs within the SPPS, as it would make a positive use of the assets of the site.

In response to a Member's question, the Principal Planning Officer advised that the access would be a secondary access to the site.

The Members were advised that no third party representations had been received and that DfI Roads had been consulted and had offered no objection to the proposal.

The Committee granted approval to the application, subject to the imposing of the conditions, with Delegated Authority given to the Director of Planning and Building Control to finalise the wording of the conditions.

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LA04/2019/2343/F - Demolition/removal of existing temporary building and erection of new two-storey Community Centre and Crèche at Walkway Community Association 1-9 Finvoy Street and lands between 31 Upper Newtownards Road and Bloomfield Baptist Church

(Councillor McKeown left the meeting at this point)

The Committee was provided with the key aspects of the application from Belfast City Council.

The Principal Planning Officer outlined that the key issues in the assessment of the development included the proposed crèche use, height, scale, massing, layout and design, impact on the proposed Area of Townscape Character, impact on the residential amenity of neighbours and parking provision.

She advised the Committee that the applicant had engaged in a Pre-Application Discussion (PAD) in 2019 and that feedback had been provided to the agent and applicant.

The Members were advised that the principle of a new community centre was acceptable and that a new crèche would enable the relocation of an existing crèche on the Newtownards Road. The Principal Planning Officer outlined that the contemporary design was considered to be sympathetic and complementary to the area and sat comfortably with the surrounding properties. It was considered that the proposal would not detrimentally impact on the character or appearance of the proposed Area of Townscape Character.

The Committee was advised that Rivers Agency and NIEA had offered no objection to the proposals.

The Principal Planning Officer drew the Members' attention to the Late Items Pack. She explained that Environmental Health had requested the submission of a Generic Quantitative Risk Assessment and details of proposed odour extraction and ventilation systems. She explained that, following receipt of this information, Environmental Health had since responded to the consultation with no objection to the proposal subject to conditions.

The Committee was advised that, while the site was considered to be in a highly accessible location, a Travel Plan had been requested by DfI Roads. The Planning officer explained that, upon receipt of the information, DfI Roads would be consulted again and that additional conditions would be imposed if necessary.

The Members noted that no representations had been received.

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.

Chairperson