

# Planning Committee

Thursday, 21st October, 2021

## HYBRID MEETING OF THE PLANNING COMMITTEE

Members present: Councillor Carson (Chairperson);  
Councillors Brooks, Matt Collins,  
Garrett, Groogan, Hanvey, Hussey,  
Hutchinson, Maskey, McCullough,  
McMullan, Murphy, O'Hara and Whyte.

In attendance: Ms. K. Bentley, Director of Planning and Building Control;  
Mr. E. Baker, Planning Manager (Development Management);  
Ms. N. Largey, Divisional Solicitor;  
Ms. C. Donnelly, Democratic Services Officer; and  
Mrs. L. McLornan, Democratic Services Officer.

### **Apologies**

No apologies for inability to attend were reported.

### **Minutes**

The minutes of the meeting of 14th September were taken as read and signed as correct. It was reported that those minutes had been adopted by the Council at its meeting on 4th October, subject to the omission of those matters in respect of which the Council had delegated its powers to the Committee.

### **Declarations of Interest**

Councillor Groogan declared an interest in item 6d - Proposed development of 13 Residential Apartments (One block of 11 No. Apartments, one block of 2 No. Apartments) with associated amenity space and site works at 42-50 Ormeau Road, in that the applicant was known to her and that she would leave the meeting and not participate in the discussion or vote.

Councillor O'Hara declared an interest in item 6i – LA04/2021/1119/F - Change of use from industrial storage units to waste metal recycling facility for export with offices, in curtilage parking and turning and associated works at 58 Duncrue Street, in that he was a political appointee to the Belfast Harbour Commissioners Board, but he confirmed that it was not a pecuniary nor a conflict of interest, and that he would not need to leave the meeting.

Councillor Carson, Chairperson, declared an interest in item 6m - LA04/2021/1520/F Change of use from 2 x first floor offices to an after-school care facility at Belfast Media Group, Teach Basil, 2 Hannahstown Hill, in that he had spoken with the developer and had been involved in a number of meetings in respect of the application and he would therefore withdraw from the meeting and not participate in the discussion or vote.

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**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.

The Planning Manager (Development Management) referenced the recent decision by the PAC in respect of Havelock House, which had supported the decision of the Committee in dismissing the appeal.

**Planning Decisions Issued**

The Committee noted a list of decisions which had been taken under the delegated authority of the Strategic Director of Place and Economy, together with all other planning decisions which had been issued by the Planning Department between 7th September and 12th October 2021.

**Abandonment**

The Committee was advised that correspondence had been received from the Department for Infrastructure (DfI), giving notice that it intended to abandon an area of land at Cairnmartin Crescent in order to facilitate redevelopment in the area.

The Committee noted the abandonment.

**Proposed Listed Building**

The Committee was advised that correspondence had been received from the Historic Environment Division (HED) regarding the proposed listing of the Bank of Ireland building at 364 Lisburn Road. The Principal Planning officer outlined that Article 80 (3) of the Planning Act (NI) 2011 required the HED to consult with the Council before placing any building on the statutory list of buildings of special architectural or historic interest.

The Committee

- noted the contents of Appendix 1; and
- supported the proposed listing of the Bank of Ireland building, 364 Lisburn Road.

**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)**

**Withdrawn Items**

The Members noted that the following two applications had been withdrawn from the agenda:

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- LA04/2021/0911/F - Demolition of existing building and construction of 9 no. apartments and associated site works at 236 Upper Newtownards Road; and
- (Reconsidered Item) LA04/2019/0775/F - 18 dwellings to include revision of site layout of previous approval Z/2007/1401/F at sites 2-8 (7 dwellings) and additional 11 No. dwellings, including landscaping, access via Hampton Park and other associated site works on lands approximately 50m to the north of 35 Hampton Park and approximately 30m to the west of 60 Hampton Park, Galwally.

**(Reconsidered Item) LA04/2020/1211/F - Mixed use regeneration scheme involving demolition of vacant buildings Hughes Christensen site; erection of 8No. Class B2 (light industrial) and Class B4 (storage/distribution) unit; extension to and subdivision of existing supermarket building to form 4. Class B4 units (existing retail use to be discontinued); erection of replacement supermarket; provision of new accesses, road improvements; car parking, landscaping and associated site works. (Lynas Food Outlet building to be retained) at No 46 Montgomery Road (former Hughes Christensen site) and between nos 44 and 46 Montgomery Road and no 41 Montgomery Road (Lidl)**

The Planning Manager reminded the Committee that the application had been considered by the Committee at its meeting on 15th June, 2021. At that meeting, the Committee had resolved to grant planning permission, subject to conditions and completion of a Section 76 planning agreement. He explained that the purpose of the Section 76 Planning Agreement was to:

- require the existing Lidl store to cease trading upon opening of the replacement Lidl store on the new site (in order to prevent two retail stores operating which would be contrary to retail planning policy);
- require the conversion of the existing Lidl store to Use Class B4 (storage and distribution); and
- completion of the other proposed business units to off-set the loss of overall employment land.

The Committee was advised that it was originally envisaged that the conversion works to the existing Lidl store would be required prior to occupation of the replacement Lidl store on the new site. However, that was impractical because it would not allow retail to continuously operate from Montgomery Road. It was therefore proposed that the conversion works to the existing Lidl store should be completed within three years of the first occupation of the replacement Lidl Store. The Committee was advised that course of action was considered reasonable from a planning and commercial perspective.

The Late items report at the June meeting had advised the Committee that completion of the other new build business units should also be secured by the Section 76 planning agreement to off-set the overall loss of employment land across the site. However, the Planning manager advised that, throughout the negotiations, the applicant had stated that the delivery of the other business units would be market driven and that the requirement to

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complete those units was commercially unrealistic and would put the scheme at jeopardy. Officers had therefore revisited whether the requirement was fundamentally necessary to make the proposed development acceptable.

He outlined that, whilst the Council gave significant weight to dBMAP 2015 given its very advanced stage in the process, the land was technically un-zoned for employment and was “white land” in the BUAP 2001. Consequently, the site was unzoned employment land for the purposes of Policy PED 7 of PPS 4 and therefore the second part of Policy PED 7 applied. He reminded the Committee that only one criterion in the second part of PED 7 needed to be satisfied and that proposal was considered to satisfy criteria b. He advised that that aspect of the proposal was therefore policy compliant and it was considered that there was no policy requirement for the other business units to be completed.

He advised the Committee that it was recommended that planning permission continued to be granted but that the terms of the Section 76 planning agreement be revised as follows:

- the requirement for conversion of the existing Lidl store to Use Class B4 (storage and distribution) in accordance with the approved plans within 3 years of first occupation of the replacement Lidl Store on the new site; and
- the removal of the requirement for completion of the other business units.

The Chairperson welcomed Mr. D. Monaghan, agent, to the meeting. He provided the Committee with the benefits of the scheme and asked that the Committee would approve the changes as outlined by the Planning Manager.

The Committee granted approval to the application, subject to conditions and delegated power to the Director of Planning and Building Control for the final wording of the conditions and the Section 76 planning agreement.

**(Reconsidered Item) LA04/2020/0847/F & LA04/2020/1208/DCA –  
Partial demolition and redevelopment of existing buildings  
to provide 16 apartments, communal bin store and landscaped  
communal garden at 25-29 University Road**

The Principal Planning officer reminded the Committee that it had initially considered the application at its meeting on 15th June, 2021. At that meeting, the Committee had agreed to defer consideration in order to undertake a site visit. The site visit had taken place on 10th August. She explained that the application was subsequently relisted for the meeting on 17th August, 2021, but that the application was withdrawn from the agenda as amended drawings had been submitted late and the proposal description was amended.

She advised the Committee that the application was previously recommended for approval, subject to a Section 76 planning agreement to secure the inclusion of an area of rear amenity. However, following the submission of amendments, including a change of the description to social housing and the removal of the rear communal amenity area, it was now recommended for refusal.

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The Committee was advised that the proposal description had been amended to 'Partial demolition and redevelopment of existing buildings to provide 16 apartments (social housing units), comprising 10 one bedroom and 6 two bedroom units and communal bin store'. Amended drawings were also received which included the following changes:

- removal of the rear communal amenity area;
- relocation of the bin store / cycle parking area; and
- amendment of the internal floor plans.

The Principal Planning officer explained that two further objections had been received in relation to the development. Both of whom had previously objected to the proposal. The additional issues raised included fire safety issues, no mature landscaping was proposed, residential use was not suitable for the location, proposed density was unacceptable, it did not represent family accommodation and was not suitable for special needs use and potential structural issues.

In relation to the amenity space, she advised that the agent had stated that the overgrown area to the rear would be cleared and grassed, to improve the outlook, but not included as formal amenity space. Consequently, the total area of proposed amenity space was approximately 137 square metres, equating to 8.5 square metres per apartment. While the applicant stated that the area would be improved, it was not within the ownership or control of the applicant and no longer formed part of the application.

She explained that, while 10 of the proposed apartments would benefit from some degree of private open space, the remaining six apartments had no private amenity and were thus completely reliant on the small communal courtyard at the rear of the site. The Members were advised that Paragraph 5.20 of 'Creating Places' put an emphasis on private communal open space in the form of landscaped areas, courtyards and roof gardens and that only 39 square metres of the proposed amenity space was communal.

She advised that a large proportion of the proposed amenity space related to two private areas at the front of the building for Apartments 1 and 2, of approximately 62.5 square metres. It was not considered that the area represented a quality amenity space, due to the noise associated with traffic along University Road.

The Committee was advised that, as the original scheme had included the rear communal garden, which would have been somewhat protected from traffic and street noise, the original case officer report had concluded that, given the various amenity options within the development, the proposal was considered acceptable in terms of noise. However, following the amendments, it was now considered that the scheme was more reliant on the small amenity space provided at the front and on balconies and that it fell short in terms of both space and quality of space. Consequently, it was now considered that the proposed amenity space would result in an unacceptable adverse effect on proposed properties in terms of noise.

The Principal Planning officer added that, whilst a communal courtyard was proposed at the rear of the development, it was minimal at approximately 39 square metres and likely to be overshadowed for a significant period of the day.

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She explained that the agent had advised the close proximity of Crescent Gardens, King William Park and Mountcharles Gardens as public areas of open space which were easily accessed from the proposed development. Although it was acknowledged that the proposed development was located in relatively close proximity to those public areas, it was not considered that it was an acceptable substitute for the deficit of communal space within the proposed development.

She reminded the Committee of the 'Eia Street' appeal decision (PAC ref. 2018/A0070), whereby the Council had refused permission for 15 apartments as adequate provision had not been made for appropriate open space as an integral part of the development. She explained that approximately 80 square metres of open space was proposed within the application site, with the developer relying on close proximity to public parks to make up the shortfall. The PAC had agreed with the Council's reason for refusal and dismissed the appeal, with the other refusal reason not sustained. It was, however, acknowledged that all planning applications were considered on their own merits and that the Eia Street example differed from the current development, in that it was not located along an arterial route.

The agent had provided a number of precedent cases whereby the Council had departed from Policy QD1 and the advice contained within 'Creating Places' to allow residential developments with a reduced standard of amenity space. She drew the Committee's attention to the officer's comments in response to each case which was included within the Case officer's report.

In respect of the change to the description of the application, the NIHE had been consulted on the proposal, as it referred specifically to social housing. The NIHE had confirmed that the proposal was situated within an area of strong housing need in Belfast and that it was aware that the developer was in contact with a Housing Association regarding the proposed apartments, however, it had also advised that the units proposed did not appear to meet DfC Design Standards for social housing.

The Principal Planning officer advised that amended floorplans had been submitted to address the issues which had been raised by officers regarding internal floorspace and it was considered that those concerns had been addressed by the applicant.

The Chairperson welcomed Mr. K. Carlin, agent, to the meeting. He advised the Committee that:

- the existing building had been severely fire damaged in January 2020 which had impacted upon the buildings on either side of it and that it was a blight on the area;
- the communal area at the rear had been removed from the scheme as the Housing Association which the developer had spoken with had stated that it would not be feasible for them to manage such an area;
- the average amenity site for the apartments was 8.5 square metres which was just under the Creating Places guideline of 10 square metres;
- the Case officer had not advised them that there were concerns regarding the quality of the communal area to the rear of the

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development and that they had not therefore had a chance to discuss it, and that they had requested a meeting with the Principal Planning officer to discuss the issues but that she had declined;

- the building was in a Conservation Area and therefore the front façade had to be retained, which constrained the development opportunities. He outlined that balconies were not possible to the front and that 8.5square metres was therefore the maximum achievable amenity space;
- he struggled to understand why the amenity space was deemed unacceptable when a similar permission was granted 70 metres away on University Road, which had no amenity space in such an urban area;
- the proposed development was 140 metres from the city centre boundary and if it was within Shaftesbury Square it would be deemed acceptable;
- it was on an arterial route;
- it should be treated as a refurbished building as, before the fire, it would have been a refurbishment and that the developer was being penalised;
- he refuted that the Eia Street scheme was comparable to the application in question;
- he questioned the logic of the case officer's concerns in relation to unit sizes versus communal amenity space;
- the British Standards relating to noise stated that a compromise was needed between elevated noise levels and the convenience of living in urban areas, and that the refusal reason given by the case officer would rule out nearly any development along arterial routes, which was contrary to policy and the emerging Local Development Plan; and
- the site was in a highly accessible location and all units were above the space standards required, with some 30% larger.

Mr. Carlin advised the Members that Mr. J. Laverty, noise consultant, was also in attendance to answer any questions in respect of the application. In response to a Member's question, Mr. Laverty confirmed that the only noise issue would be from outside the front two ground floor apartments, not inside. He explained that the Environmental Health officer had omitted an important part of the British Standards, where development should not be prohibited on the basis of elevated external noise in respect of urban areas. He added that 55 decibels was not absolute, rather that it was a guideline.

The Chairperson confirmed to the Committee that the two refusal reasons listed in the report related to amenity space.

The Chairperson put the officer's recommendation, to refuse the application for the following reasons, to the Committee:

- 1) The proposal is contrary to the SPPS and Policy QD1 of Planning Policy Statement 7 in that the scheme results in overdevelopment of the site as it fails to provide a quality residential environment for prospective residents due to inadequate and inappropriate public and private amenity space; and

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- 2) The proposal is contrary to the SPPS and Policy QD1 of Planning Policy Statement 7 in that the proposed amenity space will result in an unacceptable adverse impact on proposed residents by way of noise and nuisance.

On a vote, eleven members voted for the recommendation, one against and one no vote, and it was accordingly declared carried.

**(Reconsidered Item) LA04/2019/1886/F - 13 Residential Apartments (One block of 11 No. Apartments, one block of 2 No. Apartments) with associated amenity space and site works at 42-50 Ormeau Road**

(Councillor Groogan, having declared an interest in the item, did not participate in the discussion or vote in respect of this item and left the meeting for the duration.)

The Senior Planning officer provided the Committee with an overview of the application which had been deferred without presentation at its meeting on 14th September, due to a request from an Elected Member.

She explained that 74 objections had been received in relation to the proposed development. The Members were advised that the site was not zoned within either BUAP or dBMAP, however, part of the site was located within the proposed Ormeau Area of Townscape Character (ATC) in dBMAP. The site also fronted onto an arterial route in dBMAP. The Committee was provided with the key issues which had been considered during the assessment of the development, which included the impact on the character of the area, impact on residential amenity, impact on parking and impact on sewage and drainage infrastructure.

The Members' attention was drawn to the Late Items pack, whereby Councillor Gormley had referenced a number of plans and drawings which were also included within the Case officer's presentation.

The Senior Planning officer advised that, throughout the processing of the application, numerous amendments had been made to address issues around the design, impact on character, residential amenity and landscaping. She explained that it was considered that the proposal respected the surrounding context and was appropriate to the character and topography of the site in terms of layout, scale, proportions, massing and appearance.

She outlined that many of the objections related to the lack of parking within the proposal and pressures on existing street parking. The location of the site was considered to be highly accessible as it was on an arterial route and provided convenient access to public transport links, local neighbourhood facilities and the city centre. The Committee was advised that a Draft consultation response from DFI Roads had been received, stating that it had no objection to the proposal subject to conditions. The Parking survey submitted in support of the proposal, together with a parking survey undertaken by DFI on 11th February, 2020, demonstrated sufficient availability of on-street parking within the vicinity of the site to accommodate the requirements of the development during its peak periods of parking demand.



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The Senior Planning officer reported that adequate provision had been made for open space within the proposed development, in accordance with Creating Places. Furthermore, it was considered that the proposed landscaping assisted with integration and softened the visual impact of the proposal.

The Committee was advised that the proposed development might result in some overshadowing, however, on balance, given the surrounding context and the amended design, it was not considered that it would create an unacceptable adverse impact on surrounding properties. It was also acknowledged that views towards existing dwellings were achievable from the bedroom and study window of Type A apartments on the first and second floor of Block A. However, the apartment windows were orientated towards the rear amenity area rather than the neighbouring properties, which were at an approximate 45 degree angle. The Senior Planning officer outlined that it was not considered that the proposal would result in an unacceptable adverse impact in terms of overlooking. She reported that there were no concerns in relation to loss of light, outlook, noise or general nuisance for any existing or proposed properties.

The Members were advised that NI Water had stated that the scheme could be registered on a pilot scheme, aiming to provide a site specific solution for sewage and drainage infrastructure. The pilot scheme related to both foul and storm connections and therefore it was considered that conditions should be applied in the event of approval. A Drainage Assessment had been submitted and Rivers Agency had requested further information. She confirmed that approval was recommended, subject to receipt of a satisfactory updated Drainage Assessment.

The Chairperson welcomed Councillor Gormley to the meeting. He advised the Committee that:

- the residential density was twice that of surrounding developments;
- there were no balconies or other private open space within the apartments;
- the two and three bedroom apartments would likely be used by families with young children, who required useable communal outdoor space;
- covid had highlighted the importance of access to adequate outdoor space;
- every pathway and shrub was counted as outdoor amenity space and the useable outdoor space was therefore significantly less than the quoted 238square metres, and was closer to 45square metres;
- he urged the Committee to consider the useable amenity space within the application and stated that the case officer had used the term “usable” in the previous application on the agenda; and
- suggested that the Committee should defer consideration of the application in order to undertake a site visit.

The Chairperson then welcomed Mr. G. Rice, Lower Ormeau Resident’s Association Group, and Ms. S. McKeown, local resident, to the meeting. They advised the Committee that they objected to the application for the following reasons:

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- the gable wall in Block B would obstruct natural light getting into the rear of Ms. McKeown's house in Shaftesbury Avenue;
- the light blockage caused by Block B would have a major impact on Ms. McKeown enjoying the amenity of her own home and her health;
- residents supported the development of the site and had supported a previous application for 14 apartments with ground floor shops, which had been granted approval;
- the site had caused major problems for residents throughout the years;
- the current proposal constituted over development;
- the amenity space was insufficient for a sustainable family type development;
- Block B would have between 35 and 45 adults living in it, with only 45 square metres of communal space;
- no consultation or engagement had taken place between the developer and the local residents; and
- they requested that the Committee undertake a site visit in order to view the context of the application.

In response to a Member's question regarding how long it would take DFI Roads to formally sign off the Private Streets Determination, the Senior Planning officer advised that there had been a recent change in management in DFI Roads which had caused a small delay but that it should only take a few weeks.

A further Member requested information on the housing density on main arterial routes and how the application fitted within that. The Senior Planning officer explained to the Committee that, while the surrounding streets were at a lower density, it was not uncommon to have a development on an arterial route at the density of 180 dwellings per hectare.

Moved by Councillor Garrett  
Seconded by Councillor Maskey and

Resolved - That the Committee agrees to defer consideration of the application to enable a site visit to be undertaken to allow the Committee to acquaint itself with the location and the proposals at first hand, particularly to consider the useable amenity space on site.

**(Reconsidered Item) LA04/2020/0493/F - Alteration and extension of existing building to provide 4 No one bed apartments at 23 Glandore Avenue and 2 Glanworth Gardens**

(Councillors Hanvey and Groogan were reminded that, as they had not been present during the previous discussion of the application, on 17th August 2021, and that they would be advised not to vote on the item.)

The Chairperson advised the Committee that a request to speak had been received from Mr. C. Hughes, a neighbour, who had provided the Committee with details of the exceptional circumstances as to why he had been unable to attend the meeting on 17th August. The Committee acceded to his request, based on his exceptional circumstances,

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and agreed that he could address the Committee. The Committee also agreed that time would be granted to the applicant in order to respond.

The Senior Planning officer provided the Committee with an overview of the application, which had been presented at the meeting on 17th August, whereby the Committee had agreed to defer consideration of the application in order to undertake a site visit. The site visit had taken place on 9th September.

She reported that, at the Committee meeting on 17th August, objectors had raised concerns over the extent of demolition and stated that there appeared to be more demolition involved than was detailed in the report. Officers had requested the extent of demolition to be clarified by the agent with a detailed demolition plan. It was noted by officers at the site visit that the existing boundary, which the drawings had indicated was to be retained, had fallen into a poor state of repair and therefore the agent was also asked that the boundary be replaced or restored rather than retained as indicated.

The Committee was advised that a demolition plan and updated drawing had been published to the planning portal on 4th October, with neighbours and objectors notified on 5th October that additional information had been received. She explained that the updated drawing, alongside the demolition plan, confirmed that only the rear return and internal walls were to be demolished and that the roof of the original property would remain in situ as detailed in the original recommendation report. The new rear return proposed was as per previous drawings.

The Committee's attention was drawn to the Late items pack whereby twelve more objections had been received. The Senior planning officer outlined the officers' response to each of the issues which had been raised.

The Chairperson welcomed Mr. C. Hughes to the meeting. He advised the Members that:

- he lived in the property attached to the application, built in 1896;
- the proposed demolition of the shared return would expose a large section of his party wall which held key Victorian features and structural integrity to his rear working chimney;
- the nature of the design of the Victorian ridge tiles which the semi-detached houses shared could not simply be cut in half;
- the site was a corner site and was fully visible from all angles within the draft ATC and removing those features was inappropriate;
- the applicant had stated that the apartments would be for couples but they did not meet the minimum space standards;
- the North Belfast Housing Strategy outlined a need for family homes within the area;
- policies PPS 6 for ATC planning policy (2.0) Policy ATC 1 Demolition Control 2.1, 2.2, 2.4, 2.5, 2.6, 2.7, 2.8, 2.11, 7.7 and 7.8 had all been breached;
- similarly PPS7 - Quality residential environment and safeguarding the character of established Residential Areas – 2.14 had been breached;

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- that, given two apartments were being converted into four apartments, in light of “Creating Places – Achieving quality residential environments”, additional parking should be provided;
- the planners had stated that the demolition and addition of new dwellings for the application was exempt from the Area of Townscape Character guidelines because it was currently only a ‘draft’, but he had provided details of seven planning applications in recent years within the ATC boundary which had all been asked to apply to that guidance, and queried why the current application was being treated differently;
- it would set a bad precedent for the area if it was allowed to go ahead;
- he requested that the Conservation officer’s views were made public;
- there was room within the red line to make parking available if the developer did not overdevelop it;
- requested that the DFI Roads did not base their decision on a flawed parking survey; and
- he welcomed consultation with the applicant and architect to develop a good scheme.

The Chairperson then welcomed Mr. L. Bannon, applicant, to the meeting. He advised the Members that:

- he had reduced the application from five apartments to four;
- he felt the design was in keeping with, and sympathetic to, the area;
- the application would remove the unsightly side return to better match the character of the area;
- there would be no change to the elevations on Glandore and the street scene would be unaffected;
- a number of neighbouring properties had made alterations to their rear returns, including the adjoining no. 25 Glandore, which had an unsympathetic flat roof and a dormer added;
- at the last meeting he had mistakenly said that the apartments would be for couples but that they would in fact be two x two person apartments and two one person apartments; and
- that the location was suitable for four apartments, given its highly accessible location in terms of public transport and with the new Glider route.

In response to a Member’s question, Mr. Bannon confirmed that he would be content to re-engage with the neighbours in respect of the application if the Members felt that it was necessary.

In response to a further Member’s query as to whether there could be parking provision within the site, Mr. Bannon explained that DFI Roads had advised that car parking was not necessary but that he would be willing to ask his planning consultant and architect to re-engage with those who had concerns.

The Divisional Solicitor advised the Committee that, while it might be possible to amend a few elements of the application through amended drawings, it should be mindful that it was

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unlikely that all the issues which had been raised by objectors could be addressed through further consultation in reaching resolution and that it would likely require a new application.

Moved by Councillor Maskey  
Seconded by Councillor O'Hara and

Resolved – that the Committee agrees to defer consideration of the application to enable further engagement to take place between the applicant and the objectors.

**LA04/2019/2279/F - Demolition of existing buildings  
on site and erection of 29 no. apartments across 4 buildings  
(4 no. apartments in Block No. 1, 8 no. apartments in Block 2,  
8 no. apartments in Block 3 and 9 no. apartments in Block 4)  
with associated landscaping and car parking at Blocks 4, 5  
and 6 Clonaver Drive**

The Committee was presented with the details of the application.

The Senior Planning officer advised that the site was undesignated whiteland within the BUAP and dBMAP. He outlined the key issues which had been considered during the assessment, which included the principle of residential use at the location; scale, massing and design/ impact on character of the area; access and parking; amenity space provision and landscaping; impact on residential amenity; impact on existing trees and proposed landscaping; natural environment; contaminated land; flooding, drainage and sewage infrastructure.

He advised the Committee that the principle of residential development at the location was acceptable given the previous use and surrounding context and that it was considered that the proposed development was generally respectful of the context and character of the locality. Furthermore, it was considered that the pattern of development was generally in keeping with the overall character and environmental quality of the established residential area. He explained that, while the proposed development represented a higher density than that typically found in the surrounding area, it was adjacent to and would replace an existing higher density development.

The Members were advised that adequate provision had been made for private and public open space within the development, in accordance with Creating Places. The proposal included the removal of 14 trees and a group of scrub vegetation and, following consultation with the Tree and Landscaping officer, it was considered that the proposed landscaping helped to soften the visual impact of the proposed development and assisted in its integration with the surrounding area.

The Senior Planning officer reported that the development included 31 in curtilage parking spaces and DFI Roads had no objection subject to conditions.

He outlined that, following consultation with the relevant bodies, there were no concerns raised in relation to flooding, drainage, sewage, contamination or ecology, subject to appropriate conditions.

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The Chairperson welcomed Ms. R. Nicholl, agent, to the meeting. She advised the Members that:

- the site was not located within an Area of Townscape Character;
- it comprised underutilised brownfield land which had lain vacant for many years. It was currently occupied by three 1960s apartment blocks which had become an eyesore and, over recent years, had attracted anti-social behaviour;
- the scheme had been significantly reduced and re-designed since the initial proposal of 40 apartments submitted to Council in September 2019;
- 10 letters of objection and 6 letters of support had been received from different households and, since the reduced and amended final proposal was submitted in August, there had only been 1 objection and 1 letter of support from a previous objector to the scheme;
- in respect of drainage, DfI Rivers had no objection;
- in respect of trees and landscaping, it was proposed that all soft landscaping would be managed and maintained by a Management Company following construction of the scheme. The Council's Tree and Landscape Team had no objection;
- in respect of parking, 31 in curtilage car parking spaces would be provided, which equated to 1 per apartment plus two additional visitor spaces within the site. There were a further 55 on-street parking spaces along Clonaver Drive and DFI Roads had no objections; and
- the scheme represented a significant investment of approximately £7.5million from the private sector and would help to create 50 local construction jobs.

A Member stated that he had some concerns regarding the balconies, in respect of overlooking, and also requested some additional information in respect of the bicycle parking facilities.

Mr. T. Stokes, agent, advised the Committee that the scheme had been sympathetically designed to respect the character of the area. He explained that the balconies included screening and that the site sat below road level, with the blocks around 20 metres from any existing properties.

In respect of bicycle parking, Mr. A. Beckett, Project Architect, confirmed that Sheffield bicycle stands would be provided within the parking areas, with additional coverage. A Member asked whether CCTV or other security measures could be installed to provide a more secure environment for residents to store bicycles. Mr. Beckett advised that they were not at the security specification stage yet but that they could consider that in discussion with the management company at a later stage.

A further Member commended the applicant and developer on the aesthetically pleasing design, which would be a welcome improvement for the area.

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The Committee granted approval to the application, subject to conditions and delegated power to the Director of Planning and Building Control for the final wording of the conditions.

**LA04/2021/0165/F - Demolition of existing buildings, erection of replacement discount supermarket, car parking, vegetated retaining wall, landscaping, amended access, alterations to Shore Road, and associated site works at 176-178 Shore Road (HSS Hire) and 194-196 Shore Road (Lidl)**

The Senior Planning officer presented the key aspects of the application to the Committee.

He outlined the key issues which had been considered during the assessment of the proposal, which included:

- the principle of a major foodstore at the location;
- the economic impact of the proposal;
- design and layout considerations;
- impact on amenity / character of the area;
- impact on transport and other infrastructure;
- impact on natural environment;
- impact on flooding and drainage; and
- developer contributions

He advised the Committee that the Local Development Plan team had reviewed the supporting information and had no objections to the proposal on the basis that the existing store would be replaced. They were satisfied that the proposal met the sequential test, would not prejudice protected centres, or result in an unacceptable cumulative impact. He added that conditions were necessary to allow the Council to retain control of the nature of retailing at the location.

The Members were advised that the design and layout of the development was acceptable and adequately respected the existing context in terms of building locations and set-backs. The Senior Planning officer explained that the landscaped areas would positively contribute to local townscape and assist in mitigating the visual impact of hard-surfacing of the site.

He reported that the retaining wall would be screened by vegetation which would mitigate the visual impacts of the structure. He clarified that a condition was necessary to verify that the structural engineering solution had been completed to an appropriate standard by a suitably qualified structural engineer in order to protect public safety and amenity.

The Committee's attention was drawn to the Late items pack, where Environmental Health and NI Water had since responded with no objections subject to conditions and/or informatives. The Senior Planning officer advised that the responses could be viewed on the Planning Portal. He explained that Conditions 2 and 3 within the Case officer's report were therefore superseded by the conditions listed on the Environmental Health response, apart

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from the operating and delivery hours which would remain as stated in the report at 9.58 to further mitigate potential noise impacts.

The Committee was advised that it was considered that the proposal would not result in any detriment to amenity of existing properties adjacent to the site. He reported that the building would be located a sufficient distance from neighbouring buildings to prevent dominance and overshadowing. The Members were advised that noise impacts would also be mitigated through the siting of the building which would screen traffic noise from the parking area to neighbouring properties to the north, and separation distances to properties opposite the site.

The Committee was advised that DFI Roads had been consulted and it was satisfied with the parking and access arrangements.

He explained that the Council's Economic Development Unit had identified the need for a Developer Contribution towards Employability and Skills in relation to the construction phase of the development, which would be secured through a Section 76 planning agreement.

He advised the Committee that no other consultees had any objections to the application in relation to technical, amenity, or other issues and that no third party objections had been received.

The Chairperson welcomed Mr. D. Monaghan, agent, to the meeting. He advised the Committee that:

- the scheme represented an investment of over £4million;
- it would support 35 jobs, 13 of which would be new jobs at the site;
- it would significantly enhanced the appearance of the site; and
- it would create a much improved shopping experience for customers.

A Member requested information pertaining to the number of car parking spaces on site and how the application would encourage access by more active and sustainable modes of transport.

In response, Mr. Monaghan advised that 134 car parking spaces would be provided, which was lower than Lidl's usual store car parks. He advised that that was because the site was on an arterial route, with a bus stop adjacent to it and a pedestrian crossing across the Shore Road right at the access to the site. The Members were also advised that there would be 10 bicycle spaces at the front door of the store. In response to a follow up question, Mr. Monaghan confirmed to the Committee that it represented an increase of 60 car parking spaces on site.

A number of Members expressed concern with the current traffic levels in the area and with the consultation response from DFI Roads. Mr Monaghan confirmed that a traffic assessment had been carried out which showed that the proposed access would operate within capacity and would not have an adverse impact on any junctions in the area. He explained that both DFI Roads and Translink had confirmed that they were content with the proposal.



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The Chairperson put the officer's recommendation to approve the application, subject to conditions and a Section 76 Planning Agreement, with delegated authority given to the Director to secure the employability and skills Developer Contribution and to finalise the wording of conditions and to enter into a Section 76 Planning Agreement to the Committee.

On a vote, twelve Members voted for the recommendation, and two no votes, and it was declared carried.

(Councillor Whyte left the meeting at this point in proceedings)

(The Committee adjourned for a ten minute recess at this point in proceedings)

**LA04/2021/1119/F - Change of use from industrial storage units to waste metal recycling facility for export with offices, in curtilage parking and turning and associated works at 58 Duncrue Street**

The Planning Manager presented the key aspects of the application to the Committee.

He advised that the site was unzoned land within the development limit of Belfast in the BUAP and Belfast Harbour Local Area Plan 1990-2005 and was zoned as an existing employment area within the Belfast Harbour Area (BHA 06) in Draft BMAP 2015.

The key issues which had been considered during the assessment of the application included the acceptability of the proposed use at the location; access, parking and traffic management; and environmental considerations such as drainage, contamination and noise.

He outlined that a final consultation was awaited from the NIEA Water Management Unit. However, the applicant had clarified that the proposed site drainage would discharge to NI Water Infrastructure, which was currently the case, and NI Water had no objection to the drainage arrangements given that the existing premises already connected to NI Water infrastructure. All other consultees had no objection to the proposed development subject to conditions. The Members were advised that no third party objections had been received.

The Committee granted approval to the application subject to conditions with delegated authority given to the Director of Planning and Building Control to finalise the wording of conditions and subject to no substantive issues being raised by the NIEA Water Management Unit.

**LA04/2021/0493/F - Demolition of existing buildings and erection of social-led, mixed tenure residential development comprising of 90 units in 2 no. apartment buildings (maximum height of 4 storeys) containing 75 apartments; and 11 townhouses and 4 apartments (along Sefton Drive); provision of hard and soft landscaping including communal gardens, provision of car parking spaces, tenant/staff hub, cycle parking, substation and associated works at Former Park Avenue Hotel, 158 Holywood Road**

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The Senior Planning officer presented the details of the application to the Committee which he advised followed a lengthy Pre-Application Discussion (PAD) process with officers.

The key issues which had been considered during the assessment of the proposal included:

- the principle of the proposed use at this location;
- layout, scale, form, massing and design;
- impact on built heritage;
- impact on amenity;
- impact on transport and associated infrastructure;
- flooding and drainage impacts;
- impact on natural heritage assets;
- contamination and remediation of the site; and
- developer contributions.

The surrounding area was predominantly residential, comprising typical two storey terraced dwellings to the west, north, and opposite the site on the Holywood Road. He outlined that retail and office units were located along the frontages of the Holywood Road and the Belmont Road. The Strand cinema building was located opposite the site and there was also a B2 listed building opposite the site, currently in use as the Ulster Unionist headquarters.

The Members were advised that the site was located next to existing housing and that the principle of residential use was acceptable at the location subject to detailed considerations as set out in regional policies.

In relation to the demolition of the existing buildings, the site was not located in a Conservation Area or an Area of Townscape Character, and the buildings were not listed or of any historic interest or architectural merit. Demolition was therefore not subject to planning control.

The Committee was advised that the affordable housing scheme would help address an identified affordable housing need in the area and that the NI Housing Executive had advised that it supported mixed tenure development as it was an important way to create cohesive, sustainable, and balanced communities and that there was social housing need in the Housing Need Area (HNA).

The Senior Planning officer explained that the layout complied with supplementary guidance in terms of separation distances between proposed and neighbouring existing buildings. It also provided adequate amenity space equating to approximately 28 square metres per unit, which was above the minimum standard.

He advised the Committee that the dwellings on Sefton Drive would have rear garden amenity areas ranging from 50 square metres to 80 square metres. The dwelling unit sizes for prospective occupiers complied with PPS7 and the proposal would not adversely impact on the amenity of existing residents. He added that the design, scale and massing of the proposed buildings were considered acceptable within the local context and would not adversely impact character.

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The Committee was advised that Historic Environment Division had recommended that further design revisions be incorporated to safeguard the impacts of key views to historic assets, namely distance views to the H&W cranes (Scheduled Monuments) and the listed building opposite the site at the corner of Belmont Road. The revisions included suggested additional setbacks and correction/clarification of drawing details. The Senior Planning officer explained that officers had explored the concerns, however, the set back space requested would render the related residential units unviable in terms of space standards for social housing. It was considered that the visual impact of the aspects of the proposal would not be significant and would not result in adverse impacts on listed assets, taking account of separation distances and the existing built form and design of neighbouring sites.

The Members were advised that there were a number of trees on the site, some of which were subject to a Tree Preservation Order (TPO). The Senior Planning officer advised that approximately 22 trees (13 TPO) would be removed, with approximately 70 replacement trees provided, with further shrub and amenity planting also included. He confirmed that the majority of existing visually significant trees along the Hollywood Road site frontage and a significant tree within the site would be retained.

He advised the Committee that the replacement planting and need for social housing were considered to outweigh the trees to be removed and objections from the Tree Officer.

He reported that DFI Roads had been consulted and was satisfied that sufficient vehicle and bicycle parking was proposed, the access arrangements were adequate, and that the proposal would not result in a significant impact on traffic or road safety. The proposal included 56 parking spaces and dedicated internal cycle parking within an ancillary building. The Committee was advised that 11 spaces would be provided on Sefton Drive to serve the 11 proposed terrace houses and 45 spaces would be provided for the apartments.

While the parking equated to 0.6 parking spaces per unit, which was less than standard, DFI Roads had paid regard to the fact that the proposal was an affordable housing scheme and that the applicant's evidence that car ownership for the type of housing proposed was less than the usual standard. Regard had also been given to the applicant's proposed green travel measures to encourage a model shift.

The Committee was advised that 75 objections had been received from the public, the details of which were summarised at paragraph 9.39 of the Case officer's report. He explained that 4 objections were received since the last re-advertisement and re-notification process.

The Chairperson welcomed Mr. P. Stinson, agent, and Mr. J. Anderson, Choice Housing, to the meeting. Mr. Stinson advised the Committee that:

- the application would deliver much needed social housing for the area. In March 2020 there were 934 applicants in the Housing Need Area, 522 of which were in housing stress;
- Choice Housing wanted to deliver a signature development at the site, including on site management through a concierge service and a tenant hub building to help foster a sense of community for residents;

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- it was one of the first proposals to engage in digital consultation following the onset of the pandemic. Four separate webinars had been held in May 2020, with over 100 people in attendance and the recording viewed over 200 times. The project website was also visited on over 5000 occasions during the consultation period and they had issued a project update leaflet prior to submission of the planning application;
- the application submission followed an extensive process of engagement with planning officers through a 12 month pre application process;
- the process resulted in a significant reduction in building heights and a reduction of 20 units;
- much thought has gone into the detailing of the individual buildings and the elevations, providing design features which bring visual interest to the elevations for the site which was located at an important nodal point at the junction of Holywood Road, Belmont Road and Pims Avenue;
- the design had secured a central area of open space that was at the heart of the development and accessible to residents;
- the loss of trees was compensated by the provision of a significant amount of new trees and vegetation that reflected the layout and design of the buildings. It would transform the site from the current hotel use with its extensive areas of hard standing;
- the site was on an extremely accessible location on an arterial route with excellent amenities within walking distance and public transport links;
- secure bicycle parking would be incorporated within the site;
- the development was also supported by green travel measures, including travel cards; and
- the development would provide a number of improvements for the surrounding road network with enhanced footway provision around the site, a reduction in the number of existing vehicular access points and an improvement to the access into and out of Sefton Drive.

Mr. Anderson stated that:

- the scheme would be a new signature project for Choice Housing Association;
- the high level of housing need drove their involvement in the much needed project; and
- the scheme was a long term investment for Choice HA, not only financially but also in terms of creating a high quality place for their tenants for the long term.

A Member stated that some residents were concerned about disruption as the development progressed.

Mr. Stinson advised that Choice Housing required the appointed contractor to be registered with the Considerate Constructors scheme, which was a not for profit organisation designed to raise standards in the construction industry. It required caring about the appearance of the site, respecting and engaging with the community, protecting the environment and caring about safety as well as valuing their own workforce. He also

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confirmed that the service management plan included arrangements as to how construction traffic would come and go from the site in order to minimise disruption.

A further Member requested information on the rationale for the loss of mature trees, particularly those which were protected by TPOs. Mr. Stinson advised that they had had to balance the correct placement of the buildings along the road together with retaining as many trees as possible. He explained that the amount of hardstanding on the former hotel site had created issues in that regard. He confirmed that an ongoing maintenance plan would ensure that the new trees grew and become part of the value of the site and that the existing trees were appropriately maintained into the future.

A further Member requested information on various aspects of the design, particularly the curved design of Block 2 being overly dominant, the impact of the scheme on the Listed Building and apartments being out of character for the Sefton Drive area.

Mr. Stinson advised the Committee that the design of the curved building had been drawn from the surrounding buildings at such a key nodal point. He explained that the Pims Avenue side of the Strand was devoid of any elevational treatment and they felt that it was a positive addition to the area in townscape terms. He added that HED had acknowledged that there was an increase in one floor from the Listed Building but that with residential floor plates it was much reduced from what the previous proposals were and that it also recognised the separation distance between the Listed Building and the proposal and the fact that it was a bustling junction and that helped mitigate the impression of the new building with those around it. HED considered it highly unlikely that it would have an adverse impact.

In relation to the curved elements at the end of the Sefton Drive townhouses, Mr. Stinson explained that while it was slightly different to what existed currently, it was a modern response to harmonise the character of the area and helped to bookend the end of the terrace.

Mr. B. McKervey, Historic Environment Division (HED), was welcomed to the meeting. He advised the Committee that the position of HED was broadly supportive of the scheme and that the most recent iteration framed the Harland and Wolff cranes very effectively. He added that he felt that the curved design was entirely appropriate for the location and, although the proposal in front of the Committee was taller than the Listed Building at 2-4 Belmont Road, it did not mean that it was inappropriate.

In response to a Member's query regarding travel cards, Mr. Stinson advised the Committee that they were still in discussions the planning officers in relation to the duration of the travel cards as it would depend on viability. He advised the Members that there were significant cost implications for connecting the scheme to NI water infrastructure, the amendments and improvements which were required at the junction at Sefton Drive, as well as the well documented increase in construction costs.

A Member stated that the Tree Officer had objected to the removal of certain trees with TPOs and asked for clarity in relation to how officers determined when the removal of such trees was acceptable. The Director of Planning of Building Control confirmed that TPOs were there to protect trees but not at the cost of any other circumstances. She outlined that officers had to consider all material considerations, and that where the removal of some TPOs

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was proposed, and a suitable replacement programme included within a scheme, a balance had to be struck.

After discussion, the Committee granted approval to the application subject to conditions, with delegated authority given to the Director of Planning and Building Control to finalise conditions and a Section 76 planning agreement, subject to the satisfactory resolution of outstanding issues, including:

- the receipt and assessment of information from the applicant to inform the potential requirement for Employability and Skills Developer Contributions; and
- finalising the conditions and Section 76 Planning Agreement, including the viability of the scheme in relation to the provision of travel cards.

**LA04/2020/1943/F - Residential conversion of the existing listed warehouses to form 57 (1 to 3 bed units) including 60% social and affordable to include a minimum of 20% social housing at 3-19 (Former Warehouse) Rydalmere Street**

The Senior Planning officer outlined the details of the application to the Committee.

She explained the main issues which had been considered in the assessment of the case, including:

- the principle of housing at the location;
- the impact on Built Heritage and Archaeological interests;
- the design and layout of the proposal;
- transportation;
- the impact on amenity of nearby residents and businesses;
- waste management;
- drainage and flood risk;
- the consideration of Developer Contributions

The Members were advised that the site was located within the development limit of Belfast in the BUAP 2001 and Draft BMAP 2015 (dBMAP, both versions) and it was un-zoned, white land in both versions of dBMAP.

The Senior Planning officer advised that the site was located within a draft Area of Townscape Character (BT041 Donegall Road (Village)). As the site was within the development limit, and taking into account the site context and that the proposal would bring the Listed Buildings back into viable use, the principle of housing at the site was considered acceptable subject to consideration of other regional planning policies.

The Committee was advised that DfC HED, DAERA NIEA, Northern Ireland Housing Executive and NI Water had no objections to the proposal subject to conditions. DfI Roads had concerns regarding road safety and traffic progression as a result of insufficient parking. However, it had also provided conditions and informatives should the Council view that the development was acceptable.

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She explained that the concerns raised by DfI Roads about insufficient parking, traffic progression and road safety should be balanced against the characteristics of the site, its sustainable location and the significant benefits of the scheme, notably that it would bring the important listed buildings back into viable use, deliver much needed affordable housing and that it would have regeneration benefits for the area.

She outlined that 29 representations had been received, the majority of which were received prior to the change in proposed tenure of the development to affordable housing. However, she drew the Members' attention to some recent objections and letters of support within the report.

The Committee granted approval to the application, subject to conditions and a Section 76 Planning Agreement, with delegated authority given to the Director of Planning and Building Control to finalise these. The Committee noted that before a decision was made, in view of the objection from DFI Roads and the position of NI Water, the Department for Infrastructure would need to be notified of the application and would decide whether to call it in and determine it itself.

**LA04/2021/1520/F - Change of use from 2 x first floor offices  
to an after-school care facility at Belfast Media Group,  
Teach Basil 2 Hannahstown Hill**

(Councillor Carson (Chairperson), having declared an interest in the item, left the meeting and did not participate in the discussion or vote)

(Councillor Hanvey, Deputy Chairperson, in the Chair)

The Principal Planning officer outlined the details of the application to the Committee.

She explained that the issues which had been considered during the assessment of the application included the principle of development and the impact of the proposal with regard to the treatment of wastewater

The Members were advised that the proposal was contrary to development plan zoning of Draft BMAP as a 'major area of existing employment / industry' and the BUAP 2001 as 'Area of Industry and Commerce. Whilst the proposed use was contrary to policy, she advised the Members that it was considered that the scale of the proposed change of use, relative to the scale of the zoning, would not adversely impact the employment zoning in the longer term, having regard to the development plan, Policy PED7 of PPS4 and the SPPS, providing it was granted for a temporary 3 year period. She explained that that would allow the operators an opportunity to find alternative accommodation.

The Committee was advised that Northern Ireland Water had recommended refusal of the proposal on the basis that the public sewer system could not presently serve the development proposal without significant risk of environmental harm and public dis-amenity, including pollution, flooding and detrimental impact on existing properties. The Senior Planning officer outlined, however, that NI Water had not provided any detailed evidence to support its objection.

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She reported that officers were of the view that the scale of the change of use would have no greater impact on the sewer network than the existing lawful use of the building as newspaper offices and thus would not result in a significant impact. The offices and printing presses had a lawful use on the site that could accommodate 120 staff. She advised that the current proposal would accommodate 20 existing staff, 30 children and 6 creche staff, totaling 56 persons. The scheme therefore constituted a net reduction of 64 people on site. She explained that it was difficult, therefore, to conclude on the basis of the evidence that the use proposed of itself would result in a greater or significant impact to the sewer network.

(Councillor O'Hara left the meeting at this point in proceedings)

A number of Members stated that they had concerns regarding the response from NI Water and that they would suggest a deferral to receive information from that organisation.

In response to a Member's query regarding the objection from NI Water, the Principal Planning officer explained that they had requested evidence from NI Water but that they had not received any. She explained that, in the absence of any evidence from NI Water, the presumption was in favour of development.

The Planning Manager added that, in the officers' view, there were no planning grounds on which to refuse the application and he strongly advised the Members not to defer and instead suggested a separate briefing on the wider issue of the reason behind NI Waters objection.

The Director of Planning and Building Control suggested that a briefing could be organised in respect of NI Water's objections to smaller applications and the cumulative impact of them. She drew the Members' attention to paragraph 9.4 of the Case officer's report which referenced conversations which had taken place on the capacity which NI Water had made allowances for.

Further Members stated that they did not feel that deferral of the application was appropriate based on the officers' advice. A Member suggested inviting NI Water and Living with Water to present the wider infrastructure issues to the Committee at a future date. He added that desktop exercises for statutory consultation responses were not good enough.

**Proposal**

Moved by Councillor Collins  
Seconded by Councillor Groogan

That the Committee agrees to defer consideration of the application in order to request information from NI Water in respect of what occupancy rate they feel is acceptable on the site.

On a vote, two Members voted for the proposal and nine against and it was declared lost.



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**Proposal**

Moved by Councillor Garrett  
Seconded by Councillor Brooks,

That the Committee grants approval to the application, subject to conditions, for a temporary period of 3 years, with delegated authority given to the Director of Planning and Building Control to finalise the wording of conditions; and

agrees that NI Water and Living with Water be invited to present the wider infrastructure issues to the Committee at a future date, at a Workshop.

On a vote, ten Members voted for the proposal, with none against and one no vote, and it was declared carried.

**LA04/2020/2506/F - Application to vary condition 9  
LA04/2018/1415/F relating to odour abatement measures  
at Former Ballynafeigh Police Station, 332 Ormeau Road**

(Councillor McMullan left the meeting at this point in proceedings)

The Committee was advised that the application was before the Committee as it related to the varying of a condition of a Major development.

The Planning Manager outlined that the amended wording of condition 9 sought to amend the trigger point for when the odour abatement details were submitted for approval. This was necessary as Blocks A and B had already been constructed. The ground floor commercial units were still to be occupied.

Following the submission of amended and updated information, BCC Environmental Health had considered the technical information and had no objections to the proposed variation.

The Committee granted approval to the application, subject to conditions and delegated power to the Director of Planning and Building Control for the final wording of the conditions.

**LA04/2021/1586/A - Temporary mesh banner signage  
(19.1m x 9.84m) on former Belfast Telegraph Printworks,  
124-132 Royal Avenue**

The Committee was provided with the detail of the application for a temporary mesh banner sign (19.1M X 9.84m) for a period of 24 months.

A Member raised concerns that this was the second time that the application had been in front of the Committee for a time extension. She asked the officers to clarify why they felt it was appropriate to extend the permission once again.

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The Principal Planning officer outlined that, whilst the sign was contrary to Planning Policy (PPS17 Outdoor Advertisements), it was considered that granting consent for an extended period of 18 months would be acceptable in the particular circumstances. The commercial property market had slowed and there had been little activity in the city centre due to the Covid Pandemic. The locality was going through a period of transition with the construction of the university campus and the aim of the application was to secure a tenant and funding package to enable the commencement of development of the site.

Moved by Councillor Groogan  
Seconded by Councillor Collins and

Resolved – That the Committee refuses the application as the proposed signage is contrary to the policy requirements of SPPS 6.12, BH11 of PPS6 and Planning Policy (PPS17 Outdoor Advertisements).

**LA04/2019/2938/F - Lighting , including street lighting, lit & branded location 'Beacon' as well as associated electrical control pillars on Lands within the Glencairn park adjacent to Forthriver Road & Glencairn Road**

The Committee noted the details of the application for an environmental improvement scheme within Glencairn park. The site was designated as lands reserved for landscape, amenity or recreation use in the BUAP and as existing open space within both versions of dBMAP. The proposals would complement and improve the area and comply with the relevant policy and area designations.

It noted that, following the submission of a bat survey, NIEA had offered no objection to the proposal subject to conditions. Environmental Health was content with the proposal. DFI Roads had been consulted and, following amendments, was content with the proposal. No letters of representation had been received for the application.

The Committee granted approval to the application, subject to conditions and delegated power to the Director of Planning and Building Control for the final wording of the conditions.

(Councillor Brooks left the meeting at this point in proceedings)

**Restricted Items**

**The information contained in the reports associated with the following two items is restricted in accordance with Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014.**

**Update on Replacement Planning Portal project**

The Planning Manager provided the Committee with an update on progress in the design, configuration and implementation of the new regional Planning IT System which would be shared by Belfast City Council, 9 other councils and the Department for Infrastructure.

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He outlined that a similar report would be considered by the Strategic Policy and Resources Committee the following day.

The Committee noted the contents of the report.

**Amendment to Standing Orders and Operating Protocol**

The Divisional Solicitor informed the Committee that Council officers had been made aware of a recent judicial review of a planning decision which had been taken by another council. Whilst the Judgement had yet to be formally published, it was felt that it should be brought to the attention of Members, as the judge had made a number of findings which would impact upon decisions taken by the Committee for this and future meetings.

She confirmed that a report would, on 22nd October, be presented to the Strategic Policy and Resources Committee seeking approval, firstly, to suspend those parts of the Operating Protocols for the Licensing and Planning Committee which prohibited Members from taking part whilst a decision was being made, insofar as it related to non-attendance, and, secondly, to delete/replace those Standing Orders relating to the call-in of decisions taken by the Licensing and Planning Committees.

She pointed out that officers were engaging with their counterparts in the Department for Communities to explore how the issues identified by the Judgement could be resolved and that a further report would be presented to the Committee in due course.

Accordingly, she recommended that the Committee:

- i. note the information which had been provided;
- ii. note that the call-in process would apply to decisions taken by the Committee from this meeting onwards; and
- iii. agree that it was a matter for Members to decide whether to take part whilst a decision was being made, if they had not attended a previous meeting where the application had been discussed, notwithstanding the provisions of the Operating Protocol.

The Committee adopted the recommendations.

Chairperson