

# Planning Committee

Thursday, 14th April, 2022

PRE DETERMINATION HEARING  
HELD IN A HYBRID FORMAT AT 5.00 P.M.

Members present: Councillor Carson (Chairperson);  
The High Sheriff (Councillor Hussey); and  
Councillors Brooks, Garrett, Groogan, Hanvey,  
Maskey, McMullan, Murphy and Spratt.

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

## **Apologies**

Apologies for inability to attend were reported from Councillors Hutchinson and O'Hara.

## **Declarations of Interest**

No declarations of interest were recorded.

## **Pre Determination Hearing for LA04/2020/1943/F – 3-19 (Former Warehouse) Rydalmere Street**

The Principal Planning officer outlined that the applications had been considered by the Planning Committee at its meeting on 21st October, 2021. The Committee had accepted the officer recommendation to grant planning permission, subject to conditions and a Section 76 Planning Agreement, with delegated authority given to the Director of Planning and Building Control to finalise the wording. However, in view of an objection from DfI Roads and the position of NI Water, the Committee had noted that, before a decision was made, the Department for Infrastructure (DfI) had to be notified of the application, and that it would decide whether to call it in and determine it itself.

He explained that the Council had notified DfI of the application on 29th October, 2021. The Committee was advised that, whilst DfI had 28 days to consider the notification, it had issued a holding direction to the Council, preventing it from determining the application, allowing the Department additional time to consider the notification. He explained that, on 7th December 2022, the Council had written to DfI seeking an update and timescale for it issuing its formal response to the notification. The Council

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highlighted the delays to the applicant and that the process was negatively impacting on the Council's own performance in processing the Major application.

The Members were advised that, following further written representations and a meeting between the Planning Service and DfI, the Department finally provided its response to the notification on 23rd March, 2022, five months following the original notification. DfI had confirmed that it was not calling in the application and that it was being returned to the Council for a decision. The Principal Planning officer outlined that no explanation had been provided by the Department as to the reason for the five month delay.

The Committee was reminded that, following return of the application to the Council for a decision, Regulation 7(1) of the Planning (Development Management) Regulations (Northern Ireland) 2015 required that the Council hold a Pre-Determination Hearing to give the applicant and interested parties an opportunity to appear before and be heard by the Committee. He reiterated that a decision on the applications would not be made at the Pre-Determination Hearing, but that the Committee would be asked for its consideration at the subsequent Special Meeting to be held later that evening.

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

He 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.

He outlined 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 the 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

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insufficient parking. However, it had also provided conditions and informatives should the Council view that the development was acceptable.

The Committee was advised that the concerns which had been 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.

The Members were advised 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, he drew the Members' attention to some recent objections and letters of support within the Case officers report. The Late Items pack also included a further objection from a resident who had previously objected. She wished to reiterate her concerns regarding parking in the area.

The Chairperson welcomed Mr. B Dickson BEM, Chair of the Blackstaff Residents Association, who was objecting to the application, to the meeting.

Mr. Dickson advised the Committee that his overriding concern was that it would add to the existing parking problems in the area. He explained that South City Community Resource Centre had demonstrated very clearly the parking problems through a number of photographs taken at different times during the day and also that emergency and service vehicles found it difficult, and at times impossible, to drive through the streets. He stated that, in HMOs, there tended to be more than 1 tenant with a car.

He added that residents were also concerned about an additional planning application which had been submitted for the bottom of Rydalmere Street and Empire Street, for a further 97 apartments.

He added that there was no guarantee under the points system that the social housing units would be allocated to local residents.

He advised the Committee that the Blackstaff Residents' Association regretted that they had not been consulted about the plans by the developer. Mr. Dickson explained that while the application might improve the appearance of the listed building, it would create greater problems for the area. He outlined that the structure of the building was one of legacy and that it reflected the great clothing industry that once existed in the area. He suggested that, with the present supply and trading problems due mostly to the war with Ukraine and Russia, there might be an opportunity for the UK government to support the reuse of such old factory buildings to develop home industry.

Mr. Dickson added that the Blackstaff Residents Association felt that the structure should remain the same, with no added extensions, and that any proposed use for the building should not considerably add to the parking problems in the area.

The Chairperson thanked Mr. Dickson for his contribution.

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He then welcomed Mr. B. Black and Mr. P. Taylor, representing the applicant and agent, to the meeting.

Together they advised the Committee that the scheme had a number of benefits, namely, that:

- it would bring a Grade B2 listed building back into use;
- the building had lain empty for a long time with no viable commercial use to date. The design was of a high quality and the Council's heritage officers had stated that the proposals were some of the best that they had seen in some time;
- 60% of the apartments would be for social/affordable tenants and that they had worked closely with NIHE and various housing providers in respect of the allocation of the units;
- they had created garden spaces and external amenity spaces to maximise the outside space, as well as maximising the apartment sizes within the heritage building;
- they had spent a long time working with planning officers to refine the scheme;
- several planning consultation events had taken place in respect of the scheme;
- the project represented an opportunity for urban regeneration in an area of need; and
- there would be ongoing consultation between the local residents and the management team of the building to try and prevent problems from arising.

Mr Alexander, applicant, explained that consultation had taken place with the community from eighteen months prior. He added that Mr. C Stalford MLA had organised a public meeting at the Greater Village Regeneration Trust (GVRT) offices which had had a good turnout and that the feedback had been positive. He added that if the building was to be brought back into industrial use the parking intensification issues would be considerably worse than the proposed social housing scheme.

The Chairperson thanked the speakers for their contributions.

Chairperson