

Planning Committee

Tuesday, 17th April, 2018

MEETING OF PLANNING COMMITTEE

Members present: Councillor McDonough-Brown (Deputy Chairperson);
Alderman McGimpsey;
Councillors Armitage, Carson, Dorrian,
Garrett, Hussey, Hutchinson, Johnston,
Magee, McAteer and Mullan.

In attendance: Mr. K. Sutherland, Development Planning and Policy
Manager;
Ms. N. Largey, Divisional Solicitor;
Mr. E. Baker, Development Engagement Manager; and
Ms. E. McGoldrick, Democratic Services Officer.

Apologies

Apologies were reported on behalf of Councillor Lyons.

Minutes

The minutes of the meeting of 13th and 15th March were taken as read and signed as correct. It was reported that those minutes had been adopted by the Council at its meeting on 9th April, subject to the omission of those matters in respect of which the Council had delegated its powers to the Committee.

Declarations of Interest

Regarding item 6.g. LA04/2018/0593/F - Temporary single storey open timber structure at CS Lewis Square, Councillors Armitage, Dorrian and Johnston declared an interest, in so far as they sat on the board of the Eastside Partnership, however they had not formed any opinion on the matter prior to the meeting.

In respect of item 6.l. LA04/2017/0875/F - New 2 , 3 and 4 storey building proposed use class B2 and B4 (light industrial and storage and distribution) on the ground floor and use class B1 (b) and (c) (call centre and research and development) on the upper floors with demolition of existing two storey building (current use class B1 (c) and the existing 3.1 metre high metal railings and fence at Duncairn Gardens, Councillor McDonough-Brown declared an interest, in that a family member was a tenant of the North City Business Centre, however, he had not formed any opinion on the matter prior to the meeting.

Committee Site Visits

Pursuant to its decision of 13th March, it was noted that the Committee had undertaken a site visit on 28th March in respect of the following planning applications:

**Planning Committee,
Tuesday, 17th April, 2018**

- LA04/2016/0564/F - Additional waste types, and the installation of a metal shredder and associated conveyor belt systems at Avenue Recycling, 1 Advantage Way, Ballygomartin Road; and
- LA04/2016/0563/F - Variation of conditions 3 and 7 of planning permission Z/2005/2312/F to allow for external unloading, transfer and storage of waste and increase to opening hours, additional 2 hours per day.

Vesting Order

The Committee noted the receipt of correspondence from the Department for Communities in relation to the Notice of Intention to make a Vesting Order of land between North Street and Samuel Street.

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 Notified

The Committee noted a list of decisions which had been taken under the delegated authority of the Director of Planning and Place, together with all other planning decisions which had been issued by the Planning Department between 6th March and 9th April, 2018.

Withdrawn Items

The Committee noted that item LA04/2018/0522/F - Remove condition 7 - LA04/2015/1102/F (Occupancy Condition) on 42 Strathmore Park had been withdrawn from the agenda.

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)

LA04/2017/2525/F - 2 storey rear extension with side elevation changes at 10 Rosetta Drive

The Committee was apprised of the principal aspects of the application.

It was noted that the application, in accordance with the Scheme of Delegation, had been presented to the Committee since the applicant was related to a member of Council.

The case officer informed the Committee that, after the agenda had been published, the following points of objection had been received from residents:

**Planning Committee,
Tuesday, 17th April, 2018**

- A signed petition;
- Objection to the approval of the planning application on the basis that it was a business venture for rental accommodation and the impact it would have on the surrounding area and residents;
- The dwelling would be used as a House of Multiple Occupancy (HMO); and
- Loss of light to the rear of objector's property.

The case officer outlined the response of the Planning Department to the aforementioned issues raised, as set out in the Late Items Report Pack.

The Committee received a representation from Mr. M. Marshall in objection to the application, on behalf of residents. He suggested that the applicant, Mr. S. Boyle, was not currently living in the property and might never live at the property in the future. He suggested that the development of the property was intended for profit and was a business venture of Councillor Boyle.

He suggested that the property had been advertised 'To Let' for the last two months by Boyle Properties. He suggested that the design was unprecedented in the area and was typical of a property intended for a House of Multiple Occupancy and not for family use.

He highlighted that there had been a number of objections submitted to the Planning Department together with a signed petition from surrounding residents who had not been consulted by the applicant. He suggested further that the development would have a detrimental impact on the residents of the area and that the Committee should refuse the application to preserve the community and neighbourhood.

The Committee received representation from Councillor Craig who outlined his support for the case officer's recommendation for approval. In relation to the objectors' comments regarding the use of the property, he suggested that they were just assertions and the Committee should judge the application as set out in the report. He highlighted that if the house was to be used as a HMO in the future, the applicant would be required to apply for HMO status. He suggested that the property had been in the applicant's family for many years and had been purchased by the applicant who intended to live in it. He suggested there had been a number of similar applications that had been approved in the area.

During discussion, the case officer clarified that:

- the petition which had been received from the residents had 58 signatures;
- the site was not within a HMO node; and
- there were no record of HMO's on the street at present.

She advised that there were a number of two storey extensions in the area and the addition of a condition in relation to usage or ownership would not be appropriate in

**Planning Committee,
Tuesday, 17th April, 2018**

this case. She highlighted that any change of use to the property would be subject to application and enforcement, if required.

The Committee granted approval to the application, subject to the imposing of the conditions set out within the case officer's report.

LA04/2018/0122/F - Demolition of existing teaching block; development of new science building containing 10 classrooms, "social amphitheatre", 6th form study space, WC's, plant room, roof terrace and greenhouse; landscaping; and reconfiguration of existing car park and drop-off areas to be accessed from existing site access and internal road, Campbell College , Belmont Road

The Committee considered the aforementioned application at a site located within the Campbell College and Ormiston Site of Local Nature Conservation Importance/ Local Landscape Policy Area as designated in the Draft Belfast Metropolitan Area Plan.

The case officer highlighted that, during consultation, the Northern Ireland Environment Agency's Natural Environment Division (NED) had requested some points of clarification that the Planning Department had responded to, however, a final response from the NED remained outstanding.

The Committee granted approval to the application, subject to the imposing of the conditions set out in the case officer's report and delegated power to the Director of Planning and Place for the final wording of the conditions.

LA04/2016/2359/F - Demolition of existing buildings for 7 storey office building with retail unit on ground floor at 46-52 Upper Queen Street and 11a Wellington Street

The Case officer outlined the application for the demolition of existing buildings (LA04/2016/2341/DCA) and the erection of a 7-storey office building with a retail unit on the ground floor.

During discussion, Members raised concerns in relation to the merits of the proposal when considered against the contribution of the existing building to the character of the Conservation Area and the wider streetscape together with the potential impact on Wellington Street.

The case officer confirmed that internal site visits had confirmed that no architectural features remained and the upper floors were not currently occupied. He confirmed that the conservation officer considered that the building should be retained, although it was not listed.

The Committee, given the issues which had been raised regarding the contribution of the building to the character of the area, agreed 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 proposal at first hand.

**Planning Committee,
Tuesday, 17th April, 2018**

Reconsidered Item LA04/2017/1505/F – 15 residential apartments at 1-3 Eia Street

(Councillor Hutchinson took no part in the discussion or decision-making of the application since he had not been in attendance at the meeting on 13th February or 13th March when it had originally been considered.)

The Committee was reminded that, at its meeting on 13th February, it had agreed to defer consideration of the application to enable a site visit to be undertaken, and at its meeting on 13th March, it had agreed to further defer consideration of the application to enable it to be reconsidered by officers and potential reasons for refusal to be outlined for consideration in an amended report at the next meeting.

The case officer advised that on review of the issues raised, two possible reasons for refusal had been outlined in the report as follows:

1. The proposal was contrary to Policy QD1 of PPS 7 and Policy LC1 of PPS 7 Addendum in that it represented overdevelopment of the site and the proposed resulting density was significantly higher than that found in the established residential area in that the proposal was inappropriate and harmful to the character of the site and did not respect the surrounding context; and
2. The proposal was contrary to Policy QD1 of Planning Policy Statement 7 in that adequate provision had not been made for appropriate private open space as an integral part of the development.

However, the recommendation remained that the application should be approved.

The Committee refused the application for the reasons as set out in the case officer's report.

Reconsidered Item LA04/2016/0563/F - Variation of conditions 3 and 7 of planning permission Z/2005/2312/F to allow for external unloading, transfer and storage of waste and increase to opening hours (additional 2 hours per day) at 1 Ballygomartin Industrial Estate, Ballygomartin Road; and

Reconsidered Item LA04/2016/0564/F - Additional waste types and construction of noise barriers walls at 1 Ballygomartin Industrial Estate, Ballygomartin Road

(Councillor Hutchinson took no part in the discussion or decision-making of the applications since he had not been in attendance at the meeting on 13th March when it had originally been considered.)

(Councillor Garrett had left the room whilst the items were under consideration.)

The Committee agreed to consider the aforementioned applications together.

**Planning Committee,
Tuesday, 17th April, 2018**

The Committee was reminded that, at its meeting on 13th March, it had agreed to defer consideration of the applications to enable a site visit to be undertaken to allow the Committee to acquaint itself with the location and the proposals at first hand.

LA04/2016/0563/F

The Committee granted approval to the application, subject to the imposing of the conditions set out in the case officer's report and delegated power to the Director of Planning and Place for the final wording of the conditions.

LA04/2016/0564/F

The Committee granted approval to the application, subject to the imposing of the conditions set out in the case officer's report and delegated power to the Director of Planning and Place for the final wording of the conditions.

(Councillors Garrett and Hutchinson returned to the Committee table at this point.)

LA04/2018/0593/F - Temporary single storey open timber structure at CS Lewis Square

It was noted that the application, in accordance with the Scheme of Delegation, had been presented to the Committee since the Council was the landowner of the development site.

The case officer advised that, since the agenda had been published, a consultation response had been received from Environmental Health with no objection to the application.

The Committee granted approval to the application, subject to the imposing of the conditions set out in the case officer's report and delegated power to the Director of Planning and Place for the final wording of the conditions.

LA04/2018/0098/F - Change of use from retail to amusement arcade and alterations to shop front [relocation of Oasis centre from 19 North Street] 73-75 North Street

The Development Engagement Manager provided an overview of the application.

During discussion, the Development Engagement Manager advised that the proposed Oasis amusement arcade was relocating to the site from 19 North Street, however, since planning permission was attached to the land, a formal mechanism would be needed to ensure that the existing and proposed premises did not operate concurrently as amusement arcades and the applicant had been asked to put forward a mechanism for this.

The Committee granted approval to the application, subject to the imposing of the conditions set out in the officer's report and delegated power to the Director of Planning and Place for the final wording of the conditions.

**Planning Committee,
Tuesday, 17th April, 2018**

LA04/2018/0095/F - Demolition of partition wall to amalgamate part of 9 Wellington Place into 7 Wellington Place to extend existing amusement/gaming centre use and conversion from retail use, subdivision of 9 Wellington Place to form a retail unit at 9 Wellington Place

The Development Engagement Manager outlined the application for the internal extension of a gaming centre into the adjoining building and associated internal reconfiguration.

The Development Engagement Manager advised that Listed Building Consent was also sought under associated application LA04/2018/0131/LBC.

The Committee granted approval to the application, subject to the imposing of the conditions set out within the officer's report.

LA04/2015/1492/F - Residential development comprising of 5 townhouses and 13 apartments with associated car parking and landscaping on land adjacent to McKinney House, Musgrave Park

The Committee was apprised of the principal aspects of the application and the context for where the proposed development would take place.

The Committee granted approval to the application, subject to the imposing of the conditions set out within the case officer's report.

LA04/2017/0875/F - New 2 , 3 and 4 storey building proposed use class B2 and B4 (light industrial and storage and distribution) on the ground floor and use class B1 (b) and (c) (call centre and research and development) on the upper floors with demolition of existing two storey building (current use class B1 (c) and the existing 3.1 metre high metal railings and fence at Duncairn Gardens

The case officer provided an overview of the application for the demolition of an existing office building and the construction of a replacement office building of a greater height and floor space.

The Committee granted approval to the application, subject to the imposing of the conditions set out in the case officer's report and delegated power to the Director of Planning and Place for the final wording of the conditions.

Miscellaneous Items

Restricted Item

The Information contained in the following report is restricted in accordance with Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014

Local Development Plan Draft Strategy

**Planning Committee,
Tuesday, 17th April, 2018**

Before the item was presented, the Committee agreed to defer consideration of the report so that Members could review the LDP Draft Strategy further and requested that a special meeting, on a date to be determined by the Chairperson, be scheduled in May to discuss the matter.

Green and Blue Infrastructure Plan

Before the item was presented, the Committee agreed to defer consideration of the report so that Members could review the Green and Blue Infrastructure Plan further and requested that this item also be placed on the agenda of the aforementioned special meeting.

Belfast Housing Land Availability Summary Reports

The Committee considered the undernoted report:

“1.0 Purpose of Report or Summary of main Issues

To provide an overview of the Council’s Housing Land Availability Summary Reports for the 2015/16 and 2016/17 monitoring periods.

These reports present the outcomes of annual housing land monitoring and help inform the preparation of the new Local Development Plan (LDP) for the District. They provide a snapshot of the amount of land available for new residential development as of 1st April each year.

2.0 Recommendations

Note the outcomes of the annual Housing Monitor reports for 2015/16 and 2016/17 contained at Appendix 1 and 2 (copy available [here](#)) respectively and the intention to publish these summaries on the Council’s website.

3.0 Main report

Background

Monitoring of housing delivery has been on-going across the Region since the late 1990s, under the responsibilities of the former Department for Environment’s (DOE) Planning Service. Summary Reports for the Region, including a breakdown within the old Belfast local government district, are available from the NI Planning Portal¹ to cover the period from 2004 to 2013. However, no data was published following 1 August 2013.

¹ www.planningni.gov.uk/index/policy/dev_plans/policy_housing_availability.htm

The Planning Act (NI) 2011 requires that the Council to make an annual report to the Department for Infrastructure outlining the extent to which the objectives set out in the LDP are being achieved. As the Council are currently preparing the first new LDP for Belfast under this new legislation, the production of Annual Monitoring Reports has not yet commenced. Instead, annual Housing Land Availability Monitor (referred to as the 'Housing Monitor') reports are being prepared by the Council until the new LDP is adopted.

Housing Land Availability Reports

The primary purpose of the Housing Monitor is to inform the formulation of the Council's new LDP. However, it will also help the Council identify where a shortfall in potential land supply might exist and can inform house-builders on the availability of land that may be suitable for housing.

The two Housing Land Availability Summary Reports contained at Appendix 1 and 2 present the headline figures from a register of potential housing land maintained by the Council, based on current planning policy designations and planning permissions. This includes the net gains in housing units each year, as well as providing a snapshot of the amount of land available for new homes and capacity for future housing units as at 1st April each year. This information is summarised within each report in relation to:

- Each settlement within the District, including settlement areas in the case of Belfast City;
- Whether land falls within the existing urban footprint² or is classified as greenfield land; and
- The type of land use zoning (i.e. land zoned for housing, land zoned for mixed use development, non-zoned land, etc.).

During the 2016/17 monitoring year 714 units were completed on 17.4 ha of land across the District. 425.8 ha of land remains, with potential capacity for 23,170 residential units. The total number of dwellings completed in the district has risen by 28.6% from 555 in 2015/16 to 714 in the current monitor year. The proportion of dwellings completed within the Urban Footprint is recorded at over 93% during both monitoring periods and, as at 1 April 2017, almost 40% of the remaining potential available for future dwellings is on land zoned for housing or mixed use development.

² The continuous built-up area of the settlement.

It is emphasised that the monitor represents a register of housing land based on current policy designations and planning permissions, rather than an accurate picture of viable housing land. It is the role of an Urban Capacity Study, which forms part of the evidence base for the new LDP, to assess the suitability, availability and achievability of monitored sites, alongside the identification of new sites that could be later zoned for residential use as part of the LDP process. Potential sources of additional capacity over and above housing monitor sites could include, for example, increasing density of development on existing sites, utilising vacant floor space above commercial premises, the re-zoning of employment land or consideration of urban extensions.

The 2015/16 Report at Appendix 1 also contains a summary of the historic DOE housing monitor from 2004 to 2013, remodelled to the new Belfast District boundary. Although this data matches the new boundary, differences in methodology and the annual monitoring periods mean this information cannot be directly compared to the Council monitoring data produced since the transfer of planning on 1 April 2015.

Members are asked to note the outcomes of the two annual Housing Monitor reports and the intention to publish these summaries on the Council's website. Future housing monitor reports will then be published on an annual basis as soon as practical following the completion of each monitoring period (31 March each year).

Financial & Resource Implications

There are no financial or other resource implication arising from this report.

Equality or Good Relations Implications

The Housing Monitor reports present factual information and make no recommendations relating to the future allocation of land for housing. There are therefore no equality or good relations implications arising from this report.”

The Committee adopted the recommendations.

Chairperson