

Planning Committee

Tuesday, 9th April, 2019

PRE DETERMINATION HEARING

Members present: Councillor Garrett (Chairperson);
Councillors Armitage, Campbell, Canavan,
Carson, Hutchinson, Johnston, Mullan and
Nicholl.

In attendance: Mr. J. Walsh, City Solicitor;
Mr. A. Thatcher, Director of Planning and
Building Control;
Ms. N. Largey, Divisional Solicitor;
Mr. E. Baker, Planning Manager (Development
Management);
Mr. S. McCrory, Democratic Services Manager; and
Mrs. L. McLornan, Democratic Services Officer.

Apologies

No apologies were reported.

Declarations of Interest

No declarations of interest were recorded.

**Pre Determination Hearing to consider Planning Application
LA04/2017/2811/F and LA04/2017/2783/DCA – Demolition of
existing building and erection of 16 storey residential building
comprising 90 units (30 x one bed and 60 x two bed), ancillary
ground floor uses including management suite, café,
servicing (refuse/recycling/cycle storage/general storage),
plant room, substation and associated public realm works
at 81-87 Academy Street & 2-6 Exchange Street**

The Planning Manager (Development Management) reminded the Members that applications LA04/2017/2811/F and LA04/2017/2783/DCA had originally been considered by the Planning Committee at its meeting on 16th October, 2018, when the Committee had resolved to grant planning permission, subject to clarification of the consultation response from DfI Roads, satisfactory amendments to the design of the public realm enhancements, the submission of a satisfactory Travel Plan, and securing travel cards for the occupants of the development for five years.

He advised the Members that the Planning (Notification of Applications) Direction 2017 provided that, since there had been an objection to the major application from the Historic Environment Division (HED), it had been necessary to notify the Department for Infrastructure (DfI) because the resolution to approve was contrary to the views of a statutory consultee. He explained to the Committee that, on 26th March, 2019, the DfI

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had confirmed that it did not consider it necessary for the applications to be referred to it for determination.

He explained to the Committee that, under Regulation 7(1) of the Planning (Development Management) Regulations (Northern Ireland) 2015, the Council was required to hold a pre-determination hearing to hear the views of interested parties and for the Committee to seek clarification from those parties on the facts surrounding the development.

The Committee was reminded that a decision on the applications would not be reached at that meeting but that they would be formally considered at the Planning Committee later that evening. The Planning Manager highlighted to the Members that the hearing should focus on the material planning considerations.

The Planning Manager provided the key aspects of the planning applications to the Committee, including various viewpoints of the proposed building in relation to surrounding buildings.

The Committee's attention was drawn to the case officer's report, which included the original committee report of 16th October, 2018 and the Late Items report from that meeting. The Planning Manager advised the Members that the reports provided the background to the applications, the consultation responses and the relevant key issues to be considered.

He advised the Committee that DfI Roads had subsequently withdrawn its earlier objection to the application as reported in the Late Items report, on the understanding that there would be an updated Travel Plan and that public transport travel cards would be provided for each residential unit for the first five years of occupation. He advised that, on that basis, DfI Roads had withdrawn their requirement for on-site parking.

The Members were advised that HED had objected to the applications as it felt that the proposals would adversely affect the setting of nearby Listed Buildings and that the proposal was out of keeping with the context and character of the setting and both the listed buildings' relationship with their setting and the detailed design was out of keeping with the listed buildings in terms of scale, form, massing and proportions.

Since the Planning Committee's meeting of 16th October, 2018, the Committee was advised that the Council had received further objections in relation to application LA04/2017/2811/F, including that:

- the height of the proposal would detract from the Cathedral area;
- the height of the new Ulster University buildings was now being used as a precedent;
- the height restrictions set out in BMAP should be adhered to;
- the demolition on the site was concerning, particularly in relation to how long it would last and noise and vibration concerns and the impact on neighbouring businesses;
- the lack of parking provided within the site; and

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- the building would be overly-dominant and failed to accord with SPPS and Policy BH11 of PPS6, and was out of keeping with the Conservation Area.

The Committee was advised that officers' responses to the concerns which had been raised were covered within the report, a number of which had been addressed in the original case officer's report of 16th October, 2018.

The Chairperson then welcomed to the meeting Mr. A. Best, the Applicant, Mr. M. Gordon, Turley, and Mr. S. Levrant, Architect, and advised them that they had ten minutes to address the Committee.

Mr. Gordon outlined to the Committee that:

- the application, as the City's first build-to-rent scheme, would contribute to the Council's ambitious housing targets as set out in the Belfast Agenda;
- it was an important investment in the City's residential stock; and
- he believed that the proposal had struck a balance between development in the City and protection of the City's heritage.

Mr. Levrant advised the Members that:

- the proposal was taller than those buildings around it, but that it should not be taken as a negative, as change was necessary in the development of a vibrant City, in terms of increased density;
- it was not an arbitrary height or size, it was in response to the City's requirements;
- the juxtaposition between the proposals and both the Education Authority office and the Cathedral was appropriate, as both were impactful buildings in their own merit, and the application would act as a foil to those; and
- while he acknowledged that there would be a minor adverse impact upon one view of the site, it was offset by the major benefits of the scheme, namely, the replacement of the dreadful building on site currently, and the creation of much-needed accommodation in the area.

The Chairperson thanked the representatives for their presentation.

Mr. B. McKervey, Historic Environment Division (HED), declined the opportunity to address the Committee but advised that he was in attendance to answer any questions from the Committee. No questions were posed to Mr. McKervey.

The Committee noted that it would consider the application formally at its meeting which would commence later that evening.

Chairperson