

Planning Committee

Thursday, 23rd January, 2020

MEETING OF PLANNING COMMITTEE

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

(Councillor Brooks in the Chair)

Apologies

Apologies for inability to attend were reported from the Chairperson, Councillor Carson, and from Councillor McKeown.

Declarations of Interest

Councillor Brooks, Deputy Chairperson, and Alderman Rodgers declared an interest in item 6i, namely LA04/2019/2412/F – Renewal of approval LA04/2018/0593/F for a single storey timber structure at C. S. Lewis Square, in that they were Board members of the EastSide Partnership. They both left the room for the duration of the discussion on the item and did not take part in the vote.

Councillor Groogan declared in interest in item 6c, namely LA04/2017/2745/F and LA04/2017/2689/LBC - Conversion of building to create 63 No. bed hotel with ancillary function space, bars and restaurants, including all associated works, single storey rear extension Scottish Mutual Building 15-16 Donegall Square South and 2-14 Bedford Street, in that she wished to object to the proposals and she would speak against the item. She did not take part in the vote and left the room for the duration of the discussion.

Councillor Nicholl declared an interest in item 6g, namely LA04/2017/1439/F - construction of 13 dwellings comprising 3 detached dwellings 6 semi-detached dwellings along with 4 apartments on lands opposite Ruby Cottages and St Ellen's Terrace, Edenderry Road, Edenderry Village, in that she was a member of the Lagan Valley Regional Park. She left the room for the duration of the discussion on the item and did not take part in the vote.

**Planning Committee,
Thursday, 23rd January, 2020**

Restricted Items

The information contained in the reports associated with the following 3 items is restricted in accordance with Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014.

Resolved – That the Committee agrees to exclude the members of the Press and public from the Committee meeting during discussion of these items as, due to the nature of the items, there would be a disclosure of exempt information as described in Section 42(4) and Section 6 of the Local Government Act (NI) 2014.

Revenue Estimates & District Rate 2020/2021

(The Director of Finance and Resources attended in connection with this item.)

The Director of Finance and Resources advised the Committee that the Strategic Policy and Resources Committee, at its meeting on 17 December, had agreed the cash limit and capital financing budget for the Strategic Policy and Resources Committee, and the recommended cash limits for the City Growth and Regeneration Committee, the People and Communities Committee and the Planning Committee for 2020/2021 which would require a district rate increase of 1.99%.

He outlined the budgetary pressures which the Council would face over the course of that period, together with the efficiency and growth proposals, and confirmed that the Strategic Policy and Resources Committee had, on 17th December, agreed that the cash limit for the Planning Committee should be £1,289,467. He pointed out that the Strategic Policy and Resources Committee would, on 24th January, be required to agree the cash limits for the various Standing Committees, along with the District Rate, and that the process was required to be completed before the legislative deadline of 15th February.

Accordingly, he recommended that the Committee:

- i. approve a cash limit for the Planning Committee of £1,289,467 for 2020/21, together with the individual service limits set out within the report;
- ii. note the next steps in the rate-setting process; and
- iii. agree that the aforementioned decisions should not be subject to call-in, on the basis that it would cause an unreasonable delay which would be prejudicial to the Council's and the public's interests in striking the rate by the legislative deadline.

After discussion, the Committee adopted the recommendations.

**Planning Committee,
Thursday, 23rd January, 2020**

**Lisburn and Castlereagh City Council - Consultation on
LDP Draft Plan Strategy**

(Mr. D. O’Kane, Principal Planning Officer, attended in connection with the following two items)

The Principal Planning Officer reminded the Committee that Lisburn and Castlereagh City Council (LCCC) had published its draft Plan Strategy (dPS) for public consultation in October 2019, with a closing date for submissions of 10th January, 2020. He advised the Members that the Strategic Policy and Resources Committee had granted delegated authority to the Director of Planning and Building Control to make detailed representations in respect of the key issues arising from the consideration of the LCCC dPS.

The Committee was provided with the formal response which had been submitted to LCCC on 10th January. The Principal Planning officer provided the Members with four key issues which had been highlighted in the response.

The Committee noted the update and the formal response which had been sent.

Belfast Local Development Plan – Update

The Principal Planning Officer provided the Committee with an update on the progress of the draft Plan Strategy (dPS) of the Belfast Local Development Plan (LDP) and on the development of a suite of Supplementary Planning Guidance (SPG) to support the plan.

He reminded the Members that the Council had received approval from the department for Infrastructure (DfI) on 5th December, 2019 to progress the Plan to Independent Examination. He added that the dPS had been formally submitted to the Planning Appeals Commission (PAC) on 2nd January, 2020, for its initial consideration.

The Committee was advised that workshops with Members, to help develop the guidance, would be held in March and April.

The Deputy Chairperson, on behalf of the Committee, thanked the Principal Planning officer and his team for their continued hard work on the Local Development Plan.

The Committee noted the update which had been provided on the draft Plan Strategy and the Supplementary Planning Guidance.

Changes to Council Property Certificate (CPC) fees

The Planning Manager (Development Management) reminded the Committee that a report had been presented to the Committee on 13th June, 2019, regarding an increase to the fees for the Regional Property certificates, which were administered within the Planning Service. He explained that the Committee had agreed to a review of the CPC

**Planning Committee,
Thursday, 23rd January, 2020**

taking place and that the eleven Councils had subsequently carried out a review and consulted with the Law Society.

He explained to the Members that the CPC service assisted in the conveyancing process, providing information from internal Council services in response to an application from a solicitor. He outlined that, in 2018/2019, it had generated £395,000 for Belfast City Council.

The Committee noted that the CPC fee was currently £60 and had not been increased since 2004. The Planning Manager explained that the increases included both a rise to reflect the lack of increase since 2004 and also to account for future inflationary costs. He added that the prices would be reviewed again in 4 years.

After discussion, the Committee noted the following changes to the fees, as agreed through SOLACE and with the Law Society, which would take effect from 1st April, 2020:

	Current fee	Revised fee
Standard 10 year search	£60	£70
Search back to 1973	£85	£95
Specified 10 year search	£60	£70
Follow-up 10 year search	£25	£30

Planning Appeals Notified

The Committee noted the receipt of correspondence in respect of a number of planning appeals which had been submitted to the Planning Appeals Commission, together with the outcomes of a range of hearings which had been considered by the Commission.

Planning Decisions Issued

The Committee noted a list of decisions which had been taken under the delegated authority of the Director of Planning and Building Control, together with all other planning decisions which had been issued by the Planning Department between 3rd December, 2019 and 7th January, 2020.

Planning Applications

**LA04/2018/2470/O, LA04/2018/2464/F and LA04/2018/2445/LBC
- Mixed use regeneration and development of vacant surface
level car park and refurbishment of existing listed Butchers
building, including construction of new fixed use buildings
(heights varying between 3-9 storeys comprising basement
level car parking, ground floor retail/restaurant/coffee shop/
workspace uses, with Grade A and SME offices above, provision
of pedestrian accesses from Gresham and Winetavern Street;
associated public realm, landscaping, associated plant, and
all site and access works on vacant lands at existing level**

**Planning Committee,
Thursday, 23rd January, 2020**

Carpark bounded by Winetavern Street Gresham Street and North Street, including 108 North Street and 1 Gresham Street

The Deputy Chairperson reminded the Committee that it had undertaken a Pre-Determination Hearing for the application before the monthly meeting had commenced. The Committee had therefore been provided with the details of the application by the Principal Planning officer, and had also heard from the agent and applicant at that Hearing.

The Principal Planning officer advised the Members that HED believed that the setting of the Listed Buildings in the vicinity of the site would be affected adversely by the scale and massing of the new buildings. He reminded the Committee that DfI had advised that it had written to the Council in December confirming that it did not consider it necessary for the application to be referred to it for determination.

The Chairperson then put the officer's recommendation to approve the application, subject to the imposing of the conditions and to delegate power to the Director of Planning and Building Control for the final wording of the conditions, to the Committee.

On a vote by show of hands, seven Members voted for the proposal and three against and it was accordingly declared carried.

LA04/2019/1636/F - hotel comprising 276 beds, conference facilities, restaurant /café/bar uses (including roof top bar), landscaped public realm, car parking and associated site and road works on ands directly south of Titanic Belfast and North-West of Hamilton Dock located off Queens Road

The Principal Planning officer drew the Committee's attention to the Late Items pack. He explained that the Historic Environment Division (HED) had submitted its formal response to the application. The Committee was advised that HED (Historic Buildings) had confirmed that it was content subject to conditions. HED (Historic Monuments) had also requested a Vibration Monitoring Statement and a Scheduled Monument Consent. The Principal Planning officer explained that they would be secured via condition, as stated in the Case officer's report. The Committee was also advised that the DfI had since submitted its formal response whereby it had no objection, subject to the addition of four conditions.

He provided the Committee with the details of the application on a site which was located within an established industrial/commercial area within the wider Titanic Quarter.

He advised the Members that previous permissions on the site (Z/2010/2864/O) had established the principle of development and a hotel use at the location. The site benefited from being part of the wider Phase 2 Concept Masterplan, where the Design Principles had included a range of parameters for the particular site, including gross floor space, storeys and height. The Members were advised that the proposal was approximately 2.2metre higher than the 21.5metres set out in the masterplan.

**Planning Committee,
Thursday, 23rd January, 2020**

On balance, he explained that, given the quality of the proposal and design cues which had been taken from the nearby listed Harland and Wolff Drawing Offices, accompanied by the fact that the Historic Environment Division (HED) had no objections given recent changes to the roofscape, officers considered the scale and massing of the proposal acceptable.

The Deputy Chairperson welcomed Ms. S. Murphy, agent, Mr. S. Miskelly, Architect, and Mr. C. O'Hara, Transport Consultant. Ms. Murphy advised the Committee that:

- the JMK group had extensive experience in investing in hotels across the UK and Ireland;
- the Titanic Quarter was home to three of Northern Ireland's top visitor attractions;
- the proposed site for the hotel was opposite the number one attraction, "Titanic Belfast", which had attracted 840,000 visitors last year, and which was a 13% increase from the previous year;
- it would be a family friendly hotel;
- the final designs were a result of collaborative discussions with planners, HED, the Urban Design officer and Titanic Foundation Ltd; and
- the application would assist in providing the necessary infrastructure to support the growth in the tourism sector.

In response to a Member's question regarding the travel arrangements for the site, Mr. O'Hara stated that, based on the evidence available, they were still below the trigger level as per the original transport masterplan for the area which had been agreed with DFI Roads service at the time, in 2008. He advised the Committee that the masterplan contained a number of trips associated with each different land use, including agreed trip rates, modal split, car occupancy, and that they were carried through each application for the site.

In response to a further transport question, the Principal Planning officer clarified to the Committee that officers had to make determinations with the evidence which was provided to them from statutory agencies.

A Member stated that they would have liked to have seen the Computer Generated Images (CGI) from a wider range of angles, including one showing the building from Queen Street.

A further Member added that the Committee had undertaken a pre-emptive site visit to the area and that it had been useful in providing context for the application.

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

**Planning Committee,
Thursday, 23rd January, 2020**

LA04/2017/2745/F & LA04/2017/2689/LBC - Conversion of building to create 63 No. bed hotel with ancillary function space, bars and restaurants, including all associated works. Single storey rear extension Scottish Mutual Building 15-16 Donegall Square South and 2-14 Bedford Street

(Councillor Groogan declared an interest and advised the Committee that she wished to leave the Committee table and address the Committee, in objection to the application. After addressing the Committee, she did not participate in the discussion or the vote and left the room for the duration of the remainder of the item.)

The Principal Planning officer clarified to the Members that there was an error in the report in that it was a local application, not a major, and so it would not attract a Developers Contribution in respect of Public Realm improvements.

The Committee's attention was drawn to the Late Items report. He advised the Committee that, since the report had been published, a letter of support for the proposals to refurbish the listed building had been received from the Belfast Civic Trust.

He also explained that a set of amended plans had been received from the agent, on 17th January, after a meeting had taken place between the applicant and an objector, the owners of the Warehouse building, immediately beside the site on James Street South. The Members were advised that both neighbours and HED had been re-consulted on the updated plans. He advised that further amended plans had then been submitted, on 22nd January, to remove the secondary access to the Lounge Bar on James Street South. The amended plans also proposed that the function suite would now be on the fifth floor instead of the first floor.

The Committee was further advised that, just before the Committee meeting had commenced, a letter had been received from the owners of the Warehouse Building, withdrawing their objection to both the Full and Listed Building Consent applications.

The Committee was advised that the consultation response from the Department for Infrastructure (DfI) had also been received after the report had been published. The Principal Planning officer explained that their response stated that an Event Management Plan should be required for the application, as well as secure storage for bicycles. He advised the Committee that it was the officer's view that this was an unreasonable request, given that the site's location and that there was an extant permission for a hotel on the site which did not have a requirement for an EMP.

The Principal Planning officer provided the Committee with the key details of the application for the conversion to a 63 bed hotel with function space, bars and restaurants and a single storey rear extension. The Members were advised that the Scottish Mutual Building was a red sandstone, Grade B1 Listed Building in the Linen Conservation Area. He explained that it was located within the City Centre and within the Commercial District as defined in dBMAP. He advised the Members that the applicant wished to amend the previously approved permission under LA04/2016/0688/F.

**Planning Committee,
Thursday, 23rd January, 2020**

He explained that the key issues in the consideration of the application included the principle of the proposal at the location, the impact on transport and other infrastructure, the impact on amenity and character of the area, the impact on the historical and architectural qualities of the listed building and other environmental matters.

He explained that the application had been subject to an extensive assessment and a number of re-consultations with HED, in order to address a number of concerns which they had raised. He outlined to the Committee that officers felt that the latest drawings went some way to address those concerns. He advised that, on balance, officers considered the proposed alterations to be acceptable in that they would allow the conversion of the building to a hotel, thus securing the viable re-use of the vacant listed building, and securing its long term future. He added that, if the Committee agreed to grant approval to the application, a condition would be included to incorporate DfI's recommendation regarding secure cycle parking.

The Committee was advised that an objection remained from the Historic Environment Division (HED), largely regarding the proposed use of dry-lining within the property. HED had stated that the development was contrary to PPS6, and also objected to the proposed suspended ceiling on the ground floor.

The Principal Planning officer reminded the Committee that, given the objection from a statutory consultee, if the Committee was to grant approval to the Listed Building Consent (LBC) application, it would be referred to the Department for Infrastructure (DfI). He advised the Members that the full application would be held until the DfI responded in relation to the LBC application.

The Committee was advised that DAERA, NI Water, Environmental Health and the Conservation Officer had no objection to the proposals.

The Deputy Chairperson welcomed Councillor Groogan to address the Committee. She advised the Committee that:

- she had concerns with the application as she did not believe the scheme to be heritage-led;
- the use of dry-lining was contrary to Policy BH8 of PPS6;
- dry-lining would put the building's structural and architectural integrity at serious risk;
- it was not an acceptable way to bring the building back into use;
- that the conservation experts, HED, were against the use of dry-lining due to concerns with adequate ventilation for the building; and
- attempts by the applicant/agent to emphasise the cost of removing the dry-lining which had already been installed were wrong given that the works were unauthorised.

(Councillor Groogan left the room at this point)

The Deputy Chairperson then welcomed Mr. D. Morse, applicant, and Mr. S. Nicholson, architect, to the meeting. Mr. Morse advised the Committee that:

**Planning Committee,
Thursday, 23rd January, 2020**

- they had made a number of changes in order to reflect the historic nature of the building, including that the function suite would be on the fifth floor;
- the building had been subject to varying levels of intervention, including significant alterations to the ground floor and poor quality remodelling, which had compromised its historic significance;
- they'd undertaken a Statement of Significance at the outset of the project, a document which set the baseline for how any proposals would be conceived, it took account of the historic context, historic and architectural interest, and the condition of the building, including the modern interventions;
- the primary architectural interest was invested in its principal elevations, while its interior was conventional with a muted and underwhelming decor;
- despite its poor condition, a number of significant interior features were identified for protection and led the design rationale for the remodelling, including the entrance lobby, terrazzo floors, fireplaces, cornicing and ceramic wall tiling;
- the design had been subject to extensive consultation; and
- they were confident that any outstanding issues could be discussed with HED.

In response to questions from Members regarding the use of dry-lining and a suspended ceiling, Mr. Nicholson explained that it was important for both acoustic and fire regulation reasons. He explained that no existing cornices or skirting would be removed, as they would be behind the dry-lining.

In respect of the Service Delivery Management Plan, Mr. Morse advised that a meeting had taken place with DFI Roads whereby the issues had been largely been resolved.

The Deputy Chairperson advised the Committee that Mr. B. McKervey, Historic Environment Division (HED), was in attendance to answer any questions from the Committee in relation to the application.

In response to a Member's question as to HED's current objection, Mr McKervey explained that HED felt that there were lost opportunities in the redevelopment of the heritage building, particularly with regards to the dry-lining which would cover a lot of the detail. He advised the Committee that the applicant had, slowly, gotten closer to what HED believed to be a better scheme.

In response to a number of questions about the original internal doors, Mr. McKervey stated that the doors could be upgraded to meet modern day safety standards. The agent advised the Committee that all of the original doors were on site but that a significant number were beyond repair.

The Principal Planning officer then answered a number of further questions from Members.

**Planning Committee,
Thursday, 23rd January, 2020**

In response to a Member's question regarding Health and Safety, the Divisional Solicitor advised the Committee that the Building Control Service would look at most of those issues during the consideration of the Entertainments Licence for the premises, which would go before the Licensing Committee.

Moved by Alderman Rodgers,
Seconded by Councillor Hussey

That the Committee agrees to the officer's recommendation, to approve the application, subject to the imposing of the conditions and to delegate power to the Director of Planning and Building Control for the final wording of the conditions and to resolve any issues arising from the neighbour notification process in relation to the most recent amended plans and Revised Delivery and Service Management Plan.

On a vote by show of hands, eight Members voted for the proposal and two against and it was accordingly declared carried.

(Councillor Maskey left the meeting at this point)

**LA04/2019/2132/F - 17.5m telecommunications column, with
6. antenna (3 enclosed within a shroud, 3 not enclosed),
4 equipment cabinets and associated ground works on lands
approximately 110m North West of 518 Lisburn Road**

(Councillor Groogan re-joined the meeting at this point)

(Councillors Collins, Garrett, Hussey and Murphy left the room at this point)

The Committee was advised that the following application had been referred to it by an Elected Member.

The Principal Planning officer provided the Members with the details of the application for a 17.5metre high telecommunications column, with associated antennae and equipment cabinets.

She advised the Committee that the key considerations in the assessment of the proposals included the impact on visual amenity and the local environment, the impact on residential amenity and government support for provision of full and up to date telecommunications coverage.

The Members were advised that 18 objections had been received in response to the application, including one from an elected Member on behalf of constituents. The Case officer explained that the issues raised included that the proposal would impact on the visual amenity and character of the area, impact on pedestrian safety, land ownership, health concerns, private views and property prices.

**Planning Committee,
Thursday, 23rd January, 2020**

She explained that the planning officers felt that, while it was important to continue to support investment in high quality communications infrastructure, it needed to be balanced against policy and must not be to the detriment of residential and visual amenity. She explained that she felt that the applicant should look at a more suitable site which was less visually obtrusive. She added that the development had not been sited in order to minimise environmental impact and it would provide a cluttered and unattractive pedestrian environment.

The Committee was advised that the developer had submitted supporting information advising that a new site was required for densification reasons in order to address 4G capacity and congestion due to higher traffic volumes in the immediate area. The Members were advised that, where possible, shared sites were used but that it was not possible in this case as the only nearby site was working to optimum level and was unable to provide a suitable degree of coverage for local users.

The Deputy Chairperson welcomed Mr. L. Ross agent, to the meeting. Mr. Ross explained that the mast was to provide coverage for O2 and Vodafone services. He explained that infrastructure was required in the proposed area as signal was dropping towards Finaghy. In discussing the other location sites which had been outlined by Planners, he outlined that the grounds of Musgrave Park Hospital were not considered as they did not install masts in hospitals and that the private landowner of Kings Hall development had advised that it was not possible during the course of the development of that site. He explained that the Balmoral Golf Club was unsuitable due to the Landscape Policy. He added that masts were regularly erected close to residential properties and that the infrastructure was essential in order to improve signal across the City.

(Councillors Collins, Garrett and Hussey re-joined the meeting at this point.)

The Committee agreed to refuse the application and delegated power to the Director of Planning and Building Control for the final wording of the refusal reasons.

LA04/2018/0856/F - Demolition of dwelling and construction of 8 apartments within one block and 8 associated car parking spaces at 134 Finaghy Road South

The Committee was advised that the following application had been referred to it by an Elected Member.

The Principal Planning officer outlined the principal aspects of the application to the Committee. She explained that the principle of an apartment development at the site had been established in 2009 under Z/2006/2536/F (11 Apartments), which expired in February 2014, and Z/2008/1264/F (12 Apartments) which expired in September 2014.

The Members were advised that all consultees had offered no objection to the proposal. The Case officer explained that 54 letters of objection had been received, including 48 objections to the previous design proposals and 6 objections relating to the current proposal. She advised the Committee that all objections received were from 17 neighbouring properties and included an objection from an elected Member and an MLA.

**Planning Committee,
Thursday, 23rd January, 2020**

She confirmed that the objections from the elected Members were in relation to the previous scheme comprising two apartment blocks.

The Principal Planning officer explained that the proposed design was considered acceptable and would have a positive impact on the character of the area. She added that the proposal would not result in an unacceptable impact on residential amenity.

During discussion in relation to the parking provision in the area, it was agreed that a letter be sent, on behalf of the Committee, to:

1. the Department for Infrastructure, seeking confirmation of what policies it applies and how it identifies whether there is sufficient on-street parking in an area when it is asked to provide its opinion in relation to a planning application; and
2. the PSNI, asking it to confirm whether vehicles are permitted to park on pavements.

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

LA04/2019/1522/F - part two storey and single storey rear extensions at 29 Casaeldona Park

The Committee was advised that the following application had been referred to it by an Elected Member.

It was agreed that the Case officer's report for any future applications which had been referred to the Committee by a Member would include the material planning reasons so as to provide it with a better understanding of the Member's concerns.

The Principal Planning officer explained that permission was sought for a part two storey and single storey extension to the rear of the dwelling.

The Committee was advised that five representations had been received in relation to the application, raising issues including over dominance, overshadowing/loss of light, scale and massing and boundary issues.

The Principal Planning officer outlined that the proposal had been amended and reduced during the processing of the application, the most recent amendment having been received on 6th January, 2020. She explained that neighbours had been re-notified with the most recent proposals.

The Committee's attention was drawn to the Late Items pack, where five further objections had been received. The Principal Planning officer provided the case officer's response to the points raised and confirmed to the Members that it was considered that there would be no harmful overlooking, loss of privacy or loss of daylight to the properties, given the separation distances.

**Planning Committee,
Thursday, 23rd January, 2020**

The Principal Planning officer explained to the Committee that the proposed extension would not adversely impact the character and appearance of the surrounding area and that it was considered to be sympathetic in its built form, scale and massing. The Members were advised that the 45 degree angle test had shown that the proposal would not raise any issues in relation to overshadowing or loss of light to neighbouring dwellings.

The Chairperson welcomed Mr. W. Crowe, a neighbour, to the meeting. He explained that he had concerns with the proposals as he felt that it would impact on the view from his kitchen window. He also advised the Committee that he felt that the measurement for the 45 degree angle test in the Case officer's report was incorrect, as he did not believe that they had been taken from the mid-point of his window.

In response to queries from Members, the Principal Planning officer explained that the 45 degree angle test was a guide for Planners and was not a policy test.

After discussion, the Planning Manager advised the Committee that it could agree to grant approval the application, subject to the officers verifying that the measurement in relation to the 45 degree angle test was correct. He explained that, in the event that the figure was incorrect upon re-measuring, the application would be submitted for the Committee's consideration the following month, as the Committee was required to have the correct information in order to make a decision.

The Committee granted approval to the application, subject to checking of the measurement of the 45 degree angle test, and to the imposing of the conditions set out within the case officer's report and delegated power to the Director of Planning and Building Control for the final wording of the conditions.

LA04/2017/1439/F - construction of 13 dwellings comprising 3 detached dwellings 6 semi-detached dwellings along with 4 apartments on lands opposite Ruby Cottages and St Ellen's Terrace, Edenderry Road, Edenderry Village

(Councillor Nicholl declared an interest in the item, in that she was a Member of the Lagan Valley Regional Park, and she left the meeting at this point.)

The Principal Planning officer provided the Committee with the details of the application for 3 detached dwellings, 6 semi-detached dwellings and 4 apartments.

She outlined the key issues which had been considered in the assessment of the proposals, which included the impact on the character of the village and on Lagan Valley Regional Park, the impact on flooding and on traffic, as well as trees and the natural environment.

The Committee was advised that the site was located outside the settlement limit according to the Lisburn Area Plan 2001 and 2004 version of dBMAP. She explained that, at the BMAP inquiry, the PAC had recommended that the site be included within the development limit due to the planning history of the site. The Members noted that the site was subsequently located within the settlement limit of Edenderry in the 2015 version

**Planning Committee,
Thursday, 23rd January, 2020**

of draft BMAP, which, as Members were aware, had subsequently been declared unlawful.

The Principal Planning officer advised the Committee that an outline application for a mixed use development had been approved in 2006, with the reserved matters application subsequently having been approved in 2015, for a “mixed use development in five blocks, including offices/craft workshops, restaurant ancillary works and retaining walls”. She highlighted to the Members that the scheme was significant taller and bulkier than the current proposal but appeared to represent a potential fall-back position for the developer as the development had commenced at the site.

The Members were advised that 36 neighbours had been notified of the proposals and that 13 objections had been received in addition to one letter of support and 1 non-committal representation.

The Principal Planning officer explained that two consultees, namely Rivers Agency and Lagan Valley Regional Park, had also objected to the development.

The Committee was advised that significant supporting information had been submitted with regards to the proposal, covering issues such as contaminated land, waste water, odour, noise, landscaping and the natural environment.

She explained that the proposed felling of one TPO protected tree was considered acceptable by the Tree Officer as a number of the trees on the site were not in good condition, and that 27 additional trees would be planted within the site.

She outlined that it was considered that the elevational design and appearance of the dwellings was respectful of the adjacent Ruby Cottages and, on balance, officers felt that the current proposal respected the surrounding context and was appropriate to the character and topography of the site in terms of its layout, scale, proportions, massing and appearance.

On balance, she therefore advised the Committee that the proposals were acceptable, given the planning history on the site, and that it was considered a significant improvement to the extant proposal.

The Principal Planning officer provided clarity to a Member on the issue of overlooking and explained that no habitable rooms would be impacted within the development.

The Deputy Chairperson advised the Committee that the agent, Mr. G. Smyth, was in attendance to answer any questions from Members.

A number of Members requested clarity from the agent regarding the risk of flooding at the site, given the objection from the Rivers Agency. Mr. Smyth drew the Committee’s attention to the Case officer’s report which indicated that the Rivers Agency had stated that the proposed development was outside the 1% AEP floodplain and that there was also an existing 600mm freeboard as a result of infill levels which formed part of a previous approval. He added that the report also advised that the Rivers Agency had

**Planning Committee,
Thursday, 23rd January, 2020**

recently contacted the Planning department to clarify that the proposed development would not exacerbate potential flood impact on the adjacent lands.

The Principal Planning officer provided the Committee with additional clarity in relation to the fact that the Rivers Agency still technically considered the site to be within the floodplain despite infill development which had taken place to raise the site up out of it. She explained that Rivers Agency would only remove a site from the floodplain once it had gathered evidence over a very long period of time.

In response to a further Member's question regarding the pumping station, the agent explained that it was necessary in order to pump effluent up and out of the site in order to reach the main water treatment works, and that it was not because of the density of the site. The Principal Planning officer advised that it was hoped that the pumping station would be temporary until a longer term improvement to the infrastructure could be made. She explained that a condition would be included stating that the pumping station was to be adopted by NI Water after construction, and that, if any issue arose with it, it would be dealt with in the usual manner for a breach of conditions.

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

LA04/2019/2157/F - floodlights and ancillary equipment at Paisley Park, West Circular Road

The Committee was apprised of the key aspects of the application which had been lodged by Belfast City Council.

The Case officer explained that it was considered that the proposal would not have an adverse impact on the character and appearance of the area.

She explained that Environmental Health had requested further information including a light spill assessment and proposed hours of operation. The information had subsequently been submitted and Environmental Health had since advised that it was satisfied that the predicted level of light would not be obtrusive.

The Members were advised that, in principle, there was no objection to the erection of floodlights. The Case officer pointed out that it would provide greater visibility for the local community using the park allowing for a safe and secure site.

The Committee was advised that no representations had been received.

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

**Planning Committee,
Thursday, 23rd January, 2020**

**LA04/2019/2412/F - Renewal of planning approval
LA04/2018/0593/F for single storey timber structure
at C.S. Lewis Square, Newtownards Road**

(Councillor Brooks and Alderman Rodgers declared an interest in the item and left the meeting at this point)

(Councillor Garrett in the Chair)

The Case officer explained that the following application was in front of the Committee as the landowner was Belfast City Council.

She explained that it sought permission for the renewal of a previous approval, LA04/2019/0593/F, for a single storey timber structure at C. S. Lewis Square for a temporary period of 18 months.

She provided the Committee with the main issues which had been considered, including the principle of development, the impact on the character and appearance of the surrounding area, access and flooding. She advised the Members that the proposal would continue to provide an addition to the visitor attraction area at the Hub and offered shelter to users of C. S. Lewis Square.

The Committee was advised that Environmental Health and Rivers Agency had been consulted in relation to the proposal and had no objections. The members were advised that the application had also been neighbour notified and advertised in the press and that no representations had been received.

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

Chairperson