

Planning Committee

Tuesday, 16th April, 2024

MEETING OF THE PLANNING COMMITTEE

Members present: Councillor Garrett (Chairperson);
Aldermen Lawlor, McCullough and Rodgers;
Councillors Anglin, Bell, Bradley, T. Brooks,
Carson, Doherty, P. Donnelly, S. Douglas,
Doran, Ferguson, Groogan, Hanvey, Maskey,
McCann, Nic Bhranair and Whyte.

In attendance: Ms. K. Bentley, Director of Planning and Building Control;
Ms. N. Largey, City Solicitor;
Mr. K. McDonnell, Solicitor (Regulatory and Planning)
Mr. E. Baker, Planning Manager (Development Management);
Mr. D. O’Kane, Acting Planning Manager (Plans and Policy);
Ms. C. Reville, Principal Planning Officer; and
Ms. C. Donnelly, Democratic Services Officer.

Apologies

No apologies for inability to attend were reported.

Minutes

The minutes of the meeting of 19th and 27th March, 2024 were taken as read and signed as correct. It was reported that those minutes had been adopted by the Council, at its meeting on 8th April, 2024, subject to the omission of those matters in respect of which the Council had delegated its powers to the Committee.

Declarations of Interest

Councillor T. Brooks declared an interest in relation to items 9a - LA04/2023/4366/F - Proposed 14 storey (plus basement) purpose-Built Grade A Office premises with retail/restaurant unit at ground floor, including external landscaped terrace areas, public realm works, and all associated site works. 14 Dublin Road and 9b - LA04/2023/4373/F - Erection of 17 storey Purpose Built Managed Student Accommodation (PBMSA) with additional use of accommodation outside term time comprising 459 no. units with communal facilities, internal and external communal amenity space and ancillary accommodation. 14 Dublin Road, in that she was employed by Queen’s University, Belfast.

Councillor T. Brooks declared an interest in relation to item 9c - LA04/2023/3635/RM - Redevelopment of existing surface level car park for erection of residential development comprising of 205 No. units, car parking, landscaping and all associated site works. Lands bound by Glenalpin Street, Wellwood Street and Norwood Street, in that she owned an apartment on Victoria Street.

Councillor Whyte declared an interest in relation to item 9f - LA04/2022/0930/F - Retrospective: Change of Use from Class A1 & D2 to a Gymnasium on Ground Floor. 47 Ravenhill Road, in that the statutory consultee who was objecting to the proposal was a client of the company he worked for.

Withdrawn Items

The Committee noted that the following items had been withdrawn from the agenda:

- LA04/2023/4208/F - Change of use from Dwelling to HMO (6 Beds). 24 Orient Gardens; and
- LA04/2023/4162/F - Change of use from retail unit to amusement arcade and adult gaming centre. 51 Rosemary Street.

Notification of Provision/Removal Of Accessible Parking Bay

The Committee noted the removal of accessible parking bays at the following locations:

- 28 St Judes Parade; and
- 60 Nevis Avenue.

The Committee noted the provision of accessible parking bays at the following locations:

- 14 North Hill Street;
- 38 Marlborough Park North;
- 41 Lichfield Avenue;
- Flat 21, Block 13 Queen Victoria Gardens;
- 13 Eglantine Avenue; and
- 5 Jubilee Avenue.

Notifications from Statutory Bodies, Abandonment and Extinguishment

Abandonment at The Back Street at Botanic Avenue and Donegall Pass

The Committee noted the proposed abandonment.

Notifications from Statutory Bodies, Traffic Calming Measures

Provision of McClure Street

The Committee noted the proposed traffic calming scheme.

Provision of Third Street

The Committee noted the proposed traffic calming scheme.

Planning Appeals Notified

The Committee noted the appeals decisions.

Planning Decisions Issued

The Committee noted the planning decisions issued in March, 2024.

Miscellaneous Reports

Consultation on Local Development Plan for Lisburn and Castlereagh City Council - Revised Timetable

The Committee noted the update which set out Lisburn and Castlereagh City Council's revised Local Development Plan timetable.

Confirmation of Listed Buildings - Colenso Parade, Botanic Gardens and University Road/Stranmillis Road

The Committee noted the confirmation of the listing of:

- Gate Screen, at Colenso Parade, Botanic Gardens; and
- Gate Screen, at University Road/Stranmillis Road, Botanic Gardens.

New 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)

(Councillor T. Brooks left the meeting.)

LA04/2023/4366/F - Proposed 14 storey (plus basement) purpose-Built Grade A Office premises with retail/restaurant unit at ground floor, including external landscaped terrace areas, public realm works, and all associated site works. 14 Dublin Road

The Planning Manager provided the Committee with an overview of the application and highlighted the following key issues for consideration:

- Principle of the proposed uses;
- Design and placemaking;
- Impact on heritage assets;

- Impact on amenity;
- Climate change;
- Open space;
- Access and transport;
- Health impacts;
- Environmental protection;
- Flood risk and drainage;
- Waste-water infrastructure;
- Natural heritage;
- Waste management;
- Employability and skills;
- Section 76 planning agreement; and
- Pre-Application community consultation.

He explained that the site was within the city centre and was a highly sustainable location for new office development and would provide office accommodation for 500 staff that would positively impact economic activity.

He stated that the proposal was considered to be of a high quality design which was appropriate to its location, which had been cleared and occupied by meanwhile uses.

He informed the Committee that no objections had been received from statutory consultees, except from NI Water regarding the wastewater capacity, however, it was considered unreasonable to withhold planning permission on those grounds. He added that the Council's Environmental Health Service and Urban Design Officer had offered no objections and pointed out that there was an outstanding response from Waste Management and Shared Environmental Services, but that it was expected to offer no objection, subject to conditions to mitigate potential impacts on Belfast Lough.

He reported that, having regard to the Development Plan and material considerations, it was recommended that planning permission was granted, subject to conditions and a Section 76 planning agreement.

The Chairperson welcomed Mr. T. Stokes, TSA Planning, and Ms. L. McCarthy, Kainos, to the meeting.

Mr. Stokes explained that Kainos, a company established in Belfast, was a global force behind some of the most cutting-edge software used around the globe and employed over 3,100 people in 23 countries. He added that the company felt that its decision to locate its headquarters in Belfast was an ode to its dedication to the city and its young people.

He stated that Kainos had a longstanding relationship with Queen's University, Belfast and had partnered with the University on many occasions over the years to deliver initiatives to improve digital skills and foster innovations.

He explained that the Kainos Headquarters Scheme represented a total investment of £35 million to Belfast, with the potential for significant job creation that would include construction jobs and apprenticeships for the duration of the build, with the economic impact set to positively benefit suppliers and subcontractors from the local area.

Councillor T. Brooks returned to the meeting to make a comment in relation to Bankmore Square, a site adjacent to the application site, whereby she stated that she would urge the Department for Infrastructure to consider enhancements to Bankmore Square rather than bulldozing a park to accommodate a road for the proposed Glider route.

(Councillor T. Brooks left the meeting whilst the Committee made its decision and for the following two applications, as she had declared an interest.)

The Committee granted planning permission, subject to conditions and a Section 76 planning agreement and delegated authority to the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement and to deal with any other issues that might arise, to include those raised in the further consultation responses from Shared Environmental Services and Waste Management, provided that the issues were not substantive.

**LA04/2023/4373/F - Erection of 17 storey
Purpose Built Managed Student
Accommodation (PBMSA) with additional use
of accommodation outside term time
comprising 459 no. units with communal
facilities, internal and external communal
amenity space and ancillary accommodation.
14 Dublin Road**

The Planning Manager summarised the application for the Committee and highlighted the following key items for consideration:

- Principle of PBMSA in this location;
- Design and placemaking;
- Impact on heritage assets;
- Impact on amenity;
- Climate change;
- Open space;
- Access and transport;
- Health impacts;
- Environmental protection;
- Flood risk and drainage;
- Waste-water infrastructure;
- Natural heritage;
- Waste management;
- Section 76 planning agreement; and
- Pre-Application Community Consultation.

He explained that, since the publication of the report, the Council's Waste Management Team had provided a response which had offered no objection to the application and he pointed out that, whilst the waste storage exceeded 30 metres from the collection point, this could be mitigated at the Building Control stage of the application.

He stated that the Council's Environmental Health had indicated that a robust management plan was required to address the impacts from the outdoor amenity areas, to include restriction of the hours of use of the terraces to between 8 a.m. and 11 p.m. and recommended that a solid glazed screen should surround the terraces, rather than railings. The Planning manager advised the Committee that these matters could be controlled by a condition and through a Section 76 planning agreement.

He reported that, having regard to the Development Plan and material considerations, it was recommended that Planning Permission be granted, subject to conditions and a Section 76 planning agreement.

The Chairperson welcomed Mr. P. Stinson, Turley, and Mr. C. McGowan, Queen's University, Belfast, to the meeting.

Mr. Stinson stated that he welcomed the recommendation to grant planning permission, having worked proactively with officers to provide a design and layout which was acceptable and met a student housing need.

He explained that he had worked closely with Kainos to ensure that, together, they would deliver regeneration of the whole site and stated that the planning process to date had supported the critical timeline for the project which aimed to have student occupation for the beginning of the 2026/27 academic year.

Mr. McGowan stated that, since its formation in 1845, Queen's University (QUB) had been a significant stakeholder in the development of Belfast, providing beneficial economic impact and that, in 2021, the total economic impact on the UK economy, associated with the University's activities, was estimated at over £3 billion.

He explained that QUB currently had over 24,000 students and almost 5,000 staff, and that the university owned and managed over 3,500 beds across its accommodation sites. He stated that the private rental sector was under continued pressure, exacerbated by shortages in social housing provision and the use of rental properties as Airbnb's.

He referred to the case officer's report, which stated that higher education providers had estimated that approximately 6,000 additional student beds were required across the city in the forthcoming years and he stated that the application was the first step in addressing the increasing demand for student accommodation in Belfast city centre.

He concluded by stating that, in response to the ongoing global climate crisis, the project had been designed as the university's first Passivhaus certified project, which underlined QUB's commitment to the UN Sustainable Development Goals and its Net Zero Plan, and that planning permission for the development would enable QUB to enter into a contract with GRAHAM for the construction of what would be the largest Passivhaus certified building on the island of Ireland.

In response to a comment from a Member with regard to the traders who were trading on the site as part of a meanwhile use project, the Director of Planning and Building Control stated that she would be happy to engage with the applicant to establish what action

had been taken to date and then work with colleagues in City Regeneration and Development to see whether alternative locations could be found.

The Committee granted planning permission, subject to conditions and a Section 76 planning agreement and delegated authority to the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement and to deal with any other issues that might arise, provided that the issues were not substantive.

LA04/2023/3635/RM - Redevelopment of existing surface level car park for erection of residential development comprising of 205 No. units, car parking, landscaping and all associated site works. Lands bound by Glenalpin Street, Wellwood Street and Norwood Street

The Committee agreed to defer consideration of the application to allow Members to undertake a site visit.

(Councillor T. Brooks returned to the meeting.)

LA04/2022/1083/F - Residential development comprising 115 units (apartments and duplexes including 27 social housing units) with associated private and communal amenity space, landscaping, parking provision, access, relocation of existing sub station and site works (amended description and scheme). Lands at London Road/Lismore Street

The Principal Planning Officer outlined the application to the Committee and highlighted the following key issues for consideration:

- Principle of housing in the location;
- Housing density;
- Affordable housing;
- Housing mix;
- Adaptable and accessible accommodation;
- Design and placemaking;
- Public realm;
- Impact on heritage assets;
- Climate change;
- Residential quality and impact on amenity;
- Open space;
- Access and transport;
- Health impacts;
- Environmental protection;
- Flood risk and drainage;
- Waste-water infrastructure;
- Waste management;

- Natural heritage;
- Employability and skills;
- Section 76 planning agreement; and
- Pre-application Community Consultation.

She explained that the proposal included approximately 25% of social housing units, of which there was a significant unmet need in the city and that the Northern Ireland Housing Executive was supporting of the social housing element of the application.

She reported that there were no unacceptable adverse impacts on amenity of any adjacent residential properties and that DfI Roads, DfI Rivers, NI Water, NIEA, HED and SES had offered no objections to the proposal.

She stated that, having regard to the Development Plan and material considerations, it was recommended that planning permission be granted, subject to conditions and a Section 76 planning agreement.

The Chairperson welcomed Mr. M. Gordon, Turley, to the meeting. In response to a question from a Member regarding the affordable housing element of the application, Mr. Gordon explained that the proposal allowed for one block of social housing that would potentially be managed by a housing association.

A Member of the Committee explained that he had concerns with regard to the social housing element of the application being in one block rather than pepper-potting social housing throughout the entirety of the proposal.

The Committee granted planning permission subject to conditions and a Section 76 planning agreement and delegated authority to the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement subject to final comments from DfI Roads, and to deal with any other matters that arise, provided that they were not substantive.

The Committee agreed to write to the Northern Ireland Federation of Housing Associations to seek clarity on its policy view with regard to pepper-potting/mixed tenure housing provision.

LA04/2023/4397/F - Variation of Condition 3 of LA04/2020/1211/F relating to the submission of a Verification Report for Phase 4 of the approved development. No 46 Montgomery Road (former Hughes Christensen site, now Lidl), vacant site between nos 44 and 46, Montgomery Road, and no 41 Montgomery Road (former Lidl)

The Principal Planning Officer explained that the application sought to vary condition three of planning permission LA04/2020/1211/F, which granted planning permission for a mixed-use regeneration scheme.

She stated that condition three related to the submission and agreement in writing of a verification report which related to the removal of above and below ground fuel tanks, prior to any phase of the permitted development becoming operational.

She reported that consultees had offered no objections to the application and that no representations had been received.

She stated that, having regard to the development plan and other material considerations, the proposal was considered acceptable and that it was recommended that planning permission was granted, subject to conditions.

The Committee granted planning permission, subject to conditions and an informative referring to the original Section 76 planning agreement obligations which would continue to have effect.

The Committee delegated authority to the Director of Planning and Building Control to finalise the wording of the conditions, and to deal with any other matters that arise prior to issuing of the decision, provided that they were not substantive.

(Councillor Whyte left the meeting while the following item was under consideration.)

LA04/2022/0930/F - Retrospective: Change of Use from Class A1 & D2 to a Gymnasium on Ground Floor. 47 Ravenhill Road

The Principal Planning Officer outlined the application to the Committee and explained that the site was located within the Belfast Area of Parking Restraint and adjacent to Tennants Textiles Control of Major Accident Hazards (COMAH) site.

She reported that that the proposal complied with the relevant design, transport and amenity policies within the Local Development Plan.

She stated that DfI Roads and Environmental Health were content with the application, subject to conditions and that HSENI had advised against approval at the COMAH site. She added that there had been 104 representations in support of the application and that the proposal would provide an overall enhancement to the health and wellbeing of the local community and keep the building in use.

The Committee granted planning permission, subject to conditions and delegated authority to the Director of Planning and Building Control to finalise the wording of the conditions, and to deal with any other matters that arise, provided that they were not substantive.

(Councillor Whyte returned to the meeting.)

LA04/2024/0055/F - New kiosks and associated canopy structure. Existing open public space along river edge at Queens Quay

The Principal Planning Officer outlined the application to the Committee and explained that the site comprised of an area of open tarmac between the River Lagan and the Queen's Quay, within the development limits for Belfast. She highlighted the following key issues for consideration:

- Principle of development;
- Design and placemaking;
- Impact on amenity;
- Health impacts;
- Access and transport;
- Climate change;
- Environmental protection;
- Landscape impact;
- Flood risk and drainage; and
- Impact on the historic environment.

She reported that the application was neighbour notified and that no third-party representations had been received, and that Environmental Health had been consulted and offered no objection to the proposal, subject to conditions.

The Committee granted temporary planning permission for five years, subject to conditions and delegated authority to the Director of Planning and Building Control to finalise the wording of the conditions, and to deal with any other matters that arise prior to the issuing of the decision, provided that they were not substantive.

LA04/2024/0334/F - Renewal of planning permission LA04/2021/2804/F - shipping container for bikes and equipment. Land adjacent to Connswater Community Centre

The Principal Planning Officer provided the Committee with an overview of the application and outlined the principle of development, impact on the character and appearance of the area and noise, odour and other environmental impacts.

She explained that no third-party objections had been received and that DfI Roads had offered no objection to the proposal.

She stated that, having regard to the development plan and other material considerations, the proposal was considered acceptable and that it was recommended that planning permission be granted, subject to conditions, for a temporary, two-year period.

The Committee granted planning permission, subject to conditions, for a temporary two-year period and delegated authority to the Director of Planning and Building Control to finalise the wording of the conditions, and to deal with any other matters that arise, provided that they were not substantive.

LA04/2023/2849/F - Renewal of planning permission LA04/2021/0791/F for temporary single storey timber structure, 402 Newtownards Road

The Principal Planning Officer summarised the application for the Committee and explained that the pavilion had been constructed on the existing square, leaving the paving intact and exposed and that the development offered shelter to users of C.S. Lewis Square and passing through via the Connswater Greenway.

She stated that the retention of the structure would not detract from the public space and surrounding area, including the Connswater Greenway.

The Committee granted planning permission, subject to conditions and delegated authority to the Director of Planning and Building Control to finalise the wording of the conditions, and to deal with any other matters that arise, provided that they were not substantive.

Restricted Items

The information contained in the reports associated with the following item 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 on the following item as, due to their nature, there would be a disclosure of exempt information as described in Section 42(4) and Schedule 6 of the Local Government Act (Northern Ireland) 2014.

Update on LA05/2023/1001/O - Proposed extension to Sprucefield Park comprising new retail units, 1 no. hotel, 1 no. restaurant and 1 no. cafe/restaurant pod

The Acting Planning Manager provided the Committee with an update on the planning application for Sprucefield Out of Town Retail Park that had been submitted to Lisburn and Castlereagh City Council.

The Committee:

- Noted the background to the current planning application at Sprucefield and the letter issued to Department for Infrastructure (DfI) seeking to understand whether they will be exercising their powers under Section 29(1) of the Planning Act (Northern Ireland) 2011 to call in the planning application;
- Noted the response from DfI which advised that a notification direction had been issued to LCCC on 29th February which requested a notification from DfI when its planning committee reached a recommendation in relation to the application;

- Agreed to delegate authority to the Director of Planning and Building Control to formally write to DfI to request that its call-in power would be invoked, should LCCC recommend approval and DfI decided not to “call in” the application;
- Noted the holding representation issued to LCCC on 28th March 2024; and
- Agreed to delegate authority to the Director Planning and Building Control to complete the submission of a detailed representation in respect to the current Sprucefield planning application, given the potential impact the proposal could have on Belfast City Centre and its hierarchy of district and local centres.

Council attendance at Goldmine Public Inquiry

The Solicitor (Regulatory and Planning) provided the Committee with an update on the potential of Belfast City Council attendance at the Goldmine Public Inquiry.

The Committee agreed to refer the matter to the Strategic Policy and Resources Committee for consideration.

Chairperson