

# Public Document Pack

**Democratic Services Section  
Legal and Civic Services Department  
Belfast City Council  
City Hall  
Belfast  
BT1 5GS**

4<sup>th</sup> December, 2025

## **MEETING OF PLANNING COMMITTEE**

Dear Alderman/Councillor,

In addition to those matters previously notified to you, the following item(s) will also be considered at the meeting to be held at 5.00 pm on Tuesday, 9th December, 2025.

Yours faithfully,

John Walsh

Chief Executive

## **AGENDA:**

5. **Planning Appeals Notified** (Pages 1 - 2)
  
9. (c) **Local applications subject to objections from NI Water** (Pages 3 - 10)

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## PLANNING COMMITTEE – 9 DECEMBER 2025

### APPEALS NOTIFIED

#### COUNCIL: BELFAST

|         |   |         |            |
|---------|---|---------|------------|
| ITEM NO | 1 | PAC REF | 2025/A0087 |
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| PLANNING REF: | LA04/2024/1113/F |
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| APPLICANT: | Mr Jordan Fraser |
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|           |   |
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| LOCATION: | 75m NW of 29 Middle Braniel Road, Belfast |
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| PROPOSAL: | Change of use of barn and outbuildings to Class C1 dwellinghouse with extension, septic tank and soakaway, vehicular access and associated works |
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| PROCEDURE: |  |
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| ITEM NO | 2 | PAC REF | 2025/A0090 |
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| PLANNING REF: | LA04/2022/1046/F |
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| APPLICANT: | Cregagh Developments Ltd |
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| LOCATION: | 18 Annadale Avenue, Belfast, BT7 3JH |
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| PROPOSAL: | Proposed demolition of existing building and construction of a residential development consisting of 14 No units (9 No apartments within a 3 storey building and 5 No 2 storey terraced dwellings) with associated landscaping and car parking (amended description) |
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| PROCEDURE: |  |
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| ITEM NO | 3 | PAC REF | 2025/A0100 |
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| PLANNING REF: | LA04/2023/2971/F |
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| APPLICANT: | Mr James Bradley |
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| LOCATION: | 45 Malone Park, Belfast, BT9 6NL |
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| PROPOSAL: | Demolition of existing dwelling and erection of a new detached dwelling and associated site works |
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| PROCEDURE: |  |
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## **APPEALS NOTIFIED (CONTINUED)**

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| ITEM NO       | 4   | PAC REF | 2025/A0101 |
| PLANNING REF: | LA04/2023/2972/DCA  |         |            |
| APPLICANT:    | Mr James Bradley  |         |            |
| LOCATION:     | 45 Malone Park, Belfast, BT9 6NL  |         |            |
| PROPOSAL:     | Demolition of existing dwelling to facilitate erection of a new detached dwelling |         |            |
| PROCEDURE:    |   |         |            |

## **APPEAL DECISIONS NOTIFIED**

|                   |   |          |            |
|-------------------|---|----------|------------|
| ITEM NO           | 1   | PAC REF: | 2025/A0043 |
| PLANNING REF:     | LA04/2024/0981/F  |          |            |
| RESULT OF APPEAL: | ALLOWED   |          |            |
| APPLICANT:        | Mr Matthew Simms  |          |            |
| LOCATION:         | 18 Ashburne Place, Belfast, BT7 1SE   |          |            |
| PROPOSAL:         | Retrospective change of use from a residential dwelling (Class C1) to short-term let accommodation (sui generis). Appeal against condition 2: The short-term let accommodation hereby permitted may not operate unless the bedroom as annotated on Drawing 02a is occupied by a person as their primary, permanent residence. For the avoidance of doubt the bedroom/s shall not be occupied as a second home or short term let accommodation. The owner will supply to the Council (within 14 days of the Council's written request to do so) such information as the Council may reasonably require in order to determine whether this condition is being complied with |          |            |

## **COSTS DECISION**

|                   |  |          |            |
|-------------------|--|----------|------------|
| ITEM NO           | 1  | PAC REF: | 2025/E0002 |
| PLANNING REF:     | LA04/2023/0980/CA (EN01)                     |          |            |
| RESULT OF APPEAL: | APPELLANT DENIED                             |          |            |
| APPLICANT:        | Malachy Loughrey                             |          |            |
| LOCATION:         | 7 Inver Avenue, Belfast, BT15 5DG            |          |            |
| PROPOSAL:         | Unauthorised change of use to short term let |          |            |



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| <b>Subject:</b>              | Delegation of Local applications with NI Water objections  |
| <b>Date:</b>                 | 9 <sup>th</sup> December 2025  |
| <b>Reporting Officer(s):</b> | Kate Bentley, Director of Planning and Building Control  |
| <b>Contact Officer(s):</b>   | Ed Baker, Planning Manager (Development Management)<br>Ciara Reville, Principal Planning Officer |

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| <b>Restricted Reports</b>                         |   |
| Is this report restricted?                        | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> |
| If Yes, when will the report become unrestricted? |   |
| After Committee Decision                          | <input type="checkbox"/>  |
| After Council Decision                            | <input type="checkbox"/>  |
| Some time in the future                           | <input type="checkbox"/>  |
| Never   | <input type="checkbox"/>  |

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| <b>Call-in</b>                        |   |
| Is the decision eligible for Call-in? | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> |

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| <b>1.0</b> | <b>Purpose of Report or Summary of Main Issues</b>   |
| 1.1        | The Planning Committee will recall that at its meetings on 27 June 2022, 15 November 2022 14 February 2023, 14 March 2023 18 April 2023, 15 August 2023 17 October 2023, 12 December 2023, 12 February 2024 19 March 2024, 24 <sup>th</sup> May 2024, 27 <sup>th</sup> June 2024, 13 <sup>th</sup> August 2024 15 <sup>th</sup> October 2024 21 <sup>st</sup> January 2025 18 <sup>th</sup> March 2025 15 <sup>th</sup> April 2025 13 <sup>th</sup> May 2025, 17 <sup>th</sup> June 2025, 12 <sup>th</sup> August 2025, 14 <sup>th</sup> October 2025 and 11 <sup>th</sup> November 2025, it agreed to delegate authority to the Director of Planning and Building Control the determination of a number of Local applications to which NI Water had objected. |
| 1.2        | The Council continues to receive objections from NIW to some Local applications. The purpose of this report is to seek the Committee's agreement to delegate to officers those Local planning applications to which NI Water has objected as set out at <b>Appendix 1</b> .  |
| 1.3        | For the avoidance of doubt, it is only those applications which would have been delegated to officers under the Scheme of Delegation were it not for the objection from NI Water which are proposed to be delegated. Therefore, any of the Local applications listed at <b>Appendix 1</b>  |

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|            | which it may later transpire require to be referred to the Committee for other reason/s (other than the NI Water objection) will be reported to the Committee to determine. Individual Members can also still request that the applications at Appendix 1 are referred to the Committee under paragraph 3.8.1 of the Scheme of Delegation.  |
| <b>2.0</b> | <b>Recommendation</b>   |
| 2.1        | That the Committee agrees to delegate to the Director of Planning and Building Control those Local planning applications to which NI Water has objected set out at <b>Appendix 1</b> .  |
| <b>3.0</b> | <b>Main Report</b>  |
|            | <u>Background</u>   |
| 3.1        | The Committee will be aware from the Committee Workshop on 18 November 2021 that NI Water has objected to a significant number of Local applications on grounds of insufficient waste-water infrastructure capacity.  |
| 3.2        | As advised at the Committee Workshop, officers have been engaging with NI Water to try to resolve those objections. Whilst progress is being made, and NI Water is actively considering a threshold for the scale and nature of development above which they would like to be consulted on future planning application, the objections to these Local applications remain.  |
|            | <u>Scheme of Delegation</u>   |
| 3.3        | Members will be aware that the Council operates a Scheme of Delegation for Planning which identifies which matters are to be determined by the Committee and which are delegated to officers.   |
| 3.4        | Paragraph 3.8.5 (f) of the Scheme of Delegation (January 2020) states that planning applications are not delegated where <i>'There is an objection from a statutory consultee and the recommendation of the Planning Officer is to approve.'</i> This means that those applications are required to be determined by the Planning Committee.  |
| 3.5        | The Planning (General Permitted Development) Order (Northern Ireland) 2016 identifies NI Water as a statutory consultee <i>'...where a development proposal is likely to significantly impact upon the availability of suitable water and sewerage infrastructure to service development proposals.'</i>  |
| 3.6        | This means that where NI Water has lodged an objection to a Local application and the officer recommendation is to approve, the application cannot be delegated and must be determined by the Committee.  |
| 3.7        | Therefore, at those previous meetings, the Committee agreed to delegate Local applications, as appended to the respective reports, with NI Water objections to the Director of Planning and Building Control. This has avoided the potential need to report to date 283 applications individually to the Committee. To have reported all those applications to the Committee would have been logistically extremely difficult, costly and would have resulted in further delays for applicants. |
|            | <u>Nature of NI Water objections</u>  |
| 3.8        | NI Water has lodged objections to Local applications for one or both of the following reasons. <ul style="list-style-type: none"> <li>a) There is insufficient capacity at the local Waste Water Treatment Plant to support the proposed development, <b>and/or</b></li> </ul>  |

|      |   |
|------|---|
|      | <p>b) There is insufficient network capacity within existing Combined Storm Overflows to support the development, <b>and/ or</b></p> <p>c) There is insufficient network capacity within the foul sewerage system and a Wastewater Impact Assessment is required.</p>   |
| 3.9  | In broad terms, NI Water is concerned that a lack of infrastructure capacity would give rise to risk of environmental harm including pollution, flooding and adverse impact on existing property. In some cases, NI Water is concerned that the application site may be hydrologically linked to Belfast Lough and may harm its water quality.  |
| 3.10 | However, despite requests, NI Water has to date not provided robust evidence to support individual objections including demonstration of actual specific impacts resulting from individual proposals that stems from their broad concerns outlined above.   |
| 3.11 | Importantly, allowance must be made for existing significant committed development across the city including extant planning permissions. It is highly unlikely that all such development, which includes unimplemented permissions for over 20,000 houses and significant levels of commercial floor space across the city, will come forward at once, if at all. In practical terms it would be unreasonable for the Council to withhold planning permission given the fall-back of the need to connect those developments to existing waste water infrastructure.  |
| 3.12 | In the case of Waste Water Treatment capacity, NI Water advises that there was an increased capacity from July 2023, albeit this will not be sufficient to address long term waste water treatment plant infrastructure requirements.   |
| 3.13 | The Council must be mindful that were it to refuse planning permission based on NI Water's concerns, it would need to provide robust evidence to the Planning Appeals Commission in the event that the applicant appeals the decision. In the absence of robust evidence, it would be unreasonable to refuse planning permission. NIW have in recent months added further detail to their responses but sufficient robust evidence has not been provided.   |
|      | <u>Habitats Regulations Assessment</u>  |
| 3.14 | Officers have met with Shared Environmental Services (SES). Belfast City Council is the Competent Authority under the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) for undertaking an Appropriate Assessment where a proposal is likely to have a significant environmental effect on Belfast Lough, an environmentally protected Special Protection Area (SPA), RAMSAR and Special Area of Conservation (SAC). Water quality of the lough is a key consideration. The Habitats Regulations are framed in such a way that it is not only the impacts of individual development proposals that need to be considered, but also "in combination" impacts with other development.  |
| 3.15 | Whilst a precautionary approach applies to Habitats Regulations Assessment (HRA), SES confirms that the onus is on NIW to provide evidence of likely actual impacts, rather than hypothetical impacts. As Competent Authority, the Council may take its own objective view on whether a proposal is likely to have a "significant effect" on water quality of the Lough. However, having regard to the precautionary approach, where there is clear intensification, the Council will consult SES and ask them to undertake a HRA Appropriate Assessment Screening to ascertain whether there would be a likely significant impact. This would also trigger statutory consultation with DAERA NI Environment Agency. The Planning Service will consult SES and DAERA on a case-by-case basis as required. |

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|            | <u>Local applications for which delegated authority is sought to determine</u>  |
| 3.16       | The further Local applications to which NI Water has objected and which delegated authority is sought to determine are listed at <b>Appendix 1</b> .  |
| 3.17       | It should be noted that only those applications which would have been delegated to officers under the Scheme of Delegation were it not for the objection from NI Water are proposed to be delegated. Therefore, any of the Local applications listed at <b>Appendix 1</b> which it transpires need to be referred to the Committee for other reason/s under the Scheme of Delegation will be reported to the Committee to determine. Individual Members can also still request that the applications at Appendix 1 are referred to the Committee under paragraph 3.8.1 of the Scheme of Delegation. |
| <b>4.0</b> | <b>Financial &amp; Resource Implications</b>  |
| 4.1        | The cost, time and resources involved in individually reporting all Local applications to which NI Water has objected to the Planning Committee would be considerable. It would also require several additional sittings of the Committee. The recommended approach set out in this report is considered to be a much more efficient use of resources.  |
| <b>5.0</b> | <b>Equality or Good Relations Implications / Rural Needs Assessment</b>   |
| 5.1        | No adverse impacts identified.  |
| <b>6.0</b> | <b>Appendices – Documents Attached</b>  |
|            | <b>Appendix 1</b> – List of Local applications which are proposed to be delegated to officers to determine.   |



## Appendix 1 – Local applications with NIW objections (December 2025)

|   | DEA          | REFERENCE        | DATE RECEIVED | PROPOSAL  | ADDRESS                                       |
|---|--------------|------------------|---------------|---|---|
| 1 | Oldpark      | LA04/2024/1511/F | 23/10/2024    | Change of use of ground floor newsagent (A1) to hot food café (Sui Generis) with sit in facilities and disabled access. Retention of existing flat on first and second floors. Renovation of flat including an additional window. | 834 Crumlin Road, Belfast, BT14 8AE           |
| 2 | Titanic      | LA04/2025/1131/F | 14/08/2025    | Change of use from betting office (Sui Generis) to coffee shop and bakery (Sui Generis).  | 11-13 Templemore Avenue, Belfast, BT5 4FP     |
| 3 | Titanic      | LA04/2025/0844/F | 06/06/2025    | Change of use from chemist shop (A1) to restaurant/cafe (Sui Generis). Installation of extraction flue.   | 103-107 Ravenhill Road, Belfast, BT6 8DR      |
| 4 | Lisnaharragh | LA04/2024/1991/F | 10/12/2024    | Change of use of (vacant) first and second floors to 2no. residential apartments (C1 Use Class). Shop front changes to create additional entrance to upper floors. New window openings to rear.                                   | 6 Cregagh Road, Castlereagh, Belfast, BT6 9EP |
| 5 | Titanic      | LA04/2025/1064/F | 06/08/2025    | Change of use from retail (A1) to 2no. residential apartments (C1). 1no. 1-bedroom at ground floor and 1no. 2-bedroom on first & second floor. Alterations and additional site works  | 281 Newtownards Road, Belfast, BT4 1AG        |
| 6 | Lisnaharragh | LA04/2025/1245/F | 25/07/2025    | Change of use from offices (B1) to community veterinary practice (D1). 7no.   | 337 Castlereagh Road, Belfast, BT5 6AB        |

|     |                |                  |            |  |  |
|-----|----------------|------------------|------------|--|--|
|     |                |                  |            | external wall mounted air-condition / ventilation units. External façade changes, new external shed, railings and additional site works.   |  |
| 7.  | Botanic        | LA04/2025/1611/F | 24/09/25   | Erection of a pair of semi detached dwellings with one detached garage and associated car parking and site works (floorplans already in situ; as per permission LA04/2016/0739/F previously granted) | Land east of 43 Hillside Crescent, Belfast, BT9 5EN                          |
| 8.  | Titanic        | LA04/2025/1665/F | 07/10/2025 | New shopfront and access to facilitate a change of use of upper floors to an apartment (C1). Ground floor to remain as retail.   | 350 Woodstock Road, Belfast, BT6 9DP   |
| 9.  | Titanic        | LA04/2025/0046/F | 13/01/2025 | Change-of-use of existing first floor office premises to a 4-bed/ 4 person House in Multiple Occupancy and including roofspace conversion and a new dormer window to rear elevation.                 | 285a Woodstock Road and first floor of 285 Woodstock Road, Belfast, BT6 8PR. |
| 10. | Castle         | LA04/2025/1015/F | 17/06/2025 | Change of Use from Existing Grade B1 Listed Office Building (Class B1) to 9 Bed / 9 Person HMO (suis generis)  | 523 Antrim Road, Belfast, BT15 3BS   |
| 11. | Titanic        | LA04/2025/1117/F | 23/06/2025 | Change of use from 4 bed dwelling to 5 bed / 5 person HMO including single storey extension to kitchen   | 3 Clara Crescent Upper   |
| 12  | Black Mountain | LA04/2025/1635/F | 26/09/25   | Subdivision of unit 44 to create two units, change of use of each unit from retail to sui-generous (café/takeaway). Elevational changes to consist of new shopfront glazing and                      | Units 44 Park Centre 537 Donegall Road, Belfast, BT12 6HN                    |

|     |  |                  |           |   |                                    |
|-----|--|------------------|-----------|---|------------------------------------|
|     |  |                  |           | entrance doors to each unit.  |                                    |
| 13. |  | LA04/2025/1743/F | 8/10/2025 | Change of use from offices to 15 bed / 15 person HMO including demolition of existing 3 storey external escape stair and provision of new 3 storey extension. | 432 Antrim Road, Belfast, BT15 5GB |

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