

Planning Committee

Wednesday, 18th March, 2025

HYBRID MEETING OF THE PLANNING COMMITTEE

- Members present: Councillor Carson (Chairperson);
Aldermen Lawlor, McCullough and Rodgers;
Councillors Abernethy, Anglin, Bell, Brennan,
T. Brooks, Doran, S. Douglas, Ferguson, Garrett,
Groogan, Magee, McCabe, McCann,
Murphy and Whyte.
- In attendance: Ms. K. Bentley, Director of Planning and Building Control;
Mr. K. McDonnell, Solicitor (Regulatory and Planning);
Mr. E. Baker, Planning Manager (Development
Management),
Mr. D. O’Kane, Planning Manager (Plans and Policy)
Ms. C. Reville, Principal Planning Officer;
Mr. M. Whittaker, Acting Principal Planning Officer;
Ms. L. Walshe, Principal Planning Officer;
Mr. R. Kennedy, Senior Planning Officer; and
Ms. C. Donnelly, Committee Services Officer.

Apologies

An apology for inability to attend was reported for Councillor Hanvey.

Minutes

The minutes of the meeting of 11th February, 2025 were taken as read and signed as correct. It was reported that those minutes had been adopted by the Council, at its meeting on 3rd March, 2025, subject to the omission of those matters in respect of which the Council had delegated its powers to the Committee.

Declarations of Interest

Councillor Brennan declared an interest in item 3a - “Notification of Abandonment/Extinguishment”, in that her employer had requested the extinguishment, and item 9d – “LA04/2024/0626/F - Erection of 104no. social rented residential units (comprising a mix of General Social Housing and Category 1 over 55’s accommodation) across two detached blocks [ranging between 3 and 5 storeys], landscaping, communal and private amenity space, ancillary cycle and car parking provision, and other associated site works – 1 Havelock House Havelock Place”, in that she had met with the applicant regarding the development, prior to becoming a Council Member.

Withdrawn Item

The Committee noted that the following item had been withdrawn from the agenda:

- LA04/2021/0547/F - Demolition of the existing buildings and redevelopment of site for 2 no. commercial units on ground floor; 11 no. 1 & 2 bed apartments; landscaped communal courtyard; and all associated site works. - Lands at 124-126 Lisburn Road

Notification of Provision of Loading Bay

The Committee noted the notification of the proposed loading bay at Nelson Street.

Notification of Abandonment/Extinguishment

The Committee noted the notification of Extinguishment for the grassed area at River Terrace.

Planning Appeals Notified

The Committee noted the appeals decisions.

Planning Decisions Issued

The Committee noted the planning decisions issued in February, 2025.

Live Applications for Major Development

The Committee noted the list of live applications for major development.

Committee Decisions that have yet to issue

The Committee noted the list of Committee decisions which had not yet been issued.

Miscellaneous Reports

Advance Notice of Listed Buildings: 119 University Street, 121 University Street and 21 Wellington Park

The Senior Planning Officer informed the Committee that notification had been received from the Historic Environment Division (HED) with regard to the proposed listing of the following buildings:

- 119 University Street;
- 121 University Street; and
- 21 Wellington Park.

The Committee noted and supported the proposed listings.

**Proposed Final Planning Application
Validation Checklist**

The Planning Manager summarised the consultation responses and proposed changes to the draft Planning Application Validation Checklist and outlined the next steps.

The Committee noted the report.

Delegation of Local applications subject to a NIW objection

The Committee agreed to delegate to the Director of Planning and Building Control those Local planning applications to which NI Water had objected.

Planning Applications previously considered

**LA04/2017/1991/F - Construction of a new 5
storey office development for science and
I.T. based business and associated car
parking and public realm works. - Land
adjacent to Concourse Buildings, Queens
Road**

The Planning Manager outlined the planning history of the application and explained that the Section 76 planning agreement had not yet been completed.

He informed the Committee that the remaining obligation to be secured through the planning agreement was vibration monitoring of the adjacent Scheduled Thompson dock during construction and explained that following discussion with the applicant, officers had explored the option of vibration monitoring being dealt with by condition rather than through a Section 76 planning agreement.

He reported that DfC HED had recently confirmed that it was content that a planning condition be applied and advised that this would be consistent with the approach taken to other proposed developments in the area.

The Planning Manager recommended that the application be approved, subject to conditions, to include a condition to deal with the vibration monitoring requirements, rather than a Section 76 planning agreement.

The Committee approved the application, subject to conditions, to include a condition to deal with the vibration monitoring requirements, rather than a Section 76 planning agreement and delegated authority to the Director of Planning and Building Control to finalise the wording of the condition and to deal with any other matters that might arise, provided that they were not substantive.

**LA04/2022/1924/F - Mixed-use proposal
comprising 13 apartments (with 13 car
parking spaces) and coffee shop. - 160-164
Kingsway, Dunmurry**

The Planning Manager provided the Committee with an overview of the application and pointed out that the application had previously been approved by the Committee at its meeting in June, 2023.

He explained that the Committee had granted planning permission, subject to conditions and a Section 76 planning agreement and that the Section 76 planning agreement, required to secure three of the proposed thirteen apartments as affordable housing, had not been completed.

He stated that the provision of three affordable housing units was necessary to make the development acceptable, in compliance with Policy HOU5 and that, without the Section 76 planning agreement to secure the affordable housing, the proposal was considered to be unacceptable.

The Committee agreed that, should the Section 76 planning agreement, required by the planning permission granted by the Committee at its meeting in June, 2023, not be completed by 30th April, 2025, the application be deemed refused.

The Committee delegated authority to the Director of Planning and Building Control to, in the event that the Section 76 planning agreement was not completed by 30th April, 2025, finalise the wording of the reasons for refusal.

**LA04/2024/0626/F - Erection of 104no.
social rented residential units (comprising
a mix of General Social Housing and
Category 1 over 55's accommodation)
across two detached blocks [ranging
between 3 and 5 storeys], landscaping,
communal and private amenity space,
ancillary cycle and car parking provision,
and other associated site works –
1 Havelock House Havelock Place**

The Planning Manager outlined the planning history of the application and explained that a Pre-Action Protocol letter had been received by the Council in February, 2025 which set out a range of concerns, that included the adequacy of the consultation process, that objections from local residents had not been adequately reported to the Committee, the interpretation of planning policy and procedural matters.

He explained that, due to concerns raised over procedural matters, the application was being reported back to the Committee, that included the opportunity for a deputation from the Donegall Pass Residents Association to make representations to the Committee.

He provided an overview of the application and highlighted the consultations responses that included a further response from the Northern Ireland Housing Executive (NIHE) in which it objected to the amended description of a fully social housing scheme and maintained its position that the scheme should provide no more than 80% of the residential units as social housing to avoid a mono-tenure and to promote sustainable and balanced communities.

The Planning Manager referred to the addendum Committee report which included an updated assessment of the scheme that addressed a proposal for mono-tenure housing and whether it would deliver sustainable and balanced communities. He stated that the advice of the NIHE, as the housing authority, should be given due weight and pointed out that it was unsupportive of a 100% social housing scheme. He added that the applicant had not provided evidence that a mixed tenure scheme would not be viable but stated that a stipulation that all 104 residential units must be provided as social housing could result in deliverability issues.

He stated that it was recommended that planning permission was granted, subject to conditions and a Section 76 planning agreement, and that the social housing requirement be set at a maximum of 84 units (80%), with the potential allowance of up to 100% social housing, should the issues be satisfactorily addressed at a future point and subject to approval by the Council, in consultation with NIHE.

The Chairperson welcomed Mr. P. O Muirigh, Mr. E. Purvis and Mr. P. McDonald to the meeting.

Mr. McDonald referred to a local resident who had a high needs autistic son who had been greatly affected by the demolition works that had taken place on site and explained that she had asked him to communicate to the Committee that the site was 50 metres from their residence and would have a detrimental effect on the wellbeing of her son.

Mr. Purvis explained the strong opposition from the local community to the proposed development, that included a petition of opposition that had been signed by 462 local residents, he said equated to every household within the district declaring opposition to the current plans.

He stated that there had been 52 comments of objection posted on the online Planning Portal, with no comments in support of the scheme and that local residents had attended two public consultation meetings to convey their concerns and objections.

He stated that the social housing apartment cluster blocks had proven to be a failure in inner city Belfast and that the residents of Donegall Pass wished to place on record their support for the correct type of social housing, such as low-level streets of two and three bedroom family houses that would complement the surrounding housing in the area.

Mr. Purvis outlined points which had been made by the Lower Ormeau Residents Action Group (LORAG) to Clanmil Housing and referred the Committee to an article in the Belfast Telegraph about major builds adjacent to working class communities, he asked the Committee to have regard to the settled communities who would be affected most by the development and to reject the planning application.

Mr. McDonald stated that the residents of Donegall Pass were in favour of social and affordable housing and had waited for 43 years for sustainable housing in the area, that the proposal was unsustainable and had been developed without any meaningful engagement with the community and asked the Committee to defer consideration and undertake a site visit to the application site to gain a better appreciation of the residents' concerns.

The Planning Manager explained that the location of the site compound was not something that the Planning Service would address but could discuss the concerns raised with the applicant.

The Chairperson welcomed Mr. T. Stokes to the Committee who attended in representation of the applicant.

Mr. Stokes stated that Genova North West had acquired the site with the objective of bringing forward, in conjunction with Clanmil Housing Association, a pragmatic scheme aimed at tackling the growing social housing need in the locality.

He explained that, initially, the suggested housing mix had included a sizable proportion of one-bedroom units, however, through active engagement with the community, the proposals had been revised to reduce the number of smaller units and increase the number of larger units, that included own door family maisonettes.

He stated that the scheme provided for 104no units which had been broken down into five distinct blocks and set with generous landscaped amenity courtyards for the active and passive enjoyment of residents.

Mr. Stokes stated that the proposed buildings scaled down in height towards the rear of the site which would be gable ended and no greater than three storeys in height and that separation distances had been maintained through location of the parking area to the rear of the site. He added that the final design feature to the rear was at the request of the neighbouring community and that the number of window openings had been minimised.

He explained that the proposal was initially for a 100% social housing scheme that would cater for a mix of General Needs and CAT1 accommodation; however, this had been amended during the course of the application to allow for ongoing discussions between the applicant, the housing association and the Housing Executive in terms of final tenure mix.

He pointed out that the subject site straddled two Housing Needs Areas, the Donegall Road Housing Needs Area and the Lower Ormeau Housing Needs Area, and he highlighted the increase in housing need in comparison with allocations.

He concluded by stating that the intention remained for the full scheme to be social housing and that with the support of the Planning Service and NIHE and that a proposed clause on the Section 76 planning agreement would secure a minimum of 80% of the scheme being social with the potential of becoming 100%, following discussions and he asked the Committee to endorse the officers' recommendation.

Proposal

Moved by Councillor Magee
Seconded by Councillor Garrett,

“That the application is approved on the basis that all 104 residential units be provided as social rented housing (100%) and that this shall be secured by the Section 76 planning agreement.

That the Committee grant planning permission, subject to conditions and a Section 76 planning agreement and delegates authority to the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement and deal with any other matters that arise, provided that they are not substantive.”

On a vote, fifteen Members voted for the proposal and three against and it was declared carried.

Accordingly, the Committee affirmed its decision of 10th December, 2024, to approve the application, subject to conditions and on the basis that all 104 residential units shall be provided as social rented housing (100%) and that this shall be secured by the Section 76 planning agreement.

The Committee delegated authority to the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement and deal with any other matters that might arise, provided that they were not substantive

New Planning Applications

LA04/2024/0126/F & LA04/2024/0138/LBC - Conversion of existing buildings into Hotel, comprising of 102 no. bedrooms with public bars and restaurants. Development includes ground floor extension, staff and service elevator, interior and exterior alterations and all associated works. Proposed ground floor extension, staff and service elevator, interior and exterior alterations and all associated works to facilitate conversion of the existing building into a hotel. - 15-16 Donegall Square South and 2-14 Bedford Street; and No. 7 James Street South

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

- Background;
- Principle of hotel use;
- Impact on the listed building;

- Impact on the conservation area;
- Archaeology;
- Design and placemaking;
- Climate change;
- Access and transport;
- Health impacts;
- Environmental protection;
- Flood risk and drainage;
- Waste-water infrastructure;
- Waste management;
- Natural heritage;
- Section 76 legal agreement; and
- Pre-application community consultation.

She stated that, having regard to the Development Plan and material considerations, it was recommended that planning permission and Listed Building Consent were granted, subject to conditions.

The Chairperson informed the Committee that Mr. T. Stokes was present at the meeting on behalf of the applicant.

Mr. Stokes stated that the proposal would secure the restoration and upkeep of the prominent, vacant Listed Building and would bring it back into use. He added that the proposed hotel would be a great addition to the city and would bring life back into the area.

The Committee granted planning permission and Listed Building Consent, 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 might that arise, provided that they were not substantive.

LA04/2022/1046/F - Proposed demolition of existing building and construction of a residential development consisting of 14 No. units (9 No. apartments within a three storey building and 5 No. two storey terraced dwellings) with associated landscaping and car parking (amended description). - 18 Annadale Avenue

The Committee agreed to defer consideration of the report and to undertake a site visit to the application site.

LA04/2024/1281/F - The development plans for the site include the construction of a new 3G football pitch on existing grass football pitches and associated site works - 60 Carnanmore Park

The Principal Planning Officer summarised the application and referred to the following key issues for consideration:

- Principle of the proposed uses;
- Impact on amenity;
- Climate change;
- Open space;
- Access and transport;
- Health impacts;
- Environmental protection; and
- Natural heritage.

She explained that the site was within a highly sustainable location that offered convenience to the end user of the development and would provide surface for all-weather conditions which would benefit the community.

The Committee approved the application, 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 might arise, provided that they were not substantive.

LA04/2024/1869/F - Temporary Change of Use of 92 No. Student Bedrooms to Short Term Let Accommodation - The Edge, 48-52 York Street

The Principal Planning Officer provided the Committee with an overview of the application and explained that the Purpose Built Managed Student Accommodation (PBMSA) had suffered some delays towards the end of the building programme which had resulted in an abnormally high number of vacancies within the building for the 2024/25 academic year.

She stated that the application sought full planning permission for a temporary change of use of 92 (30%) of the 307 student bedrooms to short term let accommodation until September 2025.

She reported that no representations had been received, that consultation was not necessary and that a Section 77 to vary the Section 76 planning agreement of the host was necessary and had been agreed in principle with Legal Services.

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

The Chairperson informed the Committee that Mr. T. Stokes, TSA Planning, was present at the meeting, together with the applicants, Mr. S. Crawley and Mr. D. Lindsay to answer any questions that Members might have.

In response to several questions from the Committee with regard to the existing students availing of the accommodation, Mr. Lindsay explained that the 92 units were contained on three floors of the building and were self-contained units that would limit interaction with existing students. He stated that they hoped to target corporate clients that would prefer longer stays.

He cited other comparable cities, such as Edinburgh, which operated a similar scheme during the Edinburgh Fringe Festival and explained that, whilst not typical during term time, it was during the summer months.

A number of Members raised concerns with regard to rate relief applied to PBMSA and whether that would still apply to commercial use. In response, officers agreed to write to Land and Property Services to clarify whether the Council had the ability to draw down rates on the temporary use of the PBMSA.

At the request of a Member, officers agreed that the potential for consultation with the existing students would be discussed with the applicant.

The Committee agreed to approve the application, subject to conditions and delegated authority to the Director of Planning and Building Control to finalise the wording of the conditions and Section 77 (amendment to the original Section 76 planning agreement) and to deal with any other matters that arise, provided that they were not substantive.

LA04/2025/0140/LBC - Installation of new stained-glass window within City Hall - Belfast City Hall, 2 Donegall Square

The Principal Planning Officer outlined the application to remove an existing stained glass window and install a new stained glass window on the ground floor of City Hall.

She stated that, having regard to the development plan and other material considerations, the proposal was considered acceptable.

The Committee granted Listed Building Consent 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

Outstanding Accounts Report

The Director of Planning and Building Control outlined two outstanding debts that Legal Services had advised that, it would not be economically viable to incur the costs of obtaining a judgement and enforcing the debt and explained that every effort to recoup the debts and the methods adopted had been in accordance with the Council's Accounting Manual procedures.

The Committee authorised the writing off of the outstanding accounts in accordance with Section M12 of the Council's Financial Regulations.

Quarter 3 Finance Report

The Director of Planning and Building Control presented the Quarter 3 financial position for the Planning Committee.

The Committee noted the report.

Public Local Inquiry for Dalradian Gold Application

The Director of Planning and Building Control outlined a response to the Notice of Motion for the Council to intervene in the Public Inquiry to the Curraghinalt Project (Dalradian Gold Mine) applications being held by the Planning Appeals Commission.

The Committee agreed that the report be referred to the Strategic Policy and Resources Committee for consideration.

Chairperson