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**Democratic Services Section
Chief Executive's Department
Belfast City Council
City Hall
Belfast
BT1 5GS**

1st July, 2019

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, 2nd July, 2019.

Yours faithfully,

SUZANNE WYLIE

Chief Executive

AGENDA:

1 (b) Minutes (Pages 1 - 26)

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Planning Committee

Tuesday, 11th June, 2019

MEETING OF PLANNING COMMITTEE

Members present: Councillor Carson (Chairperson);
Alderman Rodgers; and
Councillors Brooks, Canavan, Collins,
Garrett, Groogan, Hussey, McKeown,
McMullan, Murphy, Nicholl, O'Hara
and Pankhurst.

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

Apologies

No apologies were reported.

Minutes

The minutes of the Pre-Determination Hearing and of the meeting of 9th April were taken as read and signed as correct. It was reported that those minutes had been adopted by the Council at its meeting on 29th April, subject to the omission of those matters in respect of which the Council had delegated its powers to the Committee.

Declarations of Interest

Councillor Hussey declared an interest in Item 8b, LA04/2018/2470/O, Mixed use regeneration and development and refurbishment of existing listed Butchers building with new fixed use buildings at Winetavern Street, Gresham Street and North Street, in that he had taken part in a site visit to the area, as a Member of the City Growth and Regeneration Committee, but he confirmed that he had not made any predetermination in relation to the proposed development and so he remained in the room.

Councillor Groogan declared an interest in item 8m, LA04/2019/0417/F, Purpose built managed student accommodation with 253 beds at Botanic Link, in that she had attended a Pre-Application Discussion (PAD) on behalf of her employer and had made comments at the meeting. She therefore left the meeting for the duration of the item.

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Schedule of Meetings 2019

The Committee agreed:

1. to hold a Special meeting on Tuesday, 2nd July at 5p.m.; and
2. that the Planning Committee would meet, at 5p.m., on the following dates from August to December, 2019
 - Tuesday, 13th August;
 - Thursday, 15th August (if required);
 - Tuesday, 17th September;
 - Thursday, 19th September (if required);
 - Tuesday, 15th October;
 - Thursday, 17th October (if required);
 - Tuesday, 12th November;
 - Thursday, 14th November (if required);
 - Tuesday, 10th December; and
 - Thursday, 12th December (if required).

Committee Site Visit

It was noted that the Committee had undertaken a site visit on 31st May in respect of the following planning application LA04/2018/0811/F – Mixed use development comprising offices, residential apartments (including affordable), hotel and serviced apartments, retail and professional services, community and cultural, leisure uses, cafes, bars, restaurants, with associated car parking, circulation and servicing arrangements; public realm works, landscaping, replacement of existing pedestrian bridge fixed to railway bridge and associated access works to Short Strand and Bridge End with other infrastructural works, and demolition of existing structures including boundary walls on lands at former Sirocco Works Short Strand and adjacent to Bridge End and the River Lagan.

Abandonments, Extinguishments and Vesting Orders

The Committee was apprised of correspondence which had been received relating to:

1. An extinguishment of a Public Right of Way Order No. 1 at lands at Gilnahirk Road;
2. A Vesting Order which had become operational at land at former Hannahstown Hill/Glen Road; and
3. The proposed abandonment of:
 - lands at Linen Mill Grove, Edenderry, under the Roads (NI) Order 1993, in order to facilitate access to a new housing development;
 - part of the footpath on the Ormeau Road in order to rectify a mapping discrepancy and facilitate the disposal of the

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land, part of which had previously been abandoned in 2017 under MD2/Z/03/1015;

- part of the road at Seymour Row, Belfast in order to rectify title to the area and incorporate the land into the existing car park; and
- part of the land/footpath passing under the Station Street Flyover in order to facilitate a multi-agency redevelopment scheme for the area.

The Committee noted the correspondence.

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 2nd April and 3rd June, 2019.

Local Development Plan (LDP) Update

(Mr. K. Sutherland, Planning Manager (Policy), and Mr. D. O'Kane, Principal Planning Officer, attended in connection with this item).

The Committee considered the undernoted report:

“1.0 Purpose of Report or Summary of Main Issues

1.1 The purpose of this report is to provide members with an update on:

- Consultation on the draft Plan Strategy (dPS) and the next stage in the Local Development Plan (LDP) process;
- Preparation of the Council's Housing Land Availability Report for the 2018/19 monitoring period and its accompanying online map portal; and
- Additional research commissioned as part of the LDP evidence base.

2.0 Recommendations

2.1 The Committee is asked to note the updates.

3.0 Background

- 3.1** The draft Plan Strategy (dPS) is the first of two documents that will comprise the new Local Development Plan (LDP). The dPS is more strategic at this stage (in line with government guidance) setting out an over-arching strategy and general operational policies that will apply across the city. The dPS is ambitious, striving through a plan led approach to achieve the thriving socially inclusive city, reflecting the objectives at the heart of the Belfast Agenda. It will also realise the Regional Development Strategy's (RDS 2035) ambition for Belfast as the regional economic driver.
- 3.2** The dPS was published last Autumn for a formal consultation that closed on 15th November 2018. A further eight week consultation period on the submissions received last Autumn, to allow for counter-representations, closed on 26th April 2019. This report therefore provides an update on the outcome of this counter-representation process and outlines the next stage in the LDP process.
- 3.3** As part of the new statutory responsibilities the Council produces the Housing Land Availability Summary Report annually to inform the plan process. The latest report for 2018/19 (available on modern.gov) outlines the position in respect of housing development and provides a snapshot of the amount of land available for new residential development at the 1st April 2019. This regular monitoring is an important element of the evidence base for the preparation of the LDP and will be supported by an online map portal (publicly available) showing the status of all existing housing monitor sites. The web based portal will seek to illustrate some of the key information contained within the report in a map based form.
- 3.4** Alongside the regular housing monitor and other publications, additional research has also been commenced to help broaden the LDP's evidence base and inform the Council's response to the draft Plan Strategy consultations. This includes research to consider the potential impact of the LDP's proposed policies on the residential property development sector and broader market areas and the preparation of technical responses to consultation comments submitted in relation to the Housing Growth Options Report.

4.0 Main Issues

Consultation on the dPS and next stage in the LDP process

- 4.1** The 109 representations received in response to the dPS consultation were published on the Council's website on 1st March 2019, with an opportunity for the submission of counter-representations during an eight week consultation period to 26th April 2019. In accordance with the Planning (Local Development Plan) Regulations, counter representations were invited in relation to a site specific policy comments. In total, 63 counter-representations were received from 14 stakeholders in relation 14 different policies referenced in 26 of the original representations.
- 4.2** The Council is required to publish these counter-representations as soon as reasonably practical and prior to submission of the dPS to the Department for Infrastructure (Dfi) in anticipation of an Independent Examination (IE) being proposed. The representations and counter-representations will be taken into account as part of this IE process and it is intended that the submission of documents will take place during the Summer 2019. The purposes of the IE will be to determine the soundness of the dPS. Soundness relates to how the dPS has been produced, how it has taken account of regional policy and its coherence, consistency and effectiveness.
- 4.3** Following the IE convened by the Planning Appeals Commission (PAC), an Advisory Report of their findings will be issued to Dfi, which will then issue a binding report to the Council. This Dfi report can require that the dPS be adopted as originally prepared, or with modifications. Through formal adoption and publication by the Council, the dPS will become a primary consideration when determining future planning applications for development in the city.

Housing Land Availability Summary Report for the 2018/19 monitoring period

- 4.4** The Planning Act (NI) 2011 will require the Council to produce annual reports for Dfi outlining the extent to which the objectives set out in the LDP are being achieved. As the Council is currently preparing the first LDP for Belfast under this new legislation, the production of Annual Monitoring Reports has not formerly commenced. However, to inform and provide evidence for the plan, annual Housing Land

Availability Monitor Reports (referred to as the 'Housing Monitor' reports) are prepared by the Council.

- 4.5** The primary purpose of the Housing Monitor is to inform the formulation of the Council's new LDP and monitor the performance of policies. As an ongoing information resource it will also help the Council identify where a shortfall in potential land supply might exist and can inform the development sector on the availability of land that may be suitable for housing.
- 4.6** The Housing Land Availability Summary Report for 2018/19 presents the headline figures from a register of potential housing land maintained by the Council, based on current planning policy designations and planning permissions. This provides a snapshot of the amount of land available for new homes and capacity for future housing units as of 1st April 2019, as well as providing the net gains in housing units for the 2018/19 period. This differs from the new dwelling completion statistics published routinely by central Government which only provide a total for new build homes, without accounting for units lost as a result of redevelopment.
- 4.7** This information is summarised within the report in relation to:
- Each settlement within the District, including settlement areas in the case of Belfast City;
 - Whether land falls within the existing urban footprint or is classified as greenfield land; and
 - The type of land use zoning (i.e. land zoned for housing or land zoned for mixed use development) or all other land.
- 4.8** During the 2018/19 monitoring year 830 units were completed on 20.9 ha of land across the District. 398.6 ha of land remains, with potential capacity for 22,074 residential units. The total number of dwellings completed in the district has increased by 25.9% from 659 in 2017/18 to 830 in the current monitor year. The proportion of dwellings completed within the Urban Footprint is recorded at 84.1% and, as at 1st April 2019, almost 40% of the remaining potential available for future dwellings is on land zoned for housing or mixed use development.
- 4.9** It is emphasised that the monitor represents a register of housing land based on current policy designations and planning permissions, rather than an accurate picture of

viable housing land. It is the role of an Urban Capacity Study (UCS) to assess the suitability, availability and achievability of land, alongside the identification of new sites that could be later zoned for residential use as part of the LDP process. An UCS was last completed in March 2018 and was formerly published as part of the dPS evidence base in Autumn last year.

- 4.10 As part of the ongoing work to make information more accessible, the Housing Monitor report will be published alongside an online map portal showing the status of the existing housing monitor sites and key information contained within the tables of the report, for example: the site area developed and the remaining area potential; the number of dwelling units complete and the remaining unit potential.

Additional background research

- 4.11 As part of the evidence base to inform the LDP, consultants were appointed to undertake a detailed study of the future population and housing growth potential for Belfast. The Housing Growth Options Report (October 2016), and subsequent Addendum (December 2017) provided additional detail on the mix of size and type of housing associated with the preferred growth scenario and were published alongside the dPS as part of the evidence base. A number of submissions submitted in response to the dPS consultation related to this Housing Growth Options Report and the level of growth proposed within that report.
- 4.12 To ensure the LDP evidence base is comprehensive and maintained during the process, updated technical responses to the comments received have been developed. This work will ensure the robustness of the underlying evidence is maintained through technical clarifications and is intended to supplement the existing work to further inform the LDP as it moves through the IE process.
- 4.13 Alongside this work to maintain the LDP evidence base and inform the Council's responses to consultations, further studies were completed with the support of external expertise in 2018 to provide a high level assessment of potential market impacts from emerging housing policies across different sectors of the City. This latest report makes recommendations to help maximise opportunities and minimise any potentially adverse impacts and concludes that, notwithstanding reservations about the application of the LDP to the City Centre core, there is no overriding impediment to the draft policies set out in the dPS

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contributing to the supply of affordable housing in Belfast. Whilst there are geographic differences in the impacts and potential going forward, it suggests that some new affordable housing products should be prioritised to encourage uptake. A copy of the final report is available on modern.gov."

The Committee noted the update which had been provided.

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)

Applications Withdrawn

The Committee noted that the following three items (8d, e and f) had been withdrawn from the agenda:

- LA04/2019/0081/F - 12 apartments (social/affordable housing units comprising 3No. one bed & 9No. two bed) with provision of community pocket park, car parking, landscaping and all associated site and access works, lands at former Maple Leaf Club, 41-43 Park Avenue;
- LA04/2019/0082/F - Section 54 application to remove condition 2 of Z/2010/0434/F. The condition reads as follows, "No part of the residential development hereby permitted shall be commenced until the social club hereby approved is constructed and operational in accordance with the approved plans."; and
- LA04/2019/0083/F - Section 54 application to remove condition 2 of LA04/2015/0075/F - "No part of the residential development hereby permitted shall be occupied until the social club hereby approved is constructed and operational on lands at former Maple Leaf Club, 41-43 Park Avenue.

LA04/2016/2359/F & LA/2016/2341/DCA - Demolition of existing buildings and erection of 7 storey office building with retail unit on ground floor at 46-52 Upper Queen Street and 11a Wellington Street

The Planning Manager (Development Management) advised that the Planning Committee had previously undertaken a visit to the site and had subsequently considered the two applications, where it had agreed with the officers recommendations to approve both at its meeting on 15th May, 2018. However, he explained that, following pre-action correspondence for a Judicial Review of the decisions for failure to specifically cite Planning Policies BH14 and BH10 of PPS6 in the report, the Council had since agreed to have those decisions quashed.

He provided the Committee with the detail of the applications.

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The Members' attention was drawn to the Late Items Pack, where Ulster Architectural Heritage (UAH) had submitted further objections to the application. The Planning Manager highlighted to the Committee the Planning Department's response to each of the points raised by UAH.

The Committee was advised of the Conservation Assessment Report which had been submitted with the application, the independent urban design advice which had been commissioned by the Council, and the views of the Conservation Officers.

In relation to criteria (a) and (b) under paragraph 6.5 of PPS6, the Planning Manager pointed out that the Conservation Assessment Report and both Conservation officers' assessments had referred to the fact that the buildings had lost a significant extent of their original fabric/features including chimneys, roof materials, original window frames, with the ground floors having been reorganised, including having had shopfronts installed. He explained that, therefore, it was considered that there were no physical features present that contributed to significant character.

The Committee was also advised that the Historic Environment Division (HED) Built Heritage had advised that the site and buildings were not listed at the time of its heritage survey in 2012-2013, that they were not considered to be of sufficient architectural and/or historical interest to merit a full survey and that it would not be revisiting that decision.

The Planning Manager advised the Members that the buildings were surrounded by larger modern buildings, were subject to limited views within the Conservation Area save from within Upper Queen Street and Wellington Street. He stated that the visual influence/impact of the existing building would be limited in terms of the Conservation Area as a whole as stipulated in PPS6.

In relation to the proposal, the Committee was apprised of the primary considerations, which were set out in the Strategic Planning Policy Statement for Northern Ireland and of PPS6 and were considered acceptable in terms of scale, form and massing.

The Committee noted that no objections had been received from any consultees including Transport NI, Environmental Health, DAERA or HED.

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.

LA04/2018/2470/O, LA04/2018/2464/F, LA04/2018/2445/LBC – Mixed use regeneration and development of vacant surface level car park and refurbishment of existing listed Butchers building, with erection of new fixed use buildings (heights varying between 3-9 storeys). Proposal to comprise basement level car parking, ground floor retail/restaurant/coffee shop/workspace uses, with Grade A and SME offices above. Provision of new pedestrian accesses from Gresham and Winetavern Street; associated

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public realm, landscaping, associated plant, and all site and access works on vacant lands at existing level Carpark bounded by Winetavern Street, Gresham Street and North Street.

(Cllr Hussey declared an interest in this item, in that he had taken part in a site visit to the area as a Member of the City Growth and Regeneration Committee, but he clarified that he had not made any predetermination in relation to the proposed development and so he remained in the room)

The Case officer outlined the principal aspects of the major application to the Committee.

He explained that the application sought outline permission for a mixed use regeneration and development of a surface level car park, the refurbishment of an existing listed Butchers building, and the erection of new fixed use buildings with heights varying between three and nine storeys.

The Members were advised of the key issues which had been used in the assessment of the proposed development, which included, amongst others, the principle of development, the principle of proposed uses, impact on built heritage, scale, massing, design, traffic and parking and drainage and flooding.

The case officer explained that the site lay within the northern part of the city centre, which was poorly defined in terms of land use and built form. He advised the Committee that it was zoned as an opportunity site in the draft Belfast Metropolitan Area Plan (BMAP) and that the proposal would renovate a listed three-storey building, develop an surface level carpark with a piece of high quality architecture which drew upon the industrial heritage of the area, creating a well-defined public space and providing a landmark building on one of the main arterial routes into the city centre.

The case officer drew the Committee's attention to the Late Items Pack, where he highlighted that a consultation response had been received from the City Regeneration and Development Team. He outlined the Planning Department's response to the issues raised.

He outlined that DfI Roads, Rivers Agency, Belfast City Airport, and Building Control had no objections to the proposals, and that no third party representations had been received. The Members noted that further information had been requested from Environmental Health and the DAERA Waste Management Unit.

The Committee was advised that an objection had been received from the Historic Environment Division (HED). One of its primary concerns was that it felt that the link block extension to the listed building was too narrow. The case officer explained that a response from HED was outstanding in relation to the most recent plans but that it was likely that its objections remained. He explained, therefore, that given the objection by a statutory consultee, if the Committee was to grant approval to the application, it would be referred to the Department for Infrastructure (DfI).

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The Committee was advised that Mr. T. Stokes, Mr. A. Stewart and Mr. S. Tyler were in attendance, representing the agent/applicant, and they were welcomed to the meeting by the Chairperson.

Mr. Stokes requested that the Committee support the applications due to the undernoted reasons:

- they had undertaken a significant community consultation exercise over and above the statutory requirements, resulting in no objections from third parties;
- they had held a four day public event, where meetings were held with cultural and community groups, business owners and residents in the area;
- the proposed development was a high quality proposal to bring life back into a brown field site, including the refurbishment of the listed Butchers building;
- new pedestrian links through the site with a new public space on site; and
- during construction the proposals would create 600 jobs.

In response to a number of Members' questions, the case officer provided clarity in relation to the proposed two phases of construction and HED Historic Monuments' access to the site during construction.

In response to a further Member's question, the case officer advised the Committee that draft BMAP 2015, as a material planning consideration, set out a number of Urban Design Criteria for the Old City Character Area, one of which related to building heights. He explained to the Members that the Gresham Street block had 5 storeys, the North Street block had 6 storeys, and Winetavern Street had 9 storeys. The Committee was advised that the heights had been informed by a robust conceptual approach on what was a development opportunity site on a key arterial route into the city centre.

The Director of Planning and Building Control advised the Members that the remit of HED was focused solely on protecting the historic environment. He explained that the Planning Department's role was to strike the balance between protecting historic buildings and ensuring that a level of development continued throughout the city.

The Case officer's recommendations, as outlined in the report, were put to the Committee, namely:

That the Committee approves the applications for outline, full and Listed Building Consent, subject to the imposing of the conditions as outlined in the report, with delegated authority to be given to the Director of Planning and Building Control to finalise the conditions, subject to notification to the DfI and to agree the details of the gable elevation with HED.

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

**LA04/2018/2081/F - Change of use from Parish Hall to
licensed social club , St Agnes' Parish Hall,
146 Andersonstown Road**

The Case officer presented to the Committee the principal aspects of an application for the change of use from a parish hall to a licensed social club.

She outlined the key issues which had been considered in the assessment of the application, including the principle of the proposed development and change of use, the design, scale and massing, the noise impact assessment and impact on residential amenity, amongst others. She clarified to the Members that licensing was not within the remit of the Planning authority.

The Case officer advised the Committee that Environmental Health had recommended a number of conditions in response to the Noise Impact Assessment and further information provided by the applicant. She outlined that the Planning Department's consideration of those conditions was outlined within the report.

The Members were advised that the principle of the proposed use was considered unacceptable and inconsistent with the existing residential area and, if permitted, would result in a detrimental impact to the residential amenity of the adjacent properties. The Committee was also advised that the separation distances between the parish hall and the existing neighbouring properties were insufficient to adequately allow the use of the hall as a social club without detrimental impact.

The Committee was advised that 40 objections had been received from local residents, raising concerns in respect of the impact of the proposal on residential amenity by way of noise, disturbance and general nuisance.

The Members' attention was drawn to the Late Items Pack, where a letter of support had been received from the intended occupier.

The Chairperson welcomed Mr. G. McLarnon and Dr. E. Barrett to the meeting, who were objecting to the application. Together, they stated that:

- there were a number of houses very close to the parish hall and that it would be unsuitable if it were to become a social club, with noise late at night;
- there was inadequate space around the footprint of the building;
- there was only one shared entrance; and
- there would be significant noise disturbances from deliveries and from patrons loitering and smoking outside of the building.

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

LA04/2018/0618/F - 49 houses, landscaping and associated site works Vacant site bounded by First Street North Howard Street Third Street and Conway Street

The Committee was apprised of the details of the application for 48 terraced dwellings and 1 detached dwelling, with each dwelling to have a car parking space.

The case officer provided the Members with the key issues in the assessment of the application, including, amongst others, the principle of development and use, height, scale, massing, layout and design and the provision of amenity space.

She explained to the Committee that the adopted Belfast Urban Area Plan 2001 had designated the site as unzoned white land, while the Draft BMAP 2015, which was ultimately quashed, and BMAP 2004 had designated the site as zoned housing land.

The Members were advised that the proposed density was in keeping with the existing established residential area, the layout was deemed acceptable in that the proposal provided private garden areas to all 49 dwellings and the provision of amenity space within the development was also considered acceptable.

The Committee was advised that no representations had been received and that no objections had been received from consultees, subject to conditions.

In response to Members' questions regarding the separation distances between dwellings, the case officer confirmed that they were deemed acceptable and were similar to the surrounding houses.

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.

(The Committee adjourned for a ten minute break at this point)

LA04/2018/1886/F & LA04/2018/1773/LBC - Refurbishment and improvements to existing Grade B1 Listed (ref. HB/26/33/004) former school comprising main school building, two free standing pavilions and site works. Works to include restoration, reconstruction, minor demolitions and extension to support community based uses at St Comgall's Primary School Divis Street

The case officer detailed the principal aspects of the report.

She highlighted to the Committee that the applicant was in receipt of £3.5million from the Belfast Investment Fund (BIF) from the Council, and that the Council was delivering the project.

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The Committee noted that the site was a vacant former Primary School, which was a Grade B1 listed building and was identified on the Built Heritage at Risk Northern Ireland register.

The Members were advised of the key issues in the assessment of the proposed development, which included, amongst others, the proposed design, layout, scale and massing, the impact on a listed building, impact on the character of an area and the impact on traffic and parking provision.

The case officer advised the Members that no objections had been received and that the Historic Environment Division (HED), following the submission of amendments and subject to conditions, had no objections.

The Committee granted approval to the application and the Listed Building Consent, 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.

LA04/2018/1761/RM - Site for new dwelling and garage to the rear of 598 Antrim Road

The case officer explained the principal aspects of the application to the Committee.

She highlighted to the Members that it was a reserved matters application and that the principle of a dwelling on the site had already been established under the outline permission LA04/2017/1208/O in September 2017 and that the current application was to deal solely with the conditions attached to that approval.

The Members were advised that the outline permission included conditions to specify the siting of the proposed dwelling, the ridge height of the dwelling, to be no higher than that of the neighbouring properties at Nos. 9 and 11 Waterloo Park North, and that the boundary hedging was to be retained. The case officer confirmed to the Committee that the Reserved Matters application complied with those conditions.

The Committee was advised that 23 objections had been received. The case officer explained that no objections had been received from consultees.

The Members' attention was drawn to the Late Items Pack, where a further objection had been received. The case officer explained that the Planning Department's responses to the issues raised were contained in the report.

The Committee was advised that two objectors to the application, Mr. L. Quinn and Ms. M Magill, were in attendance and they were welcomed to the meeting.

They raised a number of points in objection to the application, including:

- the affect that the proposals would have on the value of their properties;

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- the impact that the proposal would have on them and their properties in relation to issues regarding the dormer windows in the attic and the altered roof design; and
- a request that the Committee would defer consideration in order to undertake a site visit.

The Committee was advised that Mr. S. Houston, the agent for the application, was in attendance and he was welcomed to the meeting.

Mr Houston explained that the Reserved Matters application complied with the conditions and that the proposed design was in keeping with the surrounding area.

Proposal

Moved by Alderman Rodgers
Seconded by Councillor Nicholl and

Resolved – that the Committee agrees to defer consideration of the application to enable a site visit to be undertaken to allow the Committee to acquaint itself with the location and the proposals at first hand.

**LA04/2017/0733/F - 4 storey building (14 no. apartments:
10no. 2 bed 3 person & 4no. 1 bed 2 person apartments
205-211 Crumlin Road**

The Committee was apprised of the principal aspects of the application for fourteen apartments over four storeys, with four and half storeys to the front elevation.

The case officer advised the Committee that the site had been vacant for almost a decade. She explained that the site was unzoned white land in the Belfast Urban Area Plan 2001 and that it was partly unzoned white land and partly zoned as a shopping and commercial area on an Arterial Route in the draft Belfast Metropolitan Area Plan 2015.

The Members were advised of the key issues in the assessment of the proposed development, which included, amongst others, the principle of development, height, scale, massing, layout and design, parking provision and access and the impact on the character of the area.

The case officer explained that the proposed design was larger in scale than some of the surrounding buildings but that the arterial frontage had changed and was transitioning from the former domestic scale buildings to more commercial proportions and scale. She added that the detailing proposed in the design would assist in integrating the development with the smaller scale residential properties to the rear.

The Committee was advised that 35 representations had been received, citing design, scale and massing, dominance, and parking provision. The case officer advised the Members that the design had been amended to address a number of the concerns and that the Planning Service had only received three objections to the latest proposals.

The Members' attention was drawn to the Late Items Pack, where the Department for Infrastructure (Dfi) had indicated that it was content with the proposed development.

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The Committee noted that Environmental Health, Rivers Agency, NI Water, Historic Environment Division, transport NI and the Council's Urban Design officer had no objection to the proposals subject to the conditions as outlined within the report.

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.

LA04/2019/0356/F - Reconfiguration of Block A of LA04/2016/2291/RM, to provide 12No. apartments from previously approved 8, & associated adjustment's to approved elevations and site layout Former Dundela FC Training Ground opposite 25-45 Dundela Avenue

The case officer explained the principal aspects of the application which included the reconfiguration of apartments from a Reserved Matters application, LA04/2016/2291/RM, to provide an increase to twelve apartments from the previously approved eight.

She explained to the Members that the principle of residential use at the location had already been established.

The Committee was advised that Environmental Health, DfI Roads, NI Water, Rivers Agency and NIEA had no objections.

The case officer added that three representations had been received, raising concerns with an increase in density, parking, privacy of residents and concerns on infrastructure. She explained that the issues had been dealt with within her report.

The case officer explained that the overall design would remain in keeping with its surrounding context and it was considered that the proposed design and architectural treatment were acceptable and in line with policy requirements.

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.

LA04/2018/2603/F and LA04/2018/2611/LBC - Restoration and refurbishment of the existing building with minor demolition at the rear and internal alterations to provide existing pool and heritage/interpretative facility with a new extension which will provide new 25m 6-lane pool with spectator gallery, wet and dry change, spa and expanded gym facility and car parking at Templemore Baths, Templemore Avenue

The Case officer apprised the Committee of the major application for the restoration and refurbishment of a Category B1 Listed Building, Templemore Baths, and for an extension on the adjacent vacant site.

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He highlighted to the Members that Belfast City Council was the applicant.

The Committee was advised that the baths were located within the Templemore Avenue Area of Townscape Character in the Belfast Metropolitan Area Plan (BMAP) and that it was the only surviving baths in the UK still being used for its original purpose.

The case officer outlined to the Members that all consultees were content with the proposals subject to conditions as detailed within the report.

A Member requested clarity on the historic steps and tiles within the baths. The case officer clarified to the Committee that these would be preserved. He explained that the Historic Environment Division (HED) had advised that they were content that the proposals were compliant with planning policy.

The Members were advised that no third party objections had been received.

The Committee granted approval to the application and to the Listed Building Consent, 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.

LA04/2019/0417/F - Purpose built managed student accommodation (PBMSA) with 251 beds comprised of 219 cluster beds and 32 studio flats, shared communal facilities reception/management suite, retail/café unit fronting Botanic Avenue Botanic Link land created over the Belfast/Dublin railway line between University Road and Botanic Avenue

(Councillor Groogan declared an interest in this item and left the meeting for the duration of the item.)

The Case officer provided the Committee with the principal aspects of the application which proposed the construction of a four storey building on the raised platform above the railway line between University Road and Botanic Avenue.

She outlined the key issues which had been considered during assessment of the proposals which included the principle of Purpose Built Managed Student Accommodation (PBMSA) at the location, compliance with the HMO subject Plan and PBMSA Guidance Document, design, scale, massing and layout and impact on the conservation area and listed buildings.

The Case officer explained that the proposal was a compatible land use which did not conflict with relevant policy and other material considerations.

The Committee was advised that consultation had been undertaken with DfI Roads Service, Historic Environment (HED), NI Water, Environmental health, NI Transport Holding Company (NITHC), Rivers Agency, Building Control and the Urban Design and Conservation officers.

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The Case officer explained that HED had raised one concern regarding the University Avenue elevation however it had informally advised that the amended plans had addressed their concerns.

She informed the Committee that NITHC had raised a number of stipulations and that officers considered them to be civil matters between two landowners and that they could be addressed as informatives.

The Committee was advised that all other consultees had responded with no objections, subject to conditions and informatives.

The Case officer explained that a robust Pre-Application Discussion (PAD) for the application had taken place, where the design and other relevant matters had been addressed in detail.

As the proposal was located within the Queens Conservation Area, was adjacent to two Areas of Townscape Character and was in the close proximity of a number of listed buildings, the Committee was shown a number of computer generated images demonstrating the view of the proposed development from various key viewpoints.

The Committee was advised that a Section 76 Planning Agreement had been submitted by the developer and which was under consideration by the Council's Legal Services section.

The Case officer drew the Committee's attention to the Late Items Pack, where responses from the City Regeneration and Development Team and HED had been received. She also advised that five letters of representation had not been considered before publication of the Committee report and that the issues raised therein had either already been considered in the report or were civil matters. The Members also noted that the landscape plans had been amended to rectify a discrepancy in relation to proposed planting on the right of way.

The Chairperson welcomed Mr. M. Gordon and Mr. A. Best, representing the applicant/agent, to the meeting.

In response to a Member's question regarding the balconies on the adjoining Bingo Hall on Botanic Avenue potentially causing an overlooking issue to the proposed development, Mr. Best advised the Committee that the balconies were originally installed for patrons of the business who smoked, but that they were no longer used. The Case officer advised the Committee that the floorplans illustrated that the area concerned would predominantly be used as a circulation area within the building, and that the windows would face onto Botanic Avenue.

A further Member queried how planners would ensure that the materials were appropriate to the listed buildings. In response, the case officer advised the Members that they had gone through a number of design iterations to achieve more appropriate materials and, furthermore, there was a condition requiring a sample panel to be constructed and maintained on the site so that the materials could be seen in context and that it would be required to be discharged prior to construction.

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A Member asked whether NI Rail had received the necessary structural assurances which were to be signed off by a chartered civil engineer. Mr. Best confirmed that they had met with Translink every few weeks in relation to the Development Management Plans and that, to date, two inspections of the internal tunnel had taken place with Translink representatives, as well as testing of the concrete, chemical testing and structural road testing.

The Case officer confirmed to the Members that these were civil matters and that Building Control would also be heavily involved given the location of the development.

The Committee approved the application and, in accordance with Section 76 of the Planning Act (Northern Ireland) 2015, delegated power to the Director of Planning and Building Control, in conjunction with the City Solicitor, to enter into discussions with the applicant to explore the scope of any planning agreements which might be realised at the site. The Committee also delegated power to the Director of Planning and Building Control for the final wording of the conditions.

LA04/2018/1755/F - Greenfield site with the former Ulidia Primary School to be demolished to allow for a new 7 classroom primary school, with two classroom LSU and single unit nursery Ulidia Site (formally Ulidia Primary) Somerset Street

The case officer provided the Committee with the key aspects of the application for the demolition of the existing buildings on the site of Ulidia Resource Centre and the erection of a new seven classroom, two storey Irish Medium school to include parking facilities, landscaping and open space.

She outlined that the key issues in the assessment of the application were the principle of a school at the location, the visual impact of the proposed redevelopment, the impact on amenity/character of the area, the impact on transport and other infrastructure and flood risk.

The Members were advised that the principle of a school on the site was acceptable given that the existing buildings were previously used as a primary school. The case officer also explained that the design, scale and massing were acceptable.

The Committee was advised that DfI Roads, Environmental Health, NI Water and Rivers Agency had been consulted on the proposed development and had no objections, subject to conditions and informatives.

The case officer explained that two objections had been received from nearby residents citing concerns relating to traffic, access, whether there was a need for another primary school, appropriateness of the proposal within a residential context, asbestos contamination and noise pollution. She explained the Planning Department's response to the concerns were addressed within the report.

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She drew the Committee's attention to the Late Items Report and explained that, due to a clerical error, incorrect neighbour notifications had been included within the original report.

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

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MEETING OF PLANNING COMMITTEE

Members present: Councillor Carson (Chairperson);
Alderman Rodgers; and
Councillors Brooks, Canavan, Collins,
Garrett, Groogan, Hussey, McMullan,
Murphy, Nicholl and Pankhurst.

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

Apologies

Apologies were reported from Councillors McKeown and O'Hara.

Declarations of Interest

No declarations of interest were recorded.

Proposed Changes to the Fees for Property Certificates

The Committee considered the undernoted report:

"1.0 Purpose of Report or Summary of main Issues

The purpose of the report is to seek the Committee's agreement to increasing the fee charged for a Regional Property Certificate and to review the fee charged for Council Property Certificates.

2.0 Recommendations

2.1 The Committee is asked to:

- **Agree to a revised fee structure for Regional Property Certificates;**
- **Note the knock on administrative arrangements;**

- Agree to a review of the fee charged for the Council property certificates to take account of inflationary rises.

3.0 Main report

3.1 Background

There are two Property Certificate services assisting the conveyancing process in NI. The Council Property Certificate (CPC) service is provided by individual councils and gathers information from internal council services in response to a property enquiry from a solicitor usually acting on behalf of a vendor. In 2018-19 the CPC service generated approximately £395k for Belfast City Council (BCC).

3.2 In April 2015, as an outcome of Local Government Reform, the Regional Property Certificate (RPC) service was transferred from the then Department of Environment to councils and by agreement was set up as a shared service operated by Fermanagh and Omagh District Council (FODC).

3.3 The RPC provides information on a property or land relating to inter alia Planning Service, Roads Service, Water Service, Built and Natural Heritage and Rivers Agency, in response to a request from a solicitor usually acting on behalf of a vendee. In 2017-18 the RPC generated a fee income for BCC of approximately £253k. This income is returned to BCC by FODC on a 6 monthly basis.

3.4 Key Issues

Following a detailed review by HM Revenue and Customs (HMRC) on the VAT treatment of the fee income for a Regional Property Certificate (RPC), which included lengthy correspondence and significant challenge by local government and its VAT and legal advisors, HMRC has decided from 1 July 2019 the RPC fee income is liable to VAT (20%).

3.5 Consequently, and because the fee income for an RPC has not increased since 1 April 2014, FODC has proposed that the fee for a single property Certificate is increased from £42.50 to £60 with corresponding increases for additional enquiries. This increase takes account of VAT payable, inflation between April 2014 and 2019, and additional administrative costs due to VAT. (See Point 3.6 below). A detailed breakdown of the increase is provided in Appendix A.

3.6 Subject to the approval of the revised fee it will be necessary to update and agree the Service Level Agreement with FODC. Additionally, to allow each council to properly account for VAT to HMRC, FODC will return the fee income to BCC on a monthly basis.

3.7 As the fee for the CPC has not been increased since 2004, to take account of inflationary changes, it is also proposed that the fee charged for the CPC is also increased. This would be agreed consultation with the other councils.

3.8 Financial & Resource Implications

As the proposed increase is related to VAT, the administration of this and inflationary increase there are no significant finance and resource implications.

3.9 Equality or Good Relations Implications

None associated with this report.”

Appendix A

Proposed Fee Structure for Regional Property Certificate

Standard Fee

Fee at transfer	£42.50
Inflation (April 2014- March 2019)	£4.06
Additional Admin costs re VAT	£3.44
Total proposed fee excluding VAT	£50.00
VAT@ 20%	£10.00
Total proposed fee	£60.00

More than one property/site/parcel of land – additional £7 (including VAT) for each additional enquiry
Maximum fee - £265 (Including VAT)”.

The Committee adopted the recommendations.

Planning Applications

THE COMMITTEE DEALT WITH THE FOLLOWING ITEM IN PURSUANCE OF THE POWERS DELEGATED TO IT BY THE COUNCIL UNDER STANDING ORDER 37(e)

LA04/2018/0811/O - Mixed use development comprising offices, residential apartments (including affordable), hotel and serviced apartments, retail and professional services, community and

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cultural, leisure uses, cafes, bars, restaurants, with associated car parking, circulation and servicing arrangements; public realm works, landscaping, replacement of existing pedestrian bridge fixed to railway bridge and associated access works to Short Strand and Bridge End with other infrastructural works, and demolition of existing structures including boundary walls on lands at former Sirocco Works Short Strand and adjacent to Bridge End and the River Lagan

The Planning Manager (Development Management) reminded the Committee that a site visit to the former Sirocco works and the surrounding area had taken place on 31st May.

He drew the Committee's attention to the Late Items Pack, where a response from the Council's City Regeneration and Development team had been received. He outlined the Planning Department's response to the issues raised. He also explained that further consultation responses had been received from statutory agencies and that no objections had been received from NI Water, Environmental Health or from DfI Roads, subject to conditions and informatives.

The case officer presented the detail of the outline major planning application for the mixed-use development on the site. He explained that the means of access to the site was to be determined and that the proposals included a replacement pedestrian and cycle bridge over the River Lagan to the south.

The case officer explained that the key issues in the assessment of the proposal included, amongst others, the principle of the proposal at the location, environmental impacts, economic development, layout, scale, massing, the impact on amenity and on natural and built heritage assets, the impact of the proposed development on transport and infrastructure and flooding and drainage impacts.

He outlined the planning history of the site, which had been cleared since 1999. He explained that, in March 2011, under Z/2008/0599/O, a mixed use redevelopment of the site had been granted permission. The Committee was advised that it had been subject to a ten year time condition and was therefore extant.

The Committee was reminded that, in August 2018, it had granted approval to a full application for Block C, for the erection of a thirteen storey Grade A office building on the site, including deck and basement parking, ground floor café/bar/restaurant uses, a temporary pocket park and a pedestrian and cycle access route from Bridge End. The case officer explained that the application site formed part of the outline application site and was to be approved following resolution of outstanding issues by the applicant and the completion of a Section 76 Planning Agreement.

The case officer advised the Members that the site was located outside of the City Centre in the Belfast Urban Area Plan (BUAP). He explained that it fell within the City Centre boundary in both versions of draft BMAP, where the uses proposed by the outline application were broadly acceptable. The City Solicitor clarified the planning status of draft BMAP 2015 and explained that, while it had been quashed, substantial weight

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should be given to it given the advanced stage it had reached. The case officer added that significant weight should also be given to the extant permission for redevelopment for the majority of the uses proposed in the outline application and also towards the full application for office development on a portion of the site which the Committee had resolved to approve.

The Committee was advised that the application was supported by a Concept Masterplan and parameters plan which demonstrated the broad locations of the fifteen buildings and their maximum heights. The case officer presented a number of visuals demonstrating the varying heights of the blocks. He pointed out that Block C would be the tallest block on the site, at 13 storeys, with the number of storeys decreasing as it reached the river edge to respond to micro-climatic considerations such as daylight, wind and acoustics. The Members were advised that other blocks on the site would predominantly consist of between five and eight storeys, with Block N at the riverfront varying between one and six storeys.

In order to mitigate against flood risk, the Committee was advised that the developer proposed to infill the site to a level of 4.2metres ordinance datum (OD) to ensure that the current level of protection afforded to the site would be maintained.

The Committee noted that the proposal included 675 residential units, 20% of which would be affordable housing. The Members were advised that half of the affordable housing would be social housing and that the NI Housing Executive (NIHE) were supportive of the scheme.

The case officer outlined that archaeological excavations had uncovered substantial industrial archaeological remains from the north eastern corner of the site. In addition, he advised that a red brick chimney along the river's edge was scheduled for protection and would be retained. The Committee noted that the Historic Environment Division (HED) had no objections to the scheme subject to conditions.

The Members were apprised of details relating to separation distances between each block on the site and in relation to existing buildings.

The Committee was advised of the community consultation which had taken place, including the Proposal of Application Notice (PAN) which had been submitted in June 2017. The case officer explained that the Pre-application Community Consultation Report submitted with the application had demonstrated that the applicant had carried out their duty under Section 27 of the Planning Act (Northern Ireland) 2011.

The Members were advised that two letters of objection had been received, raising concerns that the proposals would provide an overprovision of facilities for traffic as opposed to sustainable transport, issues relating to pollution and impact on air quality and that it was important that housing on the site should not result in "enclaving". The case officer added that a letter of support had been submitted by the Belfast Civic Trust.

The Chairperson welcomed Mr. J. Osborne, the applicant, Mr M. Gordon, the agent, and Mr. L. Westergaard, Architect, to the meeting. Together they advised the Committee that they had invested over £20million in the site to date, that major

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investors were ready to invest in the site if planning permission was granted, and asked that the Committee grant approval to the application.

In response to a Member's question, the case officer outlined to the Members that the applicant had provided a socio-economic assessment as part of the Environmental Statement. He highlighted that it indicated that the development would be worth approximately £400million, with 875 full time construction jobs being created and accommodation for approximately 1,570 residents. The Committee was advised that the socio-economic aspects had been assessed by the Council's Economic Development Unit who had identified labour and skills shortages within the local labour market. The case officer highlighted that interventions were being pursued as part of the Section 76 Planning Agreement.

In relation to a Member's question regarding the location of the social housing units in the scheme, Mr. Osborne explained that he had chosen a waterfront location for the social housing. A number of Members stated that they were pleased with this choice of location.

A further Member expressed concern that the proposals included only 10% social housing and that they felt there should be more. The Planning Manager (Development Management) explained that, under current Planning Policy, 10% was adequate and that the Planning Department welcomed that 20% of the units would be affordable housing overall.

In relation to green space and cycling infrastructure on the site, Mr. Westergaard provided the Committee with details of the linear park, the green podium area and the cycle and pedestrian routes through the site, which included a riverfront promenade.

The officers' recommendation to approve the proposals, with authority delegated to the City Solicitor and the Director of Planning and Building Control to finalise the Section 76 Planning Agreements, and authority to the Director of Planning and Building Control to finalise conditions and any outstanding issues was put the Committee. On a vote by show of hands, eleven Members voted for the proposal and one against, and it was declared carried.

Chairperson