

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



**Belfast
City Council**

10th May, 2022

HYBRID MEETING OF THE PLANNING COMMITTEE

Dear Alderman/Councillor,

The above-named Committee will meet in a hybrid format, both remotely via Microsoft Teams and in-person on a proportional basis in the Council Chamber, on Tuesday, 17th May, 2022 at 5.00 pm, for the transaction of the business noted below.

You are requested to attend.

Yours faithfully,

John Walsh

Chief Executive

AGENDA:

1. **Routine Matters**
 - (a) Apologies
 - (b) Minutes (Pages 1 - 28)
 - (c) Declarations of Interest
2. **Committee Site Visit (Pages 29 - 30)**
3. **Planning Appeals Notified (Pages 31 - 32)**
4. **Planning Decisions Issued (Pages 33 - 56)**
5. **Planning Applications**
 - (a) (Reconsidered Item) LA04/2020/0559/F & LA04/2020/0562/DCA - Renovation and single storey rear extension to dwelling, construction of a new detached garage and new entrance gates and pillars at 24 Malone Park (Pages 57 - 136)

- (b) LA04/2021/2893/F - 12 no. storey Purpose Built Managed Student Accommodation (PBMSA), with additional use of accommodation by further or higher education institutions outside term time, comprising 774 beds with shared sports and recreation facilities (amendment to previous permission LA04/2016/1252/F PBMSA (774 beds). Maximum height of 12 storeys and varied by LA04/2017/2112/F `Variation of condition 7 of LA04/2016/1252/F) on Site bounded by Little York Street, Great George's Street and Nelson Street - *Report to follow*
- (c) LA04/2021/2811/F - Application under section 54 of the Planning Act (NI) in respect of planning permission LA04/2016/1276/F (community centre and associated site works) to vary condition No.6 (seeking to remove requirement for archaeological works set out in the approved programme of works to be implemented prior to commencement of any site works or development) on Corner site between Mayo Street and Mayo Link off Lanark Way Shankill Road Belfast - *Report to follow*
- (d) LA04/2021/1769/F - Environmental improvements to include rationalisation of 3 car spaces in the courtyard car park to provide multiple seating opportunities; table tennis; a new surface level pedestrian linkage between FinTrU buildings and ancillary development. Existing service plant structures to be consolidated and 'wrapped' in matte black charred timber with a flat Sedum Green Roof System fitted to span the new section of storage created to include 14 bike racks, 2 Electric Vehicle (EV) charging points and additional landscaping at FinTrU House, Gasworks (Pages 137 - 144)
- (e) LA04/2021/2577/F - Detached modular temporary classroom and toilet unit to the south of the existing community facility. Existing southern fenced boundary moved due south by 8.5 metres at Gael-Ionard Mhic Goill 4 Whiterock Close (Pages 145 - 154)
- (f) LA04/2021/2726/F - 5 Panel printed Art installation at 2 Midland Close (Pages 155 - 160)
- (g) LA04/2021/2727/F - 1 Panel printed Art installation at Frydays Café, 98 York Road (Pages 161 - 166)
- (h) LA04/2021/2728/F - 2 Panel printed Art installation at Winefair, 142 North Queen Street (Pages 167 - 172)
- (i) LA04/2021/2730/F - 2 Panel printed Art installation at Second Time Around Charity Shop, 46 Parkmount Street (Pages 173 - 178)
- (j) LA04/2022/0275/LDE - Awning attached to existing façade at 26 University Avenue (Pages 179 - 184)
- (k) LA04/2022/0138/F - Awning attached to existing façade at 1 Rugby Ave (Pages 185 - 190)
- (l) LA04/2021/2794/F - Awning attached to existing façade at 2 Lock Keepers Inn (Pages 191 - 198)
- (m) LA04/2022/0276/F - Awning attached to existing façade at 27 University Avenue (Pages 199 - 206)

- (n) LA04/2022/0277/F - Awning attached to existing façade at 65-67 University Avenue (Pages 207 - 212)

6. **Restricted Item**

- (a) LDP - Update on the proposed Modifications, Consultation and Engagement (Pages 213 - 318)

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Planning Committee

Tuesday, 12th April, 2022

HYBRID MEETING OF THE PLANNING COMMITTEE

Members present: Councillor Carson (Chairperson);
The High Sheriff, Councillor Hussey;
Councillors Garrett, Groogan, Hanvey,
Maskey, McMullan, Murphy,
O'Hara and Spratt.

In attendance: Ms. K. Bentley, Director of Planning and Building Control;
Ms. N. Largey, Divisional Solicitor;
Ms. C. Donnelly, Democratic Services Officer; and
Mrs. L. McLornan, Democratic Services Officer.

Apologies

An apology for inability to attend was reported from Councillor Hutchinson.

Minutes

The minutes of the meetings of 2nd, 15th and 29th March were taken as read and signed as correct. It was reported that those minutes had been adopted by the Council at its meeting on 4th April, subject to the omission of those matters in respect of which the Council had delegated its powers to the Committee.

Declarations of Interest

No declarations of interest were recorded.

Committee Site Visits

The Committee noted that a site visit had taken place in respect of the below application, on 30th March, 2022:

- LA04/2021/2280/F - Mixed use, mixed tenure residential-led development of 778 apartments in three buildings with internal and external amenity space; flexible commercial/community floorspace (convenience store with hot food counter/ a1/a2/d1 uses/cafe/bar/restaurant); public realm including public square and waterfront promenade; cycle and car parking and associated landscaping, access roads, plant and site works including to existing river revetment at lands adjacent to and south east of the river lagan, west of Olympic Way of Queen's Road, Queen's Island

Planning Decisions Issued

The Committee noted a list of decisions which had been taken under the delegated authority of the Strategic Director of Place and Economy, together with all other planning

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decisions which had been issued by the Planning Department between 5th March and 1st April 2022.

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 Applications

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

Withdrawn Items

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

- LA04/2020/0559/F - Renovation and single storey rear extension to dwelling, construction of a new detached garage and new entrance gates and pillars at 24 Malone Park; and
- LA04/2020/0235/F - Tyre depot with associated parking, site works and new entrance onto Duncrue Road at 2 Dargan Crescent.

**(Reconsidered Item) LA04/2021/0720/F - Subdivision
of existing dwelling into two apartments with two storey
rear extension at 64 Ashley Avenue**

The Principal Planning officer outlined that the application had previously been presented to the Committee at its meeting on 15th March, 2022. At that meeting, Members had raised the issue of potential prematurity in relation to the draft LDP Strategy and had deferred the application in order to get further information regarding the figures of existing HMOs and flats within the surrounding area.

The Committee was advised that the Local Development Plan Team had been consulted and had advised that, within the draft Plan Strategy, Policy HOU10 stated that planning permission should only be granted for HMOs and/or flats/apartments where the total number of HMOs and flats/apartments combined would not as a result exceed 20% of all dwelling units within a Housing Management Area (HMA). The Members were advised that the data illustrated that there were 708 HMOs/flats/apartments and 1,171 domestic properties, so the percentage of HMOs and flats/apartments combined within the area was 60%.

The Principal Planning officer outlined the justification and amplification text for Policy HOU10 in the draft Plan Strategy, which stated that, in advance of the Local Policies Plan, those policies would be applied to the HMO policy areas outlined within designation HMO2 of the HMOs subject plan for Belfast City Council area 2015. Therefore, in advance of the Local Policies Plan being drafted, the Plan Strategy at the point of adoption would require that the provision of Policy HOU10 be applied to the existing Policy Areas as designated in the HMOs

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Subject Plan – that is, the Ulsterville HMO Policy Area (HMO 2/21). The latest available data showed that there were 529 HMO Units in the Policy Area and 1,171 domestic properties, so the percentage of HMOs in the Policy Area was 45%. As the application was not for HMO units, the policies contained within the Belfast HMO Subject Plan 2015 did not apply.

The Committee was advised that the Local Development Plan Draft Plan Strategy 2035 would guide future planning application decision making to support the sustainable spatial growth of the city up to 2035. The draft Plan Strategy had been subject to examination by the Planning Appeals Commission and the Council had been provided with a copy of its report, together with a Direction from DfI in relation to additional required steps before it could be considered adopted. Paragraph 1.10 of the SPPS stated that a transitional period would operate until such times as a Council's Plan Strategy was adopted. Accordingly, whilst the Draft Plan Strategy was now a material consideration, it had limited weight until it was adopted and, during the transitional period, planning authorities would apply existing policy together with the SPPS.

The Principal Planning officer explained that the application was compliant with current policies set out in the SPPS and PPS7 Quality Residential Environments and the Addendum to PPS7 PPS 7 (Addendum): Safeguarding the Character of Established Residential Areas. Therefore, significant weight remained with the existing policies considered within the report and with which the application complied.

A Member stated that she still had concerns regarding prematurity and queried the policy test for PPS7.

After further clarification was given by from the Principal Planning officer, the Chairperson put the officers' recommendation to the Committee, namely, to grant approval to the application, with delegated authority given to the Director of Planning and Building Control to finalise the wording of the conditions.

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

**LA04/2021/0052/F & LA04/2021/0051/LBC - New shopfront
to ground floor and change of use of first floor from retail
to 3 no. 1 bedroom apartments at 10-16 Castle Place**

The Committee was provided with the details of the application, whereby full planning permission was sought for a new shop frontage for a retail unit A2 (financial services) at ground floor level previously approved under LA04/2019/0405/F. It was also proposed to change the use of the first floor from Use Class A2 financial services, to three 1 bedroom apartments.

The Principal Planning officer explained that the site was located in the City Centre Conservation Area and was part of 'Castle Buildings' (8-18 Castle Place), a 4-storey Grade B1 listed building. She outlined that there was an associated listed building consent application LA04/2021/0051/LBC.

The Committee was advised that minimal intervention would be made to the fabric of the building. The first floors would be divided into three 1 bedroom apartments.

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Each apartment would have a living room with an outlook over Castle Place. The windows on the front elevation area were all large and would provide adequate daylight into each apartment. The ground floor shop front was to be replaced with a new aluminium shop front with sliding doors. She outlined that it was considered that the design respected the listed building in terms of scale, height, massing and alignment. The works proposed would make use of traditional and sympathetic building materials and that the nature of the proposed use would respect the character of the listed building and the conservation area.

The Members were advised that the development involved the refurbishment of a city centre building with no external amenity space. Regard had to be given to the desirability of the renovation of the Listed Building and balanced against a shortfall in amenity space.

The Principal Planning officer reported that HED, the Council's Conservation Officer and Environmental Health had no objections to the proposal and that no third party objections had been received.

The Committee was advised that NI Water had since requested a Wastewater Impact Assessment to be submitted directly to it, to find a potential solution. It was considered, on balance, that the issue could be resolved by means of a negative condition.

The Committee approved the application and granted delegated to the Director of Planning and Building Control to finalise the wording of the conditions.

LA04/2021/2095/F - Change of Use of warehouse and offices to public house (linked to existing adjacent public house) and entertainment venue/events space including street food market for on premises consumption (part retrospective) at Common Market, 16-20 Dunbar Street

The Committee was advised that the application was before it for consideration as the site included a Right of Way over Council-owned land.

The Principal Planning officer reported that full permission was sought for the change of use of warehouse and offices to a public house (linked to an existing adjacent public house) and entertainment venue/events space, including a street food market for on-premises consumption (part retrospective).

The key issues which had been considered included:

- the principle of a public house and event space at that location;
- impact on amenity;
- impact on traffic flow and parking; and
- impact on the Conservation Area

The Members were advised that the site was located within the Belfast City Centre boundary and unzoned whiteland within both the BUAP and dBMAP.

She explained that the proposal would constitute an appropriate city centre use which proposed minimal external changes and, as such, it would preserve the character and

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appearance of the Cathedral Conservation Area. Subject to the proposed mitigation measures, it was not considered to adversely impact the amenity of neighbouring properties.

The Committee was advised that there was currently an extant temporary planning permission on the site for an event space under reference LA04/2018/2903/F.

She outlined that Historic Environment Division (HED), NI Water, DfI Roads and the Council's Estates and Conservation Officer had been consulted and had no objections, subject to conditions. The Committee's attention was drawn to the Late Items pack, whereby the Council's Environmental Health Service had confirmed that it had no objection subject to conditions.

The Committee was advised that no representations were received.

The Committee was advised that the Council-owned adjacent land and was in the process of granting a temporary licence for part of it to be used as an emergency fire escape route for the proposed venue. The Principal Planning officer advised that the application had been recommended for temporary approval only to align with that of the temporary licence to ensure that the proposal did not prejudice future redevelopment of adjoining sites.

The Committee approved the application for a temporary period of two years and granted delegated to the Director of Planning and Building Control to finalise the wording of the conditions.

**LA04/2021/2788/F - Change of use of cash and carry
wholesale warehouse to general retail sales at Musgrave
Marketplace, 1-15 Dargan Crescent, Duncrue Road**

The Members were advised that the application was before the Committee as the Council was the landlord for the building.

The Principal Planning officer outlined that the application sought full planning permission for the change of use of one aisle of the cash and carry from Class B4 to general retail sales Class A1, including an extension to the current area of floorspace of retail use by 53square metres. The existing retail area within the warehouse would be returned to cash and carry use.

She explained that the key issues which had been considered by officers during the assessment included the impact of the application on neighbouring land uses and the impact on restrictions placed on the approved use of the site.

The Committee was advised that the existing retail sales area within the cash and carry wholesale warehouse had been approved under application reference LA04/2017/2293/F and extended under application LA04/2019/1656/F. The applicant had stated that the reason behind the current application for the further extension of retail space and relocation of the retail area was that, in the three years that the alcoholic products had been available to purchase by all of the customer base, Musgrave had become acutely aware that they had underestimated the area required to properly operate their off licence and offer their full alcoholic product.

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The Principal Planning officer detailed that the proposed increase in retail sales area, over that previously approved, was a minor increase with the retail sales area still remaining ancillary to the main use of the building as a Class B4 cash and carry. The minor increase in retail sales was not considered to negatively impact the retail core of the city centre. She explained that conditions were recommended to ensure that retail sales remained restricted at the location.

The proposal had been assessed against and was considered acceptable with regards to the Strategic Planning Policy Statement for Northern Ireland (SPPS), Belfast Urban Area Plan 2001 (BUAP) and the Draft Metropolitan Area Plan 2015 (BMAP).

No representations had been received and DFI Roads had offered no objection to the proposal.

The Committee approved the application and granted delegated to the Director of Planning and Building Control to finalise the wording of the conditions.

(Reconsidered item) LA04/2021/0303/F - Redevelopment, refurbishment, and partial change of use of building at 35-39 Queen St & demolition of building and redevelopment of site at 31-33 Queen St and provision of ground floor offices/professional services units

The Principal Planning officer reminded the Committee that the application for planning permission and Conservation Area Consent was considered by it in August 2021. The Committee had accepted the officer recommendation to grant planning permission, subject to conditions and a Section 76 Planning Agreement, with delegated authority given to the Director of Planning and Building Control to finalise the wording.

He explained that, when the application had been presented to the Committee in August, the applicant had an extant Pre Development Enquiry (PDE) agreement with NI Water. On that basis, the NI Water consultation response, of 1st March 2021, had advised that the receiving Waste Water Treatment facility (Belfast WwTW) had sufficient capacity to serve the proposal. However, due to the sewer network being at capacity in the Belfast catchment and sewer flows spilling from Combined Sewer Overflows (CSOs) into the environment, NI Water had recommended that no further connections should be made to the network, or a condition should be incorporated which required an alternative drainage/treatment solution for the site.

NI Water had advised that the PDE was valid to 30th December 2021 and further advised that if a planning decision had not been determined by that date, NI Water should be reconsulted.

The Principal Planning officer outlined that, due to the length of time it had taken to finalise the Section 76 Planning Agreement, the 12 months for the PDE with NI Water had since expired. He explained that the Planning Service had reconsulted NI Water and that it had repeated its objection relating to network capacity concerns. However, it had also

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recommended that the application should be refused as sufficient waste water treatment capacity was not available at present for the proposed development.

The application had therefore been brought back before the Committee to highlight the change of position from NI Water.

The Members were advised that the agent had responded to the latest NI Water consultation response, advising that once the relevant consents were approved they would proceed with the demolition of the terraces and commence the new build works. The Committee was advised that that would likely take approximately 18 months to complete from the point of consents. The improvements to the WWTW were expected by July 2023 and should provide increased capacity by that stage. Therefore, officers advised that there was no significant issue around WWTW capacity. The Committee was advised that the applicant had also applied for a storm sewer requisition and that the removal of storm water from the combined system would address that part of NI Water's objection as well.

The Committee was advised that the concerns could be addressed by condition.

The Committee approved the application, subject to the additional condition and other appropriate conditions and the Section 76 Planning Agreement as set out in the original Development Management report. Delegated authority was granted for the Director of Planning and Building Control to finalise the conditions and the Section 76 Agreement.

**LA04/2021/2804/F - Shipping Container to store
bikes, project equipment and materials on land
adjacent to Connswater Community Centre**

The Committee noted that the application was before it for consideration as the site was located on a parcel of land under the ownership of the Council.

The Members were advised that the site was within a wider designation as an Area of Existing Open Space in the Belfast Metropolitan Area Plan 2015 (BMAP) and the 2004 version. The BUAP 2001 had designated the site as un-zoned white land.

The area designated as an Area of Existing Open Space extended to 1.8 hectares. The Committee was advised that the proposed use was ancillary to the open space use and that the site covered a small fraction of the area and was of a minor scale in comparison with the extensive Comber Greenway and open space in which it was located.

The key issues which had been considered during its assessment included the design and the impact on open space and the surrounding character of the area and the impact on amenity.

The Committee noted that no third-party objections were received and that DFI Roads had responded with no objection to the proposal. The response from the Council's Environmental Health Service was awaited, but it was not considered that the proposal presented any issues, and it was therefore anticipated that a positive response would be forthcoming.

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The Committee's attention was drawn to the Late Items pack, whereby updated drawings were received to remove the two containers that existed on the site, as they did not form part of the proposal.

The Members were advised that the temporary use of a small area of unused land to facilitate a shipping container in the short term was considered acceptable and would not result in a negative impact on the provision of open and recreational space to the area.

Given the nature, form, and materials of shipping containers, and the purpose of the container to store project materials and equipment, it was recommended that it be removed after a period of 2 years and that a more permanent storage solution for the bikes, more fitting to the context, be found.

The Committee approved the application, for a temporary period of two years, and granted delegated to the Director of Planning and Building Control to finalise the wording of the conditions.

**LA04/2021/2879/F - Retractable awning
at 283 Ormeau Road**

The Committee noted that the application was before it for consideration as it was subject to Council funding.

The Members were advised that the proposed site was situated on the Ormeau Road and was designated as existing commerce area in Draft BMAP. The site was also within a Draft Area of Townscape Character. The key issues which had been considered during its assessment included the design/impact on character and appearance of the area, amenity and public safety.

The Committee noted that the proposed awning and materials were considered in keeping with the shopfront of the existing building and the commercial character of the area, including the draft ATC. The Members were advised that the proposal would not negatively impact the amenity of neighbouring properties, nor would it prejudice public safety.

DFI Roads had been consulted and had no objections.

No representations had been received.

The Committee approved the application and granted delegated to the Director of Planning and Building Control to finalise the wording of the conditions.

Chairperson

Planning Committee

Thursday, 14th April, 2022

PRE DETERMINATION HEARING HELD IN A HYBRID FORMAT AT 5.00 P.M.

Members present: Councillor Carson (Chairperson);
The High Sheriff (Councillor Hussey); and
Councillors Brooks, Garrett, Groogan, Hanvey,
Maskey, McMullan, Murphy and Spratt.

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

Apologies

Apologies for inability to attend were reported from Councillors Hutchinson and O'Hara.

Declarations of Interest

No declarations of interest were recorded.

Pre Determination Hearing for LA04/2020/1943/F – 3-19 (Former Warehouse) Rydalmere Street

The Principal Planning officer outlined that the applications had been considered by the Planning Committee at its meeting on 21st October, 2021. The Committee had accepted the officer recommendation to grant planning permission, subject to conditions and a Section 76 Planning Agreement, with delegated authority given to the Director of Planning and Building Control to finalise the wording. However, in view of an objection from DfI Roads and the position of NI Water, the Committee had noted that, before a decision was made, the Department for Infrastructure (DfI) had to be notified of the application, and that it would decide whether to call it in and determine it itself.

He explained that the Council had notified DfI of the application on 29th October, 2021. The Committee was advised that, whilst DfI had 28 days to consider the notification, it had issued a holding direction to the Council, preventing it from determining the application, allowing the Department additional time to consider the notification. He explained that, on 7th December 2022, the Council had written to DfI seeking an update and timescale for it issuing its formal response to the notification. The Council

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highlighted the delays to the applicant and that the process was negatively impacting on the Council's own performance in processing the Major application.

The Members were advised that, following further written representations and a meeting between the Planning Service and DfI, the Department finally provided its response to the notification on 23rd March, 2022, five months following the original notification. DfI had confirmed that it was not calling in the application and that it was being returned to the Council for a decision. The Principal Planning officer outlined that no explanation had been provided by the Department as to the reason for the five month delay.

The Committee was reminded that, following return of the application to the Council for a decision, Regulation 7(1) of the Planning (Development Management) Regulations (Northern Ireland) 2015 required that the Council hold a Pre-Determination Hearing to give the applicant and interested parties an opportunity to appear before and be heard by the Committee. He reiterated that a decision on the applications would not be made at the Pre-Determination Hearing, but that the Committee would be asked for its consideration at the subsequent Special Meeting to be held later that evening.

The Principal Planning officer outlined the details of the application to the Committee.

He explained the main issues which had been considered in the assessment of the case, including:

- the principle of housing at the location;
- the impact on Built Heritage and Archaeological interests;
- the design and layout of the proposal;
- transportation;
- the impact on amenity of nearby residents and businesses;
- waste management;
- drainage and flood risk;
- the consideration of Developer Contributions

The Members were advised that the site was located within the development limit of Belfast in the BUAP 2001 and Draft BMAP 2015 (dBMAP, both versions) and it was un-zoned, white land in both versions of dBMAP.

He outlined that the site was located within a draft Area of Townscape Character (BT041 Donegall Road (Village)). As the site was within the development limit, and taking into account the site context and that the proposal would bring the Listed Buildings back into viable use, the principle of housing at the site was considered acceptable, subject to the consideration of other regional planning policies.

The Committee was advised that DfC HED, DAERA NIEA, Northern Ireland Housing Executive and NI Water had no objections to the proposal subject to conditions. DfI Roads had concerns regarding road safety and traffic progression as a result of

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insufficient parking. However, it had also provided conditions and informatives should the Council view that the development was acceptable.

The Committee was advised that the concerns which had been raised by DfL Roads about insufficient parking, traffic progression and road safety should be balanced against the characteristics of the site, its sustainable location and the significant benefits of the scheme, notably that it would bring the important listed buildings back into viable use, deliver much needed affordable housing and that it would have regeneration benefits for the area.

The Members were advised that 29 representations had been received, the majority of which were received prior to the change in proposed tenure of the development to affordable housing. However, he drew the Members' attention to some recent objections and letters of support within the Case officers report. The Late Items pack also included a further objection from a resident who had previously objected. She wished to reiterate her concerns regarding parking in the area.

The Chairperson welcomed Mr. B Dickson BEM, Chair of the Blackstaff Residents Association, who was objecting to the application, to the meeting.

Mr. Dickson advised the Committee that his overriding concern was that it would add to the existing parking problems in the area. He explained that South City Community Resource Centre had demonstrated very clearly the parking problems through a number of photographs taken at different times during the day and also that emergency and service vehicles found it difficult, and at times impossible, to drive through the streets. He stated that, in HMOs, there tended to be more than 1 tenant with a car.

He added that residents were also concerned about an additional planning application which had been submitted for the bottom of Rydalmere Street and Empire Street, for a further 97 apartments.

He added that there was no guarantee under the points system that the social housing units would be allocated to local residents.

He advised the Committee that the Blackstaff Residents' Association regretted that they had not been consulted about the plans by the developer. Mr. Dickson explained that while the application might improve the appearance of the listed building, it would create greater problems for the area. He outlined that the structure of the building was one of legacy and that it reflected the great clothing industry that once existed in the area. He suggested that, with the present supply and trading problems due mostly to the war with Ukraine and Russia, there might be an opportunity for the UK government to support the reuse of such old factory buildings to develop home industry.

Mr. Dickson added that the Blackstaff Residents Association felt that the structure should remain the same, with no added extensions, and that any proposed use for the building should not considerably add to the parking problems in the area.

The Chairperson thanked Mr. Dickson for his contribution.

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He then welcomed Mr. B. Black and Mr. P. Taylor, representing the applicant and agent, to the meeting.

Together they advised the Committee that the scheme had a number of benefits, namely, that:

- it would bring a Grade B2 listed building back into use;
- the building had lain empty for a long time with no viable commercial use to date. The design was of a high quality and the Council's heritage officers had stated that the proposals were some of the best that they had seen in some time;
- 60% of the apartments would be for social/affordable tenants and that they had worked closely with NIHE and various housing providers in respect of the allocation of the units;
- they had created garden spaces and external amenity spaces to maximise the outside space, as well as maximising the apartment sizes within the heritage building;
- they had spent a long time working with planning officers to refine the scheme;
- several planning consultation events had taken place in respect of the scheme;
- the project represented an opportunity for urban regeneration in an area of need; and
- there would be ongoing consultation between the local residents and the management team of the building to try and prevent problems from arising.

Mr Alexander, applicant, explained that consultation had taken place with the community from eighteen months prior. He added that Mr. C Stalford MLA had organised a public meeting at the Greater Village Regeneration Trust (GVRT) offices which had had a good turnout and that the feedback had been positive. He added that if the building was to be brought back into industrial use the parking intensification issues would be considerably worse than the proposed social housing scheme.

The Chairperson thanked the speakers for their contributions.

Chairperson

Planning Committee

Thursday, 14th April, 2022

SPECIAL HYBRID MEETING OF THE PLANNING COMMITTEE

Members present: Councillor Carson (Chairperson);
The High Sheriff, Councillor Hussey;
Councillors Brooks, Garrett, Groogan, Hanvey,
Maskey, McMullan, Murphy and Spratt.

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

Apologies

Apologies were reported from Councillors Hutchinson and O'Hara.

Declarations of Interest

Councillor Spratt declared an interest in items 2b and 2d – applications in respect of 24 Malone Park, in that he had previously engaged with residents regarding the site and he advised that he would leave the meeting for the duration of the item.

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)

LA04/2020/0559/F - Renovation and single storey rear extension to dwelling, construction of a new detached garage and new entrance gates and pillars at 24 Malone Park; and

LA04/2020/0562/DCA - Demolition of rear extension (partly single storey, partly one and a half storey) and existing shed and summerhouse at 24 Malone Park

The Committee agreed to defer consideration of the above two applications for a site visit so that Members could familiarise themselves with the area.

LA04/2020/1943/F and LA04/2020/1944/LBC – Residential conversion of the existing listed warehouses to form 57 residential units (1 to 3 bed units, including 60% social and affordable to

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**include a minimum of 20% social housing at 3-19
(Former Warehouse) Rydalmere Street**

The Committee was reminded that the details of the application had been presented to it as part of the preceding Pre Determination Hearing which had taken place immediately prior to the Special Meeting.

The Principal Planning officer explained that DfI had confirmed that it was not calling in the application and that it was being returned to the Council for a decision.

DfI Roads had concerns regarding road safety and traffic progression as a result of insufficient parking. However, it had also provided conditions and informatives should the Council view that the development was acceptable.

The Committee was advised that the concerns which had been raised by DfI Roads should be balanced against the characteristics of the site, its sustainable location and the significant benefits of the scheme, notably that it would bring the important listed buildings back into viable use, deliver much needed affordable housing and that it would have regeneration benefits for the area.

A Member expressed deep frustration that DfI Planning had taken five months to return the application to the Council for its determination without any explanation. The Committee agreed that a letter be sent to DfI Planning expressing its frustration in relation to the delays and to request a timeline as to when the regulations that require mandatory Pre-Determination Hearings under such circumstances will be changed. it

After discussion, the Committee approved the application, subject to conditions and a Section 76 Planning Agreement, with delegated authority given to the Director of Planning and Building Control to finalise the wording.

(Councillor Brooks left the meeting at this point in proceedings)

**LA04/2021/2280/F - Mixed use, mixed tenure
residential-led development of 778 apartments in
three buildings with internal and external amenity
space; flexible commercial/community floorspace
(convenience store with hot food counter/A1/A2/D1
uses/cafe/bar/restaurant); public realm including
public square and waterfront promenade; cycle and
car parking and associated landscaping, access roads,
plant and site works including to existing river revetment
on lands adjacent to and south east of the river Lagan,
west of Olympic Way of Queen's Road, Queen's Island**

The Senior Planning officer presented the details of the major application to the Committee. She explained that Blocks 11 and 11a were proposed for Build to Rent (BTR) accommodation whilst Block 9 was proposed for social housing (78 units), with the remainder being managed by the Housing Association for private rental. An area of the site (Area 10) would be dedicated as a public square called "South Yard Square".

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She outlined the main issues which had been considered during the assessment of the application included:

- the principle of a mixed-use development at that location;
- development of open space;
- housing delivery including affordable housing;
- transport including network capacity, parking provision and highway safety;
- design, layout and impact on the character and appearance of the area;
- impact on built heritage and archaeological interests;
- the quality of living environment for prospective residents;
- the impact on amenity of nearby residents and businesses;
- environmental protection and human health;
- waste management;
- drainage and flood risk;
- wastewater infrastructure;
- ecology and natural heritage;
- economic considerations;
- a Planning Agreement and developer contributions; and
- Pre-Application Community Consultation.

The Members were advised that the site was located within the development limit of Belfast in the BUAP 2001 and Draft BMAP 2015 (dBMAP, both versions). It was un-zoned, white land in the BUAP 2001 whilst under both versions of dBMAP 2015, Zoning BHA 01 allocated the site and wider lands at Titanic Quarter for mixed-use development. She explained that dBMAP 2015 (v2014) required development to accord with an overall Development Framework to be agreed by the Department. The Development Framework had been prepared in 2003, adopted by the former Department of Environment and was amended in 2010.

She explained that, as the site was within the development limit and considering the site context, relevant zonings and site history, the principle of a mixed-use development including housing was already established and was acceptable.

The Committee was advised that the proposed development would cost an estimated £117million to construct, generating an estimated 310 full time equivalent (FTE) construction jobs over three years. It was further estimated that non-residential uses at the proposed development would require a total of 80 gross direct FTE jobs onsite to support commercial/community operations in the retail, professional services, health and care and hospitality sectors.

She reported that a number of green travel measures were included as part of the application in order to mitigate the low level of parking spaces. The measures included Travel plans for each block, a travel fund of £400,000 to be managed through the Travel Plan process and used by Translink to provide Travel Cards and to support the G2 Glider. In addition, Belfast Bikes and Car Club membership were also proposed as well as the option of a bicycle voucher. She explained that there would be a flexible pot of money in which membership of the Belfast Bikes and Car Club schemes and the option of a bicycle voucher would be offered

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to residents and, if any residents did not want to take up some of the options, the money would roll forward, meaning that the pot would be available for a minimum of five years.

In respect of the open space, she outlined that 26% of the site was public open space, which was in addition to the terraces and courtyards which were private spaces for residents.

She outlined that a number of amenities were provided on site, including a convenience store, bars, restaurants and a crèche, and that it was therefore anticipated that a reduced number of trips to and from the site would be required in comparison with other schemes.

She outlined that the total internal and external amenity space provided per unit ranged from 6.4 square metres to 8.5 square metres, which was slightly below Creating Spaces standards but that officers believed that the quality of the spaces and the proximity to amenities were relevant.

The Committee was advised that a number of representations had been received in respect of the scheme, 6 letters of support and 8 letters of objection. The letters of support welcomed the high density, City living as well as the sustainable transport options and the regeneration of the site. The objections cited issues with the Build to Rent model, the impact on existing land values, the impact on traffic and travel, the loss of open space, amenity issues and the height, scale and design.

Statutory consultees, including DfI Roads, DfC HED, DAERA NIEA, Shared Environmental Services (SES), DfI Rivers and Belfast City Airport, had been consulted and had no objection to the proposal, subject to conditions and a Section 76 Planning Agreement as appropriate.

The Committee was advised that the site fell within Phase 2 of Titanic Quarter which was the subject of the outline planning approval (Z/2006/2864/O). As part of that approval a number of conditions were imposed setting a trips ceiling, above which wider roads infrastructural improvements would be triggered. The wider area had already been subject to a number of other transport infrastructure improvements as part of the Titanic Quarter Transport Master Plan, including the realignment of Queen's Road; signalisation of Queen's Road / Sydenham Road junction; widening and improvements along Queen's Road; improvements on Sydenham Road; a high frequency bus service and the Glider Route; and the construction of the Sydenham Road / Titanic Boulevard signalised junction.

Further infrastructure works had also been approved under planning application LA04/2019/2810/F for the creation of the Titanic Eastern Access Road, which would provide connectivity from Sydenham Road to Queens Road via Hamilton Road. The Members were advised that it would improve vehicular progression on the Queen's Road and Queen's Quay.

The Committee's attention was drawn to the Late Items pack whereby the NIHE had advised that it had no further comment in relation to the Further Environmental Information (FEI) over and above its previous consultation response.

The Senior Planning officer also explained that NI Water (NIW) had provided an updated consultation response, having reviewed the FEI. It had noted that the original planning permission for the site had expired and that it was a new application. NIW stated that

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the TQ Development Framework did, in its view, hold some weight. NIW had signed up to the Development Framework including the associated Drainage chapter, in 2008, in light of the waste-water infrastructure requirements at that time. NIW stated that it believed that a review of the Titanic Quarter site from a holistic perspective was now required as the circumstances had developed. Due to waste-water infrastructure constraints, there might be environmental risks associated with increased loading as a result of the proposed development. NIW had therefore recommended approval of the application with conditions. Specifically, it had recommended a condition which required approval of mitigation via the waste-water assessment process to ensure that the impact of foul sewage connection would be at zero detriment from an environmental perspective. NIW had also advised the Planning Service that the mitigation solution should be easily resolved. However, formal confirmation could not be provided until the completion of hydraulic modelling which was due to be finished by the beginning of May.

The Senior Planning officer reported that non-statutory consultees, including Environmental Health, Economic Development, the Local Development Plan team, the City Centre and Regeneration team, the Northern Ireland Housing Executive (NIHE) and Belfast Harbour Commissioners had no objections to the proposal subject to conditions and relevant Section 76 provisions. The Council's Senior Urban Design Officer had provided detailed comments on design aspects of the scheme.

As part of the Late items pack, the applicant had sought to clarify a number of points contained within the case officer report. The Committee was asked to note a number of points, including:

- the number of objections was 8, not 9;
- clarification was provided regarding specific numbers of parking spaces and cycle spaces;
- the outline planning reference was Z/2006/2864/O as opposed to Z/2010/2864/O;
- additional clarification on trip levels and sources of information had been provided;
- in paragraph 4.2 of the Case officer's report, PPS13 had not been listed;
- regarding short-term occupancies - all tenancies would be protected and a full-time management team would be in place to control;
- regarding the phasing of social housing – once title to the land for Block 9 was transferred to a registered Housing Association, the first BTR block could be occupied (but not both). The remaining BTR block would only be able to be occupied once the social rented housing had been constructed to NIHE specification, transferred to a Housing Association) and certified to the Council with a certificate of completion. The approach sought to strike a balance between the need to ensure the delivery of the social housing units (and the other Housing Association units) and the delivery of the BTR units;
- all bars and restaurants would be publicly accessible;
- no bridge was proposed in the Phase 2 masterplan;

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- reference to new bicycle vouchers would be specified in the individual Travel Plans;
- in relation to paragraph 8.7.17 – there would be 614 Juliet balconies; and
- Para 8.7.18 – there would be no sky bars, but sky lounges instead.

The Senior Planning officer reported that six letters of support for the scheme had been received as well as nine letters of objection.

The Chairperson welcomed Ms. S. Murphy, agent for the application, to the meeting. She advised the Committee that:

- the major mixed tenure residential development scheme was being brought forward by developers Lacuna Developments and Watkin Jones Group Plc, who had a track record of delivering in Belfast, having brought forward several of the purpose-built student accommodation schemes;
- it was a direct response to the opportunity to deliver a Build to Rent (BTR) proposition at scale, in support of the Council's Belfast Agenda, with its focus on increasing the resident population within and adjacent to the City Centre;
- the site was located on the river edge within Titanic Quarter which was part of Belfast's Innovation District. It was adjacent to Titanic Belfast and other heritage attractions, including the Slipways and Hamilton Dock, and was also on the Maritime Mile and within a 20 minute walk to the city centre;
- the 778-unit scheme included a mix of private and social rented units together with commercial ground floor uses including a crèche, high quality internal and external amenities and extensive high quality public realm equating to 26% of the overall site area;
- the application was supported by an Environmental Impact Assessment and followed extensive Pre-Application Discussions (PADs) with the Council and Statutory Consultees. Pre-application consultation had also taken place with local stakeholders;
- the planning history confirmed the principle of waterfront residential use at the site;
- the scheme was closely aligned to the objectives of a suite of City strategies and included generous provision of Housing Association housing and significant investment in high quality public realm, both of which would be of benefit to the City;
- the development would also deliver a range of social and economic benefits, the creation of jobs during both the construction and operation of the development, and the provision of additional services and facilities within Titanic Quarter, helping to build its critical mass;
- the proposals generally accorded with the approved Titanic Quarter Development Framework and the requirements of planning policy. They could be brought forward without harm to interests of planning importance, including heritage assets such as the shipyard's iconic scheduled cranes and graving dock, and the listed drawing office. Titanic Belfast would continue to be prominent and visible in local views,

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including over the scheduled slipways as envisaged by the Development Framework;

- the scheme was of a high standard of design which benchmarked well against similar schemes in other Cities in the UK and Ireland. It would mark a further step towards realising the vision of Titanic Quarter as a high-profile European waterfront and new urban quarter, contributing to the future prosperity of the city as a whole;
- a clear focus of the scheme was to ensure that it had strong sustainability credentials and could successfully be delivered from a transport perspective;
- the scheme was a direct response to tackling climate change, reducing urban sprawl and creating a connected community. Consistent with its highly accessible location, a low level of car parking was proposed;
- creating new dense neighbourhoods, supported by amenities, local services and public open spaces helped to build healthier and more sustainable communities, which, aligned with the Bolder Vision, would help create a greener, more walkable and connected city; and
- a Section 76 Agreement would secure the commitments made in the scheme's Travel Plan, including the delivery of appropriate cycling infrastructure and an innovative Travel Fund designed to equip future residents with a range of alternatives to the private car.

The Chairperson thanked Ms. Murphy for her contribution.

A Member queried why less amenity space was being provided for residents in Block 9, which had been earmarked for social housing. She also queried why Block 9 did not meet the standards for adequate outlook. In response, Ms. Murphy advised the Committee that the site was located close to a number of public open spaces such as the slipways and that the site itself comprised 26% open space. She added that there was also the children's playpark and the sports facilities for all residents on site. She explained that Block 9 had been designed in line with the new City Centre Design Guide and that a number of the units had balconies.

The Senior Planning officer advised the Committee that the external private amenity space was similar in all three blocks. She explained that the difference between Block 9 and the other blocks was in respect of less internal amenity space, such as the absence of a working from home space and a sky lounge, which she explained that officers could not insist upon for social housing units.

A further Member stated that, while he welcomed that 10% of the units were to be designated for social housing, he would always like to see more. In response to a question regarding the management of the site, Mr. J. Anderson, Choice Housing, advised the Committee the social housing units were in one block as it would be too difficult to manage if they were dispersed throughout the blocks and that, in general, they zoned the areas for management purposes.

In response to a further Member's query regarding the scale and massing of the development, the Chairperson advised the Members that Mr. A. Murray, Director at TODDS, advised the Committee that extensive conversations had taken place with the Urban Design officer and with Historic Environment Division (HED) in relation to the design. He explained

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that the blocks had been architecturally considered with appropriate stepping of different building heights.

In response to a further question regarding the quality of the outdoor balconies and terraces, Mr. Murray explained that the climatic environment of the site, especially the prevailing winds, had been taken into consideration when designing the outdoor amenity spaces.

The Senior Planning officer added that it was important to note that, not only would South Yard Square be protected from the elements, but that it would be a focal point in the middle of Phase 2. She explained that it would be surrounded by buildings on either side, including the recently approved Hamilton Dock hotel.

A Member complimented the applicant team on a progressive application and on the inclusion of social housing within it. He added that the queries which Members had raised at the briefing the previous month had also been taken on board and dealt with in relation to the green travel measures and that that was to be welcomed.

The Chairperson advised the Committee that Mr. C. Sloan, DFI Roads, was in attendance to answer questions.

A Member asked for further clarification in respect of the Queen's Island Strategic Masterplan and in relation to the trigger point of the number of trips for wider roads infrastructural improvements. In response, Mr. Sloan advised the Committee that the Strategic Masterplan had not yet been finalised but that a detailed transport assessment had been carried out which illustrated that the development could be accommodated on the existing road network. He advised the Committee that the DFI assessment of the proposal had been a thorough desktop exercise in accordance with standards. He added that the responsibility for the upgrade of the junction at Queen's Road would likely fall to the Belfast Harbour or T2, as it was on private, not public, land.

The Chairperson advised the Committee that Mr. C. O'Hara, Technical Director at RPS, was in attendance to answer any questions in relation to transport and traffic. Mr O'Hara advised the Committee that the trigger level had been set in 2005, seventeen years ago, and that it had been based on trip predications at that time for development proposals within the Titanic Quarter. However, he advised the Members that the actual number of trips measured since that time had been significantly lower than anticipated. He explained that the only two sites which were operational were the Titanic Hotel and Titanic Belfast and that the prediction was that they would generate 2239 daily trips. He explained further that the actual trips associated with those two developments were less than 1000 per day and that there was therefore considerable headroom in that development alone in respect of the trigger level.

He confirmed to the Committee that the Transport Assessment, which had formed part of the planning application, had been carried out in 2019, when traffic had been at pre-pandemic levels. He explained that the assessment had taken into consideration the number of trips associated with the recently approved Hamilton Dock Hotel, the approved Aquarium, Catalyst Inc., the Odyssey approval and the Financial Services campus. He explained that they had undertaken detailed junction modelling, including the introduction of the Eastern Access Road. He added that it was important to note that the development in question only contained

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140 car parking spaces and therefore the traffic impact could not be that significant. DFI Roads reviewed and assessed the Transport Assessment and concluded that the impact of the proposed development could be accommodated on the existing network without the need for any mitigation measures.

In response to a further Member's question regarding the current capacity available in the area, the Senior Planning officer reiterated that the modelling undertaken in 2019 had illustrated that the figures which had been agreed in 2005 far exceeded the actual number of trips on the ground.

Mr. O'Hara advised the Committee that the capacity of the junction, as it currently sat with the existing 2019 traffic flow, all the associated committed developments and the proposal which was in front of Members that evening, was at 85% of its full capacity.

A Member stated that she still had concerns regarding the traffic levels in the Queen's Road area which had been well documented.

Moved by Councillor Groogan,
Seconded by Councillor Carson and

Resolved – that the Committee writes to DFI Roads to request an update on the upgrade of the junction at Queen's Road.

A Member requested further information in relation to the level of public open space within the development and how it had been calculated, expressing concern that not all the land would in actual fact be public open space. Ms. Murphy advised the Committee that, even by removing the creche's private outdoor play space, car parking areas and footways, the development was still well over the 15% as required by PPS8, with the space provided by the promenade, the promenade link/thoroughfare and South Yard Square.

A Member stated that she still had a number of concerns with the development, particularly the outlook and overshadowing of Block 9 and the amenity space provided. The Senior Planning officer responded to the queries raised and emphasised that the officers had taken an on balance approach and that the nearby facilities which were on the doorstep of the development mitigated against the amenity concerns raised.

The Chairperson then put the officer's recommendation, to grant approval to the application, subject to conditions and a Section 76 Planning Agreement as set out in Case officer's report and the Late Items pack. Delegated authority was sought for the Director of Planning and Building Control to finalise the conditions and the Section 76 Agreement.

On a vote, four Members voted for the recommendation and three against and it was accordingly declared carried.

Miscellaneous Item

Public Accounts Committee Report on Planning in NI

(The High Sheriff, Councillor Hussey, left the meeting at this point in proceedings)

The Committee considered the undernoted report and the associated appendices which are available on mod.gov:

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“1.0 Purpose of Report or Summary of Main Issues

- 1.1** The NI Assembly, Public Accounts Committee (PAC) has published a report and recommendations in relation to Planning in Northern Ireland. This paper provides an overview of the PAC report and recommended response from the Council. The proposed response is to be considered by the Strategic Policy and Resources Committee on 15 April 2022. A full copy of the PAC report is provided at Appendix 1 on mod.gov. The Council’s proposed response is provided at Appendix 2 on mod.gov.

2.0 Recommendation

- 2.1** That the Committee notes this report including the proposed response to the Public Accounts Committee at Appendix 2 on mod.gov.

3.0 Background

- 3.1** In February 2022, the Planning Committee considered two recent reviews of the NI planning system:

- Firstly, the Northern Ireland Audit Office’s review of the NI planning system (copy provided at Appendix 3 on mod.gov); and
- Secondly, the Department for Infrastructure’s review of the implementation of the Planning Act (Northern Ireland) 2011 (copy provided at Appendix 4 on mod.gov).

- 3.2** Following publication of the Northern Ireland Audit Office (NIAO) report, the NI Assembly: Public Accounts Committee (PAC) has been hearing evidence from key stakeholders. The following sessions were held.

- Evidence from the Department for Infrastructure – 10 February 2022
- Evidence from SOLACE – 17 February 2022 (including evidence from Kate Bentley, Director of Planning and Building Control, Belfast City Council)
- Evidence from NILGA – 24 February 2022

- 3.3** The PAC subsequently published its report on ‘Planning in NI’ on 24 March 2022. This paper provides an overview of the PAC report and includes a recommended response from the Council. A full copy of the PAC report is provided at Appendix 1.

- 3.4** As further background reading, Members are referred to the agenda item to the February Planning Committee on the NI Audit

Office report and the Departmental review of the implementation of the Planning Act (Northern Ireland) 2011, see link below:

<https://minutes.belfastcity.gov.uk/ieListDocuments.aspx?CId=167&MId=10643&Ver=4>

4.0 Public Accounts Committee Report on Planning in NI

Overview

- 4.1 Consistent with the findings of the NIAO report published in February 2022, the PAC report is extremely critical of the NI planning system. It concludes that the planning system in Northern Ireland is not working effectively or efficiently. The PAC calls for a fundamental review, led by someone independent from the Department for Infrastructure, to bring about the long-term, strategic changes needed to make the planning system fit for purpose.
- 4.2 In relation to performance, the PAC observes that since the transfer of functions in 2015, planning authorities have failed to deliver on many of their key targets, particularly on major and significant development. The PAC was ‘appalled’ by the performance statistics. It states that it is simply unacceptable that almost one-fifth of the most important planning applications aren’t processed within three years highlighting that such poor performance has an impact on applicants, developers and communities and is risking investment in Northern Ireland.
- 4.3 The PAC notes that progress on Local Development Plans (LDPs) has been equally poor – with none of the plans being able to progress to adoption in the seven years since transfer in 2015. The PAC heard of the potential for LDPs to shape communities and make decision-making processes easier, but noted that the process has been hindered by the complete underestimation of the complexity and volume of work required, a lack of key skills and resources available to councils. These challenges were considered to have been compounded by a series of unnecessary ‘checks and balances’ implemented by the Department. The PAC urges all those involved in plan-making to work together to streamline remaining LDP processes and produce these important plans as soon as possible.
- 4.4 The PAC goes on to express concerns about the poor quality of planning application submissions (BCC is the only Planning Authority that has so far sought to directly address this through publication of its *Application Checklist* in 2018). The PAC is also concerned about a lack of transparency in decision making (officers advise that BCC follows good practice in this regard

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through clearly minuting the reason/s for the Committee's decision where it overturns the officer recommendation. Committee reports also clearly explain where applications have been referred to the Committee by an individual Elected Member and reasons why).

4.5 The PAC is critical of the role of the Department and its lack of action to address under performance in the system. It observes that the Department is not providing strong leadership in driving change and that it does not grasp the severity of the issues facing the NI planning system. In this regard, the PAC recommends that a commission is setup to oversee much needed change to the NI planning system, but that it should be chaired by someone independent of the Department.

4.6 The PAC is extremely concerned about the significant level of silo working within the planning system itself and comments that it one of the worst examples of silo working in the public sector that it has ever encountered. It notes the fragmentation between central and local government, statutory consultees and even within the Department itself, highlighting that it will require a concerted effort from all those involved to work in a more productive way going forward.

4.7 **PAC Recommendations**

The PAC report makes 12 recommendations, some of which overlap with the recommendations of the NIAO report. The recommendations are reproduced below with additional context around each provided in the PAC report (see Appendix 1).

- 1.** The planning system in Northern Ireland is not working. The Committee recommends that a Commission is established to undertake a fundamental review to ascertain the long-term, strategic changes that are needed to make the system fit for purpose. This should be led by someone independent from the Department.
- 2.** The Committee has heard that there are a number of opportunities to make immediate improvements to the planning system. We recommend that a commission is established to identify tangible improvements that can be achieved in the short term. This must focus on problem solving, delivery and achieving outcomes within a fixed time frame.
- 3.** The Committee expects action to be taken to improve the planning system. In lieu of any accountability for performance within the system, the Department will

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provide the Committee with a radical action plan and provide the successor Committee with an update on the improvements made in six months' time.

4. The Committee recommends that the Department considers ways to streamline the remaining LDP processes, and works with councils to learn lessons from those that have been through the independent examination process with a view to taking a more pragmatic approach to the remaining plans. The Department and councils need to work collaboratively to produce these important plans as soon as possible.
5. The Committee recommends that all those involved in decision-making ensure that processes are open and transparent, particularly where a high degree of interpretation has been exercised. The Department and councils should consider how checks on good record keeping, to ensure transparency, could be carried out effectively.
6. The Committee recommends that the Department should ensure that there is suitable and proportionate means of engaging with the planning system. This should include a deeper consideration of the appropriateness of limited third-party rights of appeal.
7. The operation of the planning system for rural housing is at best inconsistent and at worst fundamentally broken. The Committee believes that it is essential that policy in the area is agreed and implemented equally and consistently across Northern Ireland. The Department should ensure this is the case.
8. The Committee recommends that the Department urgently considers how it exercises its oversight of the planning system. In the Committee's view, this must be accompanied with a cultural change. Intervention should be to support delivery and to make improvements. The current minimal approach is no longer sustainable.
9. The Committee recommends that the Department and local government should implement immediate changes to improve the quality of applications entering the system. Whilst this may require legislative change, we do not believe that this should be an excuse for delay.

- 10. The Committee recommends that planning authorities regularly review past decisions to understand their real-world outcomes, impact on communities and the quality of the completed development.**
- 11. The planning system must be financially sustainable and this requires an appropriate, long-term funding model. The Committee recommends that all those involved in delivering planning work together to achieve this. In the short term the Department should take the lead on bringing forward legislation on planning fees as a matter of urgency.**
- 12. There is a fundamental need for a cultural change in the way local and central government interact around planning. Whilst cultural change will take time, this should be reflected immediately in a more inclusive planning forum which includes representation from developers and communities.**

5.0 Next Steps

- 5.1 As reported to the Planning Committee in February 2022, this is a pivotal time for the NI planning system. Publication of the NIAO and Public Accounts Committee reports represents a significant opportunity for much needed change and improvement.**
- 5.2 The Department for Infrastructure must provide a formal response to the PAC report within 8 weeks of its publication (i.e. by 19 May 2022). The recommendations also require an update be given to the successor Public Accounts Committee on the improvements made in six months' time.**
- 5.3 SOLACE (Society of Local Authority Chief Executives in NI) is expected to provide a response on behalf of the 11 councils. It is recommended that Belfast City Council also formally responds. A recommended response to the PAC report is provided at Appendix 2 for notation by the Planning Committee and agreement by the Strategic Policy and Resources Committee.**
- 5.4 The PAC's recommendation to establish a commission to oversee the fundamental change necessary for the NI planning system is welcomed along with the proposal to include representatives of the development industry and communities. It is only through the participation of all key stakeholders that appropriate solutions can be developed and the necessary improvements delivered. The Council has a very important leadership role in this change process and will be seeking representation on the commission and any structures that feed into the proposed processes.**

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- 5.5** The Department is organising an all-day workshop with local government officers on 29 April 2022 to formulate the beginning of a potential plan or approach to addressing the issues identified. In order to achieve the stated objectives the discussions will need to resolve a number of aspects including: the overall purpose and scope of the review, governance including representation, assurance, monitoring and reporting arrangements, potential for outside support and expertise, resourcing and approach to implementation.
- 5.6** It is hoped that these various reviews will establish a momentum and commitment to addressing the structural and operational challenges. It is therefore proposed that progress and any emerging proposals will be brought back to Committee as updates going forward.
- 6.0** **Financial & Resource Implications**
- 6.1** The existing NI planning system is inefficient and underperforming and the PAC report correctly identifies the need to address its longer term financial sustainability. In January 2021, the Council reported to NIAO that the net cost of its Planning Service is nearly £1.2m after fee income which demonstrated the Council commitment to the effective resourcing of this function. However, the Planning function is far from the cost neutral model suggested at the time of Transfer and the PAC's recommendation that the longer term financial sustainability of the NI planning system should be addressed is therefore welcomed.
- 7.0** **Equality or Good Relations Implications / Rural Needs Assessment**
- 7.1** **No adverse impacts identified."**

The Committee noted the update which had been provided and agreed the proposed response to the Public Accounts Committee.

Chairperson

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Planning Committee

Wednesday, 27th April, 2022

PLANNING COMMITTEE SITE VISIT – NOTE OF MEETING

Due to the ongoing pandemic, the following site visit was carried out in accordance with Public Health Agency guidance.

LA04/2020/0559/F - Renovation and single storey rear extension to dwelling, construction of a new detached garage and new entrance gates and pillars at 24 Malone Park; and
LA04/2020/0562/DCA - Demolition of rear extension (partly single storey, partly one and a half storey) and existing shed and summerhouse at 24 Malone Park.

Members Present: Councillor Carson (Chairperson) and Councillor Hanvey.

Officers in Attendance: Mr. E. Baker, Planning Manager; and Mr. M. McBride, Planning officer.

The Members and the officers convened at the site at 12.30 p.m. for the purpose of undertaking a site visit in respect of the applications to allow the Members to acquaint themselves with the location and the proposals at first hand.

The Members viewed the site with the proposed plans.

The visit concluded at 12.45 p.m.

Chairperson

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PLANNING COMMITTEE – 17 MAY 2022

APPEALS NOTIFIED (CONTINUED)

ITEM NO 3 PAC REF: 2022/A0013

PLANNING REF: LA04/2021/2023/F

APPLICANT: Barry Hughes

LOCATION: Apartment No 65, Floor 9, Victoria Place, 20 Wellwood Street, Belfast

PROPOSAL: Proposed change of use from residential to short-term holiday let (retrospective)

PROCEDURE:

ITEM NO 4 PAC REF: 2022/A0021

PLANNING REF: LA04/2021/2825/A

APPLICANT: Bel Tel LLP

LOCATION: Former Belfast Telegraph Printworks, 124-132 Royal Avenue, Belfast, BT1 1DN

PROPOSAL: Retention of mesh banner signage (19.1 m by 9.84 m) for a temporary period for 24 months

PROCEDURE:

PLANNING COMMITTEE – 17 MAY 2022

APPEAL DECISIONS NOTIFIED

ITEM NO 1 PAC REF: 2021/A0172

PLANNING REF: LA04/2021/0505/A

RESULT OF APPEAL: WITHDRAWN

APPLICANT: JC Decaux

LOCATION: Junction of Beersbridge Road and Castlereagh Road, Belfast, BT5 5FP

PROPOSAL: Retention of 4x48 sheet static advertising displays.

Decisions issued between 2 April and 9 May 2022

Reference Number	Hierarchy	Location	Proposal	Application Status	Date Decision Issued
LA04/2016/2267/F	MAJDEV	Site C Gasworks Office Park Cromac Place Belfast.	Erection of office building (ranging in height from four to six storeys) and associated access road, re-configuration of existing car park and ancillary works	PERMISSION GRANTED	15/04/2022
LA04/2018/0098/F	LOCDEV	73-75 North Street Belfast BT1 1NL	Change of use from retail to amusement arcade and alterations to shop front	PERMISSION GRANTED	21/04/2022
LA04/2019/2097/F	LOCDEV	Queens Square Belfast BT1 3EZ.	The scheme involves removing existing granite paving on the road and replacing this with a standard road construction.	PERMISSION GRANTED	03/05/2022
LA04/2020/0857/F	LOCDEV	Ormeau Centre 5-11 Verner Street Belfast.	Demolition of existing hostel building and redevelopment to provide four-storey building comprising 15No. residential units, office space and ancillary development.	PERMISSION REFUSED	15/04/2022
LA04/2020/1852/F	LOCDEV	35M North of Silotank Factory Springbank Industrial Estate Dunmurry.	Renewal of permission for wind turbine with 250 KW generator, 50m hub height and 54m rotor diameter S/2014/0495/F.	PERMISSION GRANTED	25/04/2022
LA04/2020/2280/F	LOCDEV	93-95 Falls Road Belfast BT12 4PE	Proposed mixed use development comprising 1no. ground floor retail unit and 13no. apartments, associated amenity space, landscaping and all other site works.	PERMISSION REFUSED	13/04/2022
LA04/2021/0051/LB	LOCDEV	10-16 Castle Place Belfast BT1 1GB	New shopfront to ground floor and internal works to facilitate conversion of first floor to 3 apartments	PERMISSION GRANTED	06/05/2022

Reference Number	Hierarchy	Location	Proposal	Application Status	Date Decision Issued
LA04/2021/0052/F	LOCDEV	10-16 Castle Place Belfast BT1 1GB	New shopfront to ground floor and change of use of first floor from retail to 3 no. 1 bedroom apartments	PERMISSION GRANTED	09/05/2022
LA04/2021/0059/F	LOCDEV	Lands including all footpaths from 246 to 322 Donegall Road & 301 to 381 Donegall Road Belfast and shopfronts of the retail units within the same area.	Donegall Road Bridge Environmental Improvement Public Realm Scheme consisting of new landscaping works including natural stone paving and soft landscape features. Shop front improvements will include installation of new or refurbishment of existing shopfront security roller shutters, renewal of shopfront wall dressings, rainwater goods & installation of new strip LED down-lighting.	PERMISSION GRANTED	22/04/2022
LA04/2021/0297/F	LOCDEV	Lands located approximately 75m south-west of and behind 72 & 74 Ligoniel Road Belfast. BT14 8BY	Proposed erection of 10 dwellings (change of house type to previous approval Z/2005/1104/F, plus an amendment to sites 14, 15 & 16 of subsequent planning approval LA06/2018/2600/F) including landscaping, car parking, access and all other associated site works.	PERMISSION GRANTED	05/04/2022
LA04/2021/0573/F	LOCDEV	8 Malone Ridge Belfast BT9 5QW	Retrospective application for amendments to single storey rear extension and first floor side extension over existing garage approved LA04/2019/2572/F. Including enlargement of ground floor rear extension and juliette balcony to first floor (AMENDED DESCRIPTION)	PERMISSION GRANTED	05/05/2022

Reference Number	Hierarchy	Location	Proposal	Application Status	Date Decision Issued
LA04/2021/0616/LD	LOCDEV	118 University Avenue Malone Lower Belfast BT7 1GZ	House in multiple occupancy HMO	PERMITTED DEVELOPMENT	29/04/2022
LA04/2021/0720/F	LOCDEV	64 Ashley Avenue Malone Lower Belfast BT9 7BU	Subdivision of existing dwelling into two apartments with two storey rear extension	PERMISSION GRANTED	09/05/2022
LA04/2021/0774/F	LOCDEV	428 Lisburn Road Belfast.	Proposed change of use on ground floor from beauty salon to apartment	PERMISSION GRANTED	04/04/2022
LA04/2021/0901/F	LOCDEV	47 Malone Park Belfast BT9 6NN.	Refurbishment of existing dwelling. Single storey rear and side extension. Alterations to front and rear elevations. Demolition of existing garage, existing site entrance widened to incorporate new gates and pillars and associated site works. (amended plans)	PERMISSION GRANTED	11/04/2022
LA04/2021/0902/DC	LOCDEV	47 Malone Park Belfast BT9 6NN.	Demolition of garage and partial demolition of internal and external walls of dwelling.	PERMISSION GRANTED	11/04/2022
LA04/2021/1021/F	LOCDEV	South of Castlecourt/Berry Street Castlecourt Service yard Belfast BT1 1DD.	Change of use from service yard to temporary beer garden/ outdoor eating area	PERMISSION REFUSED	27/04/2022
LA04/2021/1189/F	LOCDEV	92-94 Botanic Avenue Belfast BT7 1JR.	Change of use from travel agents (A1) to juice bar (sui generis). Alterations to internal layout and shop front with new access(Retrospective)	PERMISSION GRANTED	29/04/2022

Reference Number	Hierarchy	Location	Proposal	Application Status	Date Decision Issued
LA04/2021/1232/F	LOCDEV	328 Antrim Road (Maxol Service Station) Belfast	Removal of one no. forecourt pump island and alteration to existing forecourt canopy to provide 6 no. parking spaces; removal of compound fence to provide 2 no. parking spaces, proposed cycle stand and provision of new compound enclosed by fencing to rear of existing shop unit.	PERMISSION GRANTED	06/04/2022
LA04/2021/1394/F	LOCDEV	Great Georges Street Belfast Antrim BT15 1FF	Proposed Installation of an 15m High Telecoms Streetpole c/w wraparound cabinet, with Integrated Antenna, and 3no. additional equipment cabinets and ancillary equipment.	PERMISSION REFUSED	06/05/2022
LA04/2021/1450/NM	LOCDEV	Lyndon Court 38-38 Queen Street Belfast BT1 6EF	Revised internal layouts to all floors to meet tenant requirements. Minor alternations to fenestration and details to elevations to facilitate proposed changes to internal floor plans.	NON MATERIAL CHANGE	07/04/2022
LA04/2021/1562/F	LOCDEV	On the Public Footpath Directly Adjacent No.160 - 162 Skegoneill Avenue Belfast BT15 3JU	Proposed Installation of a 15m High Telecoms Streetpole C/W Wraparound Cabinet, with Integrated Antenna, and 3no. Additional Equipment Cabinets and Ancillary Equipment.	PERMISSION GRANTED	08/04/2022
LA04/2021/1575/F	LOCDEV	22 Florida Drive Belfast BT6 8EX.	Proposed Change of Use From Residential Dwelling to Short Term Holiday Let Accommodation.	PERMISSION GRANTED	07/04/2022
LA04/2021/1585/F	LOCDEV	46-64 Ravenhill Road Belfast BT6 8EB	Extension to existing Building Materials Storage Warehouse (Class B4)	PERMISSION GRANTED	04/05/2022

Reference Number	Hierarchy	Location	Proposal	Application Status	Date Decision Issued
LA04/2021/1651/F	LOCDEV	5 Glendarragh Mews Belfast BT4 2WE	2 storey side extension	PERMISSION GRANTED	14/04/2022
LA04/2021/1682/F	LOCDEV	A small area of existing footpath (adopted) located off Ardoyne Road site situated close to one of the entrances of the Everton Complex 39 Ardoyne Road Belfast BT14 7HX	Proposed Installation of an 15m High Telecoms Street pole c/w wraparound cabinet, with Integrated Antenna, and 3no. additional equipment cabinets and ancillary equipment.	PERMISSION REFUSED	08/04/2022
LA04/2021/1708/O	LOCDEV	Land adjacent to 51 Middle Braniel Road Belfast BT5 7TU	Proposed split level domestic dwelling	PERMISSION GRANTED	05/05/2022
LA04/2021/1754/F	LOCDEV	94 Ulsterville Avenue Belfast BT9 7AR	Single and two storey extension to side and rear of dwelling with level access and steps. (Amended Plans)	PERMISSION GRANTED	28/04/2022
LA04/2021/1773/F	LOCDEV	Land to the rear of 16 Upper Springfield Road Belfast.	Proposed change of house type of that approved under LA04/2016/2066/F dwelling under construction.	PERMISSION GRANTED	22/04/2022
LA04/2021/1843/PA	LOCDEV	Land North of former Corpus Christi College accessed off Michael Davitts GAC grounds via St Mary's Gardens.	Proposed community facility, to include Sports Hall, Meeting rooms, Gym & Exercise rooms, Kitchen, Changing rooms and toilets.	PROPOSAL OF APPLICATION	06/05/2022
LA04/2021/1888/F	LOCDEV	8 Hawthornden Gardens Belfast BT4 2HF.	Single storey side and rear extension.	PERMISSION GRANTED	06/04/2022

Reference Number	Hierarchy	Location	Proposal	Application Status	Date Decision Issued
LA04/2021/2014/DC	LOCDEV	42-48 Howard Street Belfast BT1 6PG.	Partial demolition of the existing reception and restaurant units at ground floor and partial demolition at first floor comprising a storage area, 2No. short stay/visitor suites and part of a third short stay/visitor suite.	PERMISSION GRANTED	05/05/2022
LA04/2021/2034/F	LOCDEV	5 Kenbella Parade Belfast BT15 5DX	Replacement offices, stores and yard.	PERMISSION GRANTED	05/05/2022
LA04/2021/2041/F	LOCDEV	4 Knocktern Gardens Belfast BT4 3LZ	Erection of a single storey rear extension to accommodate new kitchen and utility. Internal alterations to the first floor to accommodate ensuite.	PERMISSION GRANTED	15/04/2022
LA04/2021/2078/F	LOCDEV	42-48 Howard Street Belfast BT1 6PG	Partial demolition of the existing reception and restaurant units at ground floor and partial demolition at first floor comprising a storage area, 2No. short stay/visitor suites and part of a third short stay/visitor suite. Replacement with an extension at ground floor to create a new hotel reception, bar/restaurant area with external terrace, bin store. Change of use of retained rooms at first and second floor from 18No. short stay/visitor suites to 17No. hotel suites and staff room. Proposed external flues on the rear elevation.	PERMISSION GRANTED	03/05/2022
LA04/2021/2095/F	LOCDEV	Common Market 16-20 Dunbar Street Belfast BT1 2LH	Change of use of warehouse and offices to public house (linked to existing adjacent public house) and entertainment venue/events space including street food market for on premises consumption (part retrospective).	PERMISSION GRANTED	29/04/2022

Reference Number	Hierarchy	Location	Proposal	Application Status	Date Decision Issued
LA04/2021/2217/F	LOCDEV	6 Finch Grove Belfast BT9 6QH.	Single Storey Extension to Rear of Property, Level Access Ramp to Front, Some Internal Alterations and Alterations to the Roof.	PERMISSION GRANTED	06/05/2022
LA04/2021/2275/F	LOCDEV	18 Finaghy Park Central Belfast BT10 0HP	Single storey extension to rear and roof space conversion with dormer to rear (Amended Plans)	PERMISSION GRANTED	25/04/2022
LA04/2021/2324/F	LOCDEV	210 Malone Road Belfast BT9 5LQ	Seeking planning permission retrospectively to develop land without complying with condition on previous approval, LA04/2020/0409/F, condition 4 to increase the height of fencing alongside boundary at certain points only, for screening and safety purposes.	PERMISSION REFUSED	25/04/2022
LA04/2021/2353/DC	LOCDEV	44 Marlborough Park North Belfast BT9 6HJ	Demolition of yard wall, single storey rear extension and detached garage to front. Removal of existing steel fire escape staircase and replacement of existing windows.	PERMISSION GRANTED	05/04/2022
LA04/2021/2354/F	LOCDEV	44 Marlborough Park North Belfast BT9 6HJ	Conversion from 3no. apartments to single family dwelling. Single storey extension to rear. Recladding of existing dormer to rear. Removal of existing steel fire escape staircase. Replacement of existing windows.	PERMISSION GRANTED	05/04/2022
LA04/2021/2359/F	LOCDEV	Apartment 4 College Gate 29 College Square North Belfast BT1 6AS	Proposed change of use from apartment to 3 bedroom House in Multiple Occupation (HMO)	PERMISSION GRANTED	15/04/2022

Reference Number	Hierarchy	Location	Proposal	Application Status	Date Decision Issued
LA04/2021/2381/CC	LOCDEV	39 Adelaide Park Belfast BT9 6FY.	Works to 4-6 trees.	WORKS TO TREES IN CA -	07/04/2022
LA04/2021/2384/F	LOCDEV	BT Riverside Tower 5 Lanyon Place Belfast BT1 3BT	Change of use from office to ground floor cafe. No external changes.	PERMISSION GRANTED	05/05/2022
LA04/2021/2398/F	LOCDEV	33 Blackwood Street Belfast BT7 3AS.	Creating new balcony at rear yard with associated change from window to fully glazed door at landing level.	PERMISSION REFUSED	12/04/2022
LA04/2021/2407/F	LOCDEV	38 Fortwilliam Park Belfast BT15 4AQ.	New external platform lift.	PERMISSION GRANTED	28/04/2022
LA04/2021/2426/F	LOCDEV	6 Upper Malone Road Belfast BT9 5NA	Two storey rear extension, second floor rear dormer, new rooflight to front elevation, external landscaping to the rear and alterations to vehicular entrance. (amended plans and description)	PERMISSION GRANTED	27/04/2022
LA04/2021/2427/F	LOCDEV	21 Barnetts Green Belfast BT5 7AG.	Extension and alterations to existing dwelling to include provision of level access.	PERMISSION GRANTED	14/04/2022
LA04/2021/2468/F	LOCDEV	1 Glebe Road Dunmurry Belfast BT17 0PN	Proposed change of use from mixed use (workshop and retail) to retail convenience store.	PERMISSION GRANTED	12/04/2022
LA04/2021/2480/F	LOCDEV	52 Kerrykeel Gardens Belfast BT11 9HS	Proposed single storey extension to rear of dwelling.	PERMISSION GRANTED	13/04/2022

Reference Number	Hierarchy	Location	Proposal	Application Status	Date Decision Issued
LA04/2021/2491/F	LOCDEV	42 Bilston Road Belfast BT14 8GA.	Internal alterations and single storey extension to rear of dwelling to provide improved Kitchen and Dining facilities with patio.	PERMISSION GRANTED	11/04/2022
LA04/2021/2508/NM	LOCDEV	Ulster University York Street Belfast BT15 1ED.	Non material change Z/2014/1245/F.	NON MATERIAL CHANGE C	29/04/2022
LA04/2021/2525/DC	LOCDEV	Land at Lyndon Court 32-38 Queen Street Belfast BT1 6EF.	Discharge of condition 15 LA04/2019/0553/F.	CONDITION DISCHARGED	07/04/2022
LA04/2021/2527/LD	LOCDEV	Former Good Shepherd Centre lands at 511 and 511a Ormeau Road Belfast.	Mixed Use of the Property comprising office (Class B1) on ground and first floor; and artists' studios (Class D1) on part of the second floor (up to 169 sqm), as shown on Drawing No. 02 uploaded to the planning portal on 18th November 2021. No use identified for the third floor attic (amended description)	PERMITTED DEVELOPMENT	11/04/2022
LA04/2021/2550/F	LOCDEV	57 Marina Park Belfast BT5 6BA	Dormer window to the rear of dwelling, new single storey extension to rear and rear boundary fencing (Amended description)	PERMISSION GRANTED	07/04/2022
LA04/2021/2564/DC	LOCDEV	Lands adjacent to 14 College Square North and south of 62-76 Hamill Street Belfast.	Discharge of condition 12 LA04/2018/1719/F relating to Phase 2 Generic Quantitative Risk Assessment (GQRA)	CONDITION DISCHARGED	07/04/2022

Reference Number	Hierarchy	Location	Proposal	Application Status	Date Decision Issued
LA04/2021/2592/F	LOCDEV	Site behind and on the lands of 79 Ballylesson Road Belfast BT8 8JT.	Proposed 13m electricity pole to be erected beneath and connected to the existing 6.6kV overhead line. A new 100kVA transformer and HV fuses to be erected on the new Pole and 235m of underground cable to be laid through the field and building site.	PERMISSION GRANTED	05/04/2022
LA04/2021/2606/LB	LOCDEV	7-9 Wellington Place Belfast BT1 6GB.	Extension and partial replacement of existing shop frontage at no.7 to match with existing period appropriate door and architectural mouldings at no. 9. Installation of internal windows, installation of stair lifts and platform lift. Installation of gas lights and additional wall vents to rear. Installation of new gas line on east elevation.	PERMISSION GRANTED	03/05/2022
LA04/2021/2619/F	LOCDEV	Lands 53m South East of North Down Group Ltd 7 Blackstaff Road Kennedy Way Industrial Estate Ballymurphy Belfast BT11 9DT.	Produce store to rear of existing covered area including concrete hardstanding in substitution of approved store under ref: LA04/2018/1015/F	PERMISSION GRANTED	06/05/2022
LA04/2021/2621/F	LOCDEV	19 Orby Gardens Belfast BT5 5HS.	Retrospective application for a rear single storey extension. Change of roof profile from hipped to pitched with second floor dormer to the rear of the building (not retrospective).	PERMISSION GRANTED	07/04/2022
LA04/2021/2624/F	LOCDEV	41 Cranmore Park Belfast BT9 6JF.	Internal alterations to dwelling with external changes including alterations to two window openings & formation of one new window opening.	PERMISSION GRANTED	09/05/2022

Reference Number	Hierarchy	Location	Proposal	Application Status	Date Decision Issued
LA04/2021/2625/DC	LOCDEV	41 Cranmore Park Belfast BT9 6JF.	Partial demolition of side/rear walls to accommodate openings.	PERMISSION GRANTED	09/05/2022
LA04/2021/2630/F	LOCDEV	32 Wynard Park Belfast BT5 6NS.	Two Storey extension to the side and rear with part single storey extension to the driveway side.(amended description)	PERMISSION GRANTED	15/04/2022
LA04/2021/2632/F	LOCDEV	127 Lagmore Glen Dunmurry Belfast BT17 0WB.	Single storey extension to rear.	PERMISSION GRANTED	06/04/2022
LA04/2021/2641/F	LOCDEV	2 St James Gardens Belfast BT12 6EG.	New 2 storey extension to side to provide ground floor living room, front porch, 2 bedrooms and ensuite first floor, including new window alteration to first floor front elevation.	PERMISSION GRANTED	14/04/2022
LA04/2021/2645/LB	LOCDEV	Royal Belfast Academical Institution College Square East Belfast BT1 6DL	Installation of platform lift to the Soane Building. Refurbishment of timber staircase in link corridor between Soane building and G-Block, including the servicing of 6nr Sash windows. Refurbishment of escape stair, installation of accessible WC and alteration and refurbishment of first and second floor classrooms in G-Block.	PERMISSION GRANTED	25/04/2022
LA04/2021/2659/F	LOCDEV	Kingspan Stadium 134 Mount Merrion Avenue Belfast BT6 0FT.	Works to the existing Memorial stand to include the removal of existing solid aluminum curtain wall spandrel panels and replacing with glazed units within existing frames at first floor level only to existing exhibition/museum space.	PERMISSION GRANTED	29/04/2022

Reference Number	Hierarchy	Location	Proposal	Application Status	Date Decision Issued
LA04/2021/2684/DC	LOCDEV	176-178 Shore Road (HSS Hire) and 194-196 Shore Road (Lidl) Belfast BT15 3QA.	Discharge of condition 16 LA04/2021/0165/F relating to Construction Environmental Management Plan	CONDITION NOT DISCHARGED	13/04/2022
LA04/2021/2696/F	LOCDEV	12 Glengoland Park Belfast BT17 0JD.	Single storey garage extension to side, new pitched roof over dwelling, and hard surfacing to front of dwelling (amended description)	PERMISSION GRANTED	08/04/2022
LA04/2021/2712/F	LOCDEV	60 Vernon Street Belfast BT7 1EY.	Single and two storey rear extension.	PERMISSION GRANTED	12/04/2022
LA04/2021/2713/F	LOCDEV	54 Orchardville Crescent Belfast BT10 0JT.	Roofspace conversion with rear dormer window.	PERMISSION GRANTED	26/04/2022
LA04/2021/2724/F	LOCDEV	11 Willesden Park Stranmillis Belfast BT9 5GX.	Two storey side and rear extension with juliet window at first floor rear. Alterations to ground floor front bay window and front door. Decking area to rear. (amended description)	PERMISSION GRANTED	09/05/2022
LA04/2021/2742/F	LOCDEV	545 Antrim Road Belfast BT15 3BU.	Change of use from beauty salon and offices to cosmetics clinic with training rooms.	PERMISSION GRANTED	26/04/2022
LA04/2021/2799/F	LOCDEV	44 Ingledale Park Belfast BT14 7GZ.	Retrospective demolition of single storey garage to side and erection of two storey extension to side and rear, with juliette balcony to rear elevation.	PERMISSION GRANTED	07/04/2022
LA04/2021/2808/F	LOCDEV	9 Ravenhill Park Belfast BT6 0DE	Single storey side extension to west and two storey side extension to the East containing ensuites, and single storey rear extension containing living, Bedroom and ensuite.	PERMISSION REFUSED	13/04/2022

Reference Number	Hierarchy	Location	Proposal	Application Status	Date Decision Issued
LA04/2021/2813/F	LOCDEV	7 Denewood Park Belfast BT11 8FS	Multi purpose room.	PERMISSION GRANTED	27/04/2022
LA04/2021/2825/A	LOCDEV	Former Belfast Telegraph Printworks 124-132 Royal Avenue Belfast BT1 1DN.	Retention of mesh banner signage (19.1m by 9.84m) for a temporary period of 24months.	PERMISSION REFUSED	15/04/2022
LA04/2021/2831/A	LOCDEV	Charles Hurst Peugeot Belfast Balmoral Centre Belfast BT12 6LR	Display of 4 internally illuminated fascia signs and display of 1 internally illuminated pylon sign (amended description)	PERMISSION GRANTED	22/04/2022
LA04/2021/2865/F	LOCDEV	St Malachy's College 36 Antrim Road Belfast BT15 2AE	Proposed external canopy to create sheltered play area.	PERMISSION GRANTED	28/04/2022
LA04/2021/2871/F	LOCDEV	1st Floor (left hand side) The Boucher Centre 89 Boucher Road Belfast BT12 6HH	Change of use from church accommodation to martial arts academy (retrospective).	PERMISSION GRANTED	25/04/2022
LA04/2021/2877/NM	LOCDEV	7-9 Wellington Place Belfast BT1 6GB	Non material change re LA04/2020/1057/F	NON MATERIAL CHANGE C	03/05/2022
LA04/2021/2879/F	LOCDEV	Ballynafeigh Community Development Association 283 Ormeau Road Belfast BT7 3GG	Retractable awning installed to fascia of existing building.	PERMISSION GRANTED	29/04/2022
LA04/2022/0011/F	LOCDEV	92 Old Hollywood Road Belfast BT4 2HP	Retrospective first floor extension above existing ground floor to side and rear with internal and external changes.	PERMISSION GRANTED	05/05/2022
LA04/2022/0017/F	LOCDEV	108 Old Hollywood Road Belfast BT4 2HL	Proposed 2 storey extension to rear of existing dwelling and internal alterations.	PERMISSION GRANTED	05/05/2022

Reference Number	Hierarchy	Location	Proposal	Application Status	Date Decision Issued
LA04/2022/0039/A	LOCDEV	The Lanyon Buildings Jennymount Business Park Belfast BT15 3HN	Company sign board and sign directing to alternate entrance	PERMISSION GRANTED	28/04/2022
LA04/2022/0046/LD	LOCDEV	65 Maryville Street Belfast	short term stay holiday accommodation.	PERMITTED DEVELOPMEN	11/04/2022
LA04/2022/0050/F	LOCDEV	155 Grand Parade Belfast BT5 5PB	Single Storey Rear extension (for sunroom and utility / wc) and alterations to garden to provide parking and drop of kerb on roadside.	PERMISSION GRANTED	05/05/2022
LA04/2022/0053/DC	LOCDEV	Lands at and surrounding St Gemma's School and the Flax Centre Ardoyne Avenue Belfast.	Discharge of Condition no.10 - LA04/2019/2153/F	CONDITION DISCHARGED	08/04/2022
LA04/2022/0070/LD	LOCDEV	9 Ravenhill Park Belfast BT6 0DE	Single storey ancillary garden room building to the rear of the existing dwelling with zinc roof, brick walls to match dwelling and timber windows and doors.	PERMITTED DEVELOPMEN	13/04/2022
LA04/2022/0086/LD	LOCDEV	Flat 3 (Second & attic floors) 27 India Street Belfast BT7 1LJ.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMEN	06/05/2022
LA04/2022/0090/DC	LOCDEV	197-203 Crumlin Road Belfast BT14 7DX	Discharge of condition no.5 - LA04/2020/0754/F	CONDITION NOT DISCHAR	12/04/2022
LA04/2022/0114/F	LOCDEV	11 Locksley Gardens Belfast BT10 0EA	Single Storey Extension to Side and Rear. Attic Conversion with rear dormer. Demolition of Garage and Erection of Garden Studio. (amended description)	PERMISSION GRANTED	04/04/2022

Reference Number	Hierarchy	Location	Proposal	Application Status	Date Decision Issued
LA04/2022/0128/F	LOCDEV	33 Downview Avenue Belfast BT15 4FB.	Single storey rear extension.	PERMISSION GRANTED	26/04/2022
LA04/2022/0141/A	LOCDEV	75 Botanic Avenue Belfast BT7 1JL.	Display advertisement signage (shop sign).	PERMISSION GRANTED	03/05/2022
LA04/2022/0156/DC	LOCDEV	Lands adjacent to 14 College Square North and south of 62-76 Hamill Street Belfast.	Discharge of condition 5 LA04/2018/1719/F relating to hard and soft landscaping and management details	CONDITION NOT DISCHARGED	07/04/2022
LA04/2022/0163/F	LOCDEV	37 Mount Coole Park North Belfast Belfast BT14 8JR.	Proposed first floor rear extension to provide a bedroom and ensuite accommodation.	PERMISSION GRANTED	28/04/2022
LA04/2022/0173/LD	LOCDEV	Flat 1 67 Malone Avenue Belfast BT9 6EP.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT	06/05/2022
LA04/2022/0174/LD	LOCDEV	Flat 3 67 Malone Avenue Belfast BT9 6EP.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT	06/05/2022
LA04/2022/0175/LD	LOCDEV	Flat 4 67 Malone Avenue Belfast BT9 6EP.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT	06/05/2022
LA04/2022/0180/LD	LOCDEV	34 Lucerne Parade Belfast BT9 6FT.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT	08/04/2022

Reference Number	Hierarchy	Location	Proposal	Application Status	Date Decision Issued
LA04/2022/0183/F	LOCDEV	52 Springfield Parade Belfast BT13 3QR.	Single storey rear extension.	PERMISSION GRANTED	12/04/2022
LA04/2022/0193/F	LOCDEV	29 Ardpatrick Gardens Belfast BT6 9GF.	Retrospective application for single storey rear extension. Proposed side extension, roofspace conversion with rear dormer and rooflights. Partial conversion of garage to garden room with associated works.	PERMISSION GRANTED	09/05/2022
LA04/2022/0199/LD	LOCDEV	Flat 2 107 University Avenue Belfast BT7 1GX.	House in Multiple Occupancy (HMO)	PERMITTED DEVELOPMEN	05/04/2022
LA04/2022/0200/F	LOCDEV	Plot 43 Harberton Park Development 65 Harberton Park Belfast.	Change of house type to that approved under LA04/2019/0463/F.	PERMISSION GRANTED	03/05/2022
LA04/2022/0205/LD	LOCDEV	14 Sandhurst Drive Belfast BT9 5AY.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMEN	22/04/2022
LA04/2022/0233/LD	LOCDEV	41 Wellesley Avenue Belfast BT9 6DG	House of multiple occupancy (HMO)	PERMITTED DEVELOPMEN	06/05/2022
LA04/2022/0245/F	LOCDEV	22 Ravensdene Park Ravenhill Road Belfast BT6 0DA.	Removal of existing rear bay window and erection of single storey sunroom built in traditional brick construction to compliment the existing dwelling.	PERMISSION GRANTED	26/04/2022
LA04/2022/0250/F	LOCDEV	33 Ravenhill Park Belfast BT6 0DG.	Single storey rear / side extension to property including pergola structure and external changes.	PERMISSION GRANTED	03/05/2022

Reference Number	Hierarchy	Location	Proposal	Application Status	Date Decision Issued
LA04/2022/0254/F	LOCDEV	104 Orangefield Crescent Belfast BT6 9GJ.	Single storey rear extension.	PERMISSION GRANTED	14/04/2022
LA04/2022/0264/LD	LOCDEV	59 Cromwell Road Belfast BT7 1JY.	House in Multiple Occupancy (HMO)	PERMITTED DEVELOPMEN	21/04/2022
LA04/2022/0265/F	LOCDEV	10 Hawthornden Road Belfast.	Two storey side extension.	PERMISSION GRANTED	06/05/2022
LA04/2022/0281/DC	LOCDEV	East Pitch Downey House Pirrie Park Gardens Belfast BT6 0AG.	Discharge of condition 12 LA04/2018/1411/F.	CONDITION DISCHARGED	27/04/2022
LA04/2022/0288/DC	LOCDEV	Thompson Dock Pump House and Car Park of Northern Ireland Science Park (Innovation Centre) Queens Road Belfast BT3 9DT.	Discharge of condition 2 LA04/2021/1778/F.	CONDITION DISCHARGED	29/04/2022
LA04/2022/0289/DC	LOCDEV	Thompson Dock Pump House and Car Park of Northern Ireland Science Park (Innovation Centre) Queens Road Belfast BT3 9DT.	Discharge of condition 2 LA04/2021/1779/LBC.	CONDITION DISCHARGED	29/04/2022
LA04/2022/0290/DC	LOCDEV	Thompson Dock Pump House and Car Park of Northern Ireland Science Park (Innovation Centre) Queens Road Belfast BT3 9DT.	Discharge of condition 16 LA04/2021/1778/F.	CONDITION DISCHARGED	11/04/2022

Reference Number	Hierarchy	Location	Proposal	Application Status	Date Decision Issued
LA04/2022/0291/DC	LOCDEV	West Pitch Downey House Pirrie Park Gardens Belfast BT6 0AG.	Discharge of condition 12 LA04/2020/0757/F.	CONDITION DISCHARGED	27/04/2022
LA04/2022/0294/F	LOCDEV	34 Kilbroney Bend Belfast BT6 0EX.	Single storey extension to rear of dwelling.	PERMISSION GRANTED	06/05/2022
LA04/2022/0309/F	LOCDEV	46 Owenvarragh Park Belfast BT11 9BE.	Single storey rear extension.	PERMISSION GRANTED	14/04/2022
LA04/2022/0319/F	LOCDEV	18 Gibson Park Gardens Belfast BT6 9GN.	Single storey rear and side extension.	PERMISSION GRANTED	12/04/2022
LA04/2022/0320/F	LOCDEV	19 Annadale Avenue Belfast BT7 3JJ.	Single storey extension to rear, rear double doors+ patio roof structure to lounge.	PERMISSION GRANTED	13/04/2022
LA04/2022/0324/F	LOCDEV	14 Knockmarloch Park Belfast.	Proposed ground floor and lower ground floor single storey rear extension.	PERMISSION GRANTED	13/04/2022
LA04/2022/0338/CC	LOCDEV	33 Notting Hill Belfast BT9 5NH.	Works to 2 trees.	WORKS TO TREES IN CA -	03/05/2022
LA04/2022/0343/LD	LOCDEV	Flat 12 99-101 Eglantine Avenue Belfast BT9 6EX.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT	08/04/2022
LA04/2022/0347/F	LOCDEV	28 Dehli Parade Belfast BT7 3AU.	Single storey rear extension and roof space conversion with dormer window.	PERMISSION GRANTED	05/05/2022

Reference Number	Hierarchy	Location	Proposal	Application Status	Date Decision Issued
LA04/2022/0349/LB	LOCDEV	Henry Garrett Building Stranmillis University Stranmillis Road Belfast BT9 5DY.	Proposed refurbishment works to include the installation of new gutters to match existing, sanding down and repainting of existing gutters and downpipes to match existing. Removal of existing floor and ceiling finishes. Removal of existing oil tank, bound wall.	PERMISSION GRANTED	25/04/2022
LA04/2022/0352/F	LOCDEV	7 Cherryvalley Gardens Belfast BT5 6PQ	Single storey rear extension	PERMISSION GRANTED	13/04/2022
LA04/2022/0369/F	LOCDEV	62 Myrtlefield Park Belfast BT9 6NG.	Part demolition of existing garage, construction of new side entrance porch and alterations to external landscaping.	PERMISSION GRANTED	09/05/2022
LA04/2022/0371/DC	LOCDEV	62 Myrtlefield Park Belfast BT9 6NG.	Partial demolition of non-original garage to side rear of property, removal of some hard paved areas and reconfiguration of rear steps.	PERMISSION GRANTED	09/05/2022
LA04/2022/0381/F	LOCDEV	41 Myrtlefield Park Belfast BT9 6NF.	Two storey rear extension to dwelling, with integral replacement garage, new entrance gates and pillars, associated site works including render finish to existing dwelling.	PERMISSION GRANTED	14/04/2022
LA04/2022/0382/DC	LOCDEV	41 Myrtlefield Park Belfast BT9 6NF.	Demolition of rear garage, rear ground floor walls and first floor walls to facilitate new extensions.	PERMISSION GRANTED	14/04/2022
LA04/2022/0397/LD	LOCDEV	Flat 1 138 Agincourt Avenue Belfast BT7 1QD.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT	25/04/2022
LA04/2022/0402/LD	LOCDEV	Flat 3 138 Agincourt Avenue Belfast BT7 1QD.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT	25/04/2022

Reference Number	Hierarchy	Location	Proposal	Application Status	Date Decision Issued
LA04/2022/0420/LD	LOCDEV	138 Killcoole Park Belfast BT14 8LD.	Single storey rear extension.	PERMITTED DEVELOPMEN	26/04/2022
LA04/2022/0424/LD	LOCDEV	Flat 1 129 Fitzroy Avenue Belfast BT7 1HU.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMEN	09/05/2022
LA04/2022/0425/LD	LOCDEV	Flat 2 129 Fitzroy Avenue Belfast BT7 1HU.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMEN	09/05/2022
LA04/2022/0431/DC	LOCDEV	Lands at 172-174 Finaghy Road South Belfast.	Discharge of condition 4 LA04/2018/0603/F.	CONDITION DISCHARGED	05/05/2022
LA04/2022/0439/F	LOCDEV	85 Belmont Church Road Belfast BT4 3FG	Existing conservatory replaced with flat roof single storey rear extension	PERMISSION GRANTED	27/04/2022
LA04/2022/0456/F	LOCDEV	76 Victoria Gardens Belfast BT15 5DE.	Single storey side and two storey rear extension to dwelling.	PERMISSION GRANTED	12/04/2022
LA04/2022/0462/F	LOCDEV	41 Hillsborough Drive Ballymaconaghy Belfast BT6 9DS	Demolition of outbuilding and construction of single storey extension to side and rear.	PERMISSION GRANTED	26/04/2022
LA04/2022/0469/LD	LOCDEV	86 Dunluce Avenue Belfast BT9 7AZ.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMEN	09/05/2022
LA04/2022/0471/F	LOCDEV	12 St Judes Crescent Belfast BT7 2GW.	Single storey side and rear extension.	PERMISSION GRANTED	26/04/2022

Reference Number	Hierarchy	Location	Proposal	Application Status	Date Decision Issued
LA04/2022/0493/DC	LOCDEV	454-458 Donegall Road Belfast BT12 6HS.	Discharge of condition 6 LA04/2017/2472/F.	CONDITION DISCHARGED	22/04/2022
LA04/2022/0496/F	LOCDEV	8 Sunderland Road Belfast BT6 9LY.	Rear 2 storey extension.	PERMISSION GRANTED	13/04/2022
LA04/2022/0500/F	LOCDEV	67 Mount Merrion Park Belfast BT6 0GA.	Single storey rear extension.	PERMISSION GRANTED	09/05/2022
LA04/2022/0504/DC	LOCDEV	102 to 108 Castlereagh Street & 207-211 Templemore Avenue Belfast.	Discharge of condition 4 LA04/2019/0480/F.	CONDITION DISCHARGED	26/04/2022
LA04/2022/0506/LB	LOCDEV	The Lanyon Buildings Jennymount Business Park Belfast BT15 3HN.	Replacement company sign board, and sign directing to alternative entrance.	PERMISSION GRANTED	28/04/2022
LA04/2022/0512/F	LOCDEV	29 Hawthornden Road Belfast.	Two storey side extension with new bi fold doors to rear. (Amended plans)	PERMISSION GRANTED	14/04/2022
LA04/2022/0513/F	LOCDEV	20 Thornhill Park Belfast BT5 7AR.	Two storey side and single storey rear extension (Renewal of existing planning permission LA04/2016/2557/F).	PERMISSION GRANTED	27/04/2022
LA04/2022/0520/DC	LOCDEV	12 Parkgate Avenue and lands adjacent to and North East of The Arches Centre North of no.2 Parkgate Avenue and adjacent to and South West of the Connswater River?.	Discharge of conditions 6 & 7 LA04/2020/1377/F.	CONDITION DISCHARGED	06/04/2022

Reference Number	Hierarchy	Location	Proposal	Application Status	Date Decision Issued
LA04/2022/0523/DC	LOCDEV	176-182 Albertbridge Road Belfast BT5 4GS and 179-187 Albertbridge Road Belfast	Discharge of Condition no.2 - LA04/2021/1546/LBC	CONDITION DISCHARGED	28/04/2022
LA04/2022/0524/DC	LOCDEV	Campbell College Belmont Road Belfast BT4 2ND	Discharge of Condition no.4 - LA04/2017/2510/LBC	CONDITION DISCHARGED	27/04/2022
LA04/2022/0534/CC	LOCDEV	7 Bladon Drive Belfast BT9 5JL.	Works to 3 trees.	WORKS TO TREES IN CA -	04/04/2022
LA04/2022/0545/LD	LOCDEV	7 Elaine Street Belfast BT95AR.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT	05/05/2022
LA04/2022/0573/CC	LOCDEV	16 Chichester Park South Belfast BT15 5DW.	Works to 7 trees.	WORKS TO TREES IN CA -	13/04/2022
LA04/2022/0579/F	LOCDEV	37 Lansdowne Road Belfast BT15 5AA.	Single storey rear extension with patio area to side and rear.	PERMISSION GRANTED	05/05/2022
LA04/2022/0595/CC	LOCDEV	1 Stromont Wood Belfast BT4 3JZ.	Works to 3 trees.	WORKS TO TREES IN CA -	29/04/2022
LA04/2022/0601/CC	LOCDEV	12 Glenburn Park Belfast BT14 6TF.	Works to 5 trees.	WORKS TO TREES IN CA -	26/04/2022
LA04/2022/0613/CC	LOCDEV	19 Malone Park Belfast BT9 6NJ.	Works to 16 trees.	WORKS TO TREES IN CA -	13/04/2022

Reference Number	Hierarchy	Location	Proposal	Application Status	Date Decision Issued
LA04/2022/0622/CC	LOCDEV	54 Kings Road Belfast BT5 6JL.	Works to 4 trees.	WORKS TO TREES IN CA -	26/04/2022
LA04/2022/0643/CC	LOCDEV	20 Kings Road Belfast BT5 6JJ.	Works to 1 tree.	WORKS TO TREES IN CA -	28/04/2022
LA04/2022/0645/CC	LOCDEV	Apartment 14 Malone Park Central Belfast BT9 6NP.	Works to 1 tree.	WORKS TO TREES IN CA -	08/04/2022
LA04/2022/0668/PA	MAJDEV	Sewage Treatment Works Blackstaff Road Belfast BT11 9DT	Partial redevelopment of former Kennedy Way Waste Water Treatment Works to include the development of new Mechanical & Electrical (M&E) workshops, storage, changing facilities, ancillary offices, access improvements, parking, service yards, boundary fencing and landscaping. It is proposed to develop three buildings on the site: 1) the main hub building; 2) a store to hold an alternative bottled water supply; and 3) a generator store.	PROPOSAL OF APPLICATION	11/04/2022
LA04/2022/0711/CC	LOCDEV	134 Barnfield Road Lisburn BT28 3TQ.	Work to 6 trees.	WORKS TO TREES IN CA -	26/04/2022
LA04/2022/0747/CC	LOCDEV	14 Kirkliston Drive Belfast BT22 1NQ.	Old trees that have always been pollard pruned in the past and we wish to remove epicormic re growth. One of the trees has a decaying main stem that could not support a large crown.	WORKS TO TREES IN CA -	28/04/2022

Reference Number	Hierarchy	Location	Proposal	Application Status	Date Decision Issued
LA04/2022/0752/CC	LOCDEV	24 Glenburn Park Belfast BT14.	Removal of 1 x birch tree protected by a TPO.	WORKS TO TREES IN CA -	14/04/2022
LA04/2022/0824/CC	LOCDEV	9 Ormiston square Belfast BT4 2RU.	Works to 3 trees.	WORKS TO TREES IN CA -	03/05/2022

Development Management Addendum Report 2

Summary	
Application ID: LA04/2020/0559/F	Date of Committee: 17 th May 2022
Proposal: Renovation and single storey rear extension to dwelling, construction of a new detached garage and new entrance gates and pillars, alterations to existing driveway and extension and upgrade of existing parking area (amended description to include extended driveway and new hardstanding area)	Location: 24 Malone Park Belfast BT9 6NJ
Referral Route: Paragraph 3.8.7 of the Scheme of Delegation, following legal advice	
Recommendation: Approval	
Applicant Name and Address: Andras House Ltd 60 Great Victoria Street Belfast BT2 7BB	Agent Name and Address: Turley Hamilton House 3 Joy Street Belfast BT2 8LE
ADDENDUM REPORT <p>This application for full planning permission was previously listed for Planning Committee on 15 February then 12 April 2022 (scheduled to be heard on 14 April). The application was withdrawn from the 15 February meeting to allow officers time to consider a speaking note provided on behalf of the objector at No. 26 Malone Park. The application was then deferred at the 14 April meeting for a Committee Site Visit.</p> <p>This Addendum report should be read in conjunction with the original report to the February Committee and Addendum Report 1 to the April Committee, which are appended.</p> <p>Since the April Planning Committee, the applicant has amended the description to include reference to the proposed extended driveway and hard surfacing area, which also require express planning permission by reason of removal of permitted development rights under the Article 4 Direction for the Malone Park Conservation Area. The application has been re-advertised and re-neighbour notified on 27 and 28 April respectively and no additional representations have been received to date.</p> <p>It is considered that the extended driveway and hardstanding area would have a limited visual impact and in this regard the character and appearance of the Conservation Area would be preserved.</p> <p>An email was received on the 05 May from Carson McDowell asking: 'if the Council could confirm by return which plans it has taken into account in reaching its recommendation to approve the planning application and provide a copy of same'. Officers have responded by advising that the plans that have been assessed are publicly available on the Planning Portal.</p> <p>In the interests of balance, the applicant's speaking note is appended to this report (the objector's speaking note has previously been appended).</p>	

An associated application for demolition consent is also to be considered by the Planning Committee at this same meeting (LA04/2020/0562/DCA).

Recommendation

Having regard to the assessment in this and the previous reports, the officer recommendation remains to grant planning permission. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions.

Development Management Addendum Report 1

Summary	
Application ID: LA04/2020/0559/F	Date of Committee: 12 th April 2022
Proposal: Renovation and single storey rear extension to dwelling, construction of a new detached garage and new entrance gates and pillars.	Location: 24 Malone Park Belfast BT9 6NJ
Referral Route: 3.8.7 Following legal advice	
Recommendation: Approval	
Applicant Name and Address: Andras House Ltd 60 Great Victoria Street Belfast BT2 7BB	Agent Name and Address: Turley Hamilton House 3 Joy Street Belfast BT2 8LE
<p>ADDENDUM REPORT</p> <p>The full application was previously listed for Planning Committee on 15 February 2022. The application was withdrawn to allow officers time to consider a speaking note provided on behalf of the objector at No. 26 Malone Park.</p> <p>This Addendum report should be read in conjunction with the original report to the February Planning Committee, which is appended.</p> <p><u><i>Objector's speaking note to the February Planning Committee</i></u></p> <p>A copy of the speaking note is appended to this report. The speaking note refers to officers' interpretation of the Adelaide/Malone Park Conservation Guide (a copy of the Guide is also appended for ease of reference). Specifically, in relation to the guidance on page 23, which states in a fuller context:</p> <p><i>'Extensions should be designed in such a manner as to appear either as an integral part of the original dwelling or alternatively as a self-contained design statement which complements the original. The Department will be predisposed to refuse applications for extensions to property which it considers will detract from the character of the Area. This will include proposals which give rise to unsatisfactory proportions, or seriously infringe on the setting, or are considered overbearing in relation to the form of the original building...</i></p> <p><i>...In order to allow landscape to remain dominant the established relationship between building mass and gardens should be respected and retained where possible. In no circumstances should building coverage be more than one and a half times that of the original dwelling.'</i></p> <p>It is alleged that analysis of the application is misconceived and in short that the garage, which is described as an outbuilding in the original Committee report, should not be included in calculating the amount of permitted building coverage.</p> <p>Officers do not necessarily accept that is the case for the reasons set out in the original report. Notwithstanding that position, the original report also assessed the application by excluding the garage. This assessment is set out at paragraphs 9.57-9.60.</p>	

It is also alleged that officers failed to explain that the Guide is underpinned by the statutory duty in Section 104 (11) of the 2011 Act. However, paragraph 9.35 of the original report advises that this duty is reflected within paragraph 6.18 of the SPPS and BH12 of PPS6, both of which are discussed in the original report. Section 104 of the Act is set out below:

- (11) Where any area is for the time being designated as a conservation area, special regard must be had, in the exercise, with respect to any buildings or other land in that area, of any powers under this Act, to the desirability of—*
- a) preserving the character or appearance of that area in cases where an opportunity for enhancing its character or appearance does not arise;*
 - b) enhancing the character or appearance of that area in cases where an opportunity to do so does arise.*

Paragraph 6.18 of the SPPS states as follows:

'In managing development within a designated Conservation Area the guiding principle is to afford special regard to the desirability of enhancing its character or appearance where an opportunity to do so exists, or to preserve its character or appearance where an opportunity to enhance does not arise. Accordingly, there will be a general presumption against the grant of planning permission for development or conservation area consent for demolition of unlisted buildings, where proposals would conflict with this principle. This general presumption should only be relaxed in exceptional circumstances where it is considered to be outweighed by other material considerations grounded in the public interest. In the interests of protecting the setting of designated Conservation Areas, new development in proximity needs to be carefully managed so as to ensure it respects its overall character and appearance. Important views in and out of the Conservation Area should be retained.'

Officers are of the view that the proposed extension and garage present a modest development which is sympathetic to both the existing site and the surrounding area which contains both larger extensions and garages. As can be seen, the rationale behind this provision within the Guide is to allow landscape to remain dominant by the reference to the relationship between the proposed building mass and gardens. While the permissible building coverage would be exceeded in this calculation, in officers' opinion, it remains the case that the landscaping would still remain dominant. The proposed building coverage makes up 17% of the site.

It is considered that the proposal would preserve the character of the site and wider Conservation Area. As set out in the original report, the proposed extension almost mirrors the extension of the neighbouring semi-detached property and therefore brings an element of symmetry to the rear of the dwellings. The garage has been set behind the building line of the existing dwelling and a sufficient distance from the dwelling to ensure that views of the dwelling are not impacted. The design of the garage, being single storey and of red brick with hardwood windows and doors, would integrate the garage with the existing dwelling and site.

Regard is had to the other guidance in this same section of the Adelaide/Malone Park Conservation Guide. It is considered that the extension has been designed as an integral part of the original dwelling. The extension and alterations would not detract from the character of the Conservation Area. The proposal would not give rise to unsatisfactory proportions, or seriously infringe on the setting, and would not be overbearing in relation to the form of the original building.

The proposed garage has been set behind the building line of the existing dwelling and a sufficient distance from the dwelling to ensure that views of the dwelling are not impacted. The planting and landscaping scheme will aid to soften any impact of the garage. The design of the garage, being single storey and of red brick with hardwood windows and doors will integrate the garage with the existing dwelling and site. There is also a comparable relationship between the location of the garage with the neighbouring site at No. 22 and the proposed location of the

garage within this application. It is clear that large garages to the side elevations are part of the character of the surrounding area. Most notably in the immediate surrounding area, garages in similar locations have been approved at Nos. 20, 21, 22 and 26 Malone Park.

The proposed pillars and gates to the front of the property are considered sympathetic, the design of the pillars is of a high standard and the railings would allow views of the dwelling to be retained. Given the proposed design, scale, materials, landscaping and the surrounding context, it is concluded that the character and appearance of the Conservation Area would be preserved.

Furthermore, having regard to this assessment, it is considered that the proposal complies with Section 104(11) of the 2011 Act in that the proposal would preserve the character or appearance of the Conservation Area where an opportunity for enhancing its character or appearance does not arise. By its nature, proposal for an extension and the garage gives limited opportunity for enhancement of the Conservation Area. However, given the considerations provided both in this addendum and the main report it is considered the proposal would preserve the character and appearance of the Conservation Area.

There are two listed buildings opposite the application site: Nos. 17 (HB26/18/022) and 19 (HB26/18/023). Taking into account the advice from DfC Historic Environment Division, it is considered that the proposal would not adversely impact on the setting of the two listed buildings given the nature and design of the proposal, distance from the listed building and the landscaping that would screen the proposed garage. Their settings would be safeguarded. In this regard, the proposal is compliant with Policy BH 11 of PPS 6 and SPPS.

Officers also wish to clarify an error which has been identified at paragraph 9.28 of the original report. This states:

The alterations and additions, will not on balance, adversely impact the character and appearance of the surrounding area.

This is an assessment of the application under Policy EXT 1 of the Addendum to PPS 7. That sentence should be disregarded. It is considered that the alterations and additions will not detract from the character and appearance of the surrounding area and in that regard is compliant with that policy.

Further objection from Malone Park Residents Association

A further objection from the Malone Park Residents Association has also been received and is considered below.

The objection states that *'the approval of this application will allow more bigger developments negatively affecting the relationship of landscape and buildings and which would when combined decimate the character and appearance of the Malone Park Conservation Area.'* Officers do not accept that assertion having regard to the strict policy context for development in this area. Each application is determined on its own merits. Officers consider that the proposal is a modest development when considered within the context of the surrounding area.

The objection repeats matters addressed earlier in this report and in the original report, particularly the paragraph relating to building coverage be more than one and a half times that of the original dwelling.

The objection states that building coverage relates to all proposed buildings while original dwelling is the original dwelling only and as it was built. As set out above and in the original report, officers do not necessarily accept that is the case but have also assessed the application on the basis of the objectors' position in this regard and found to be acceptable.

Recommendation

Having regard to the above assessment, and that set out in the original report, the officer recommendation remains to grant planning permission. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions.

Committee Report

Development Management Report	
Application ID: LA04/2020/0559/F	Date of Committee: 15 th February 2022
Proposal: Renovation and single storey rear extension to dwelling, construction of a new detached garage and new entrance gates and pillars.	Location: 24 Malone Park Belfast BT9 6NJ
Referral Route: 3.8.7 Following legal advice	
Recommendation: Approval	
Applicant Name and Address: Andras House Ltd 60 Great Victoria Street Belfast Bt2 7BB	Agent Name and Address: Turley Hamilton House 3 Joy Street Belfast BT2 8LE
Executive Summary: <p>The site is located at 24 Malone Park. The site is a 2.5 storey semi-detached residential home finished in red brick on a large plot. The dwelling contains an existing two storey rear return. There is parking to the side elevation and extensive gardens forming the front, side and rear elevations.</p> <p>The surrounding area is residential comprised of large semi-detached and detached properties within large plots. The site is within the Malone/Adelaide Park Conservation Area.</p> <p>The proposed single storey rear extension measures 11.95m in length with a height of 5.75m. When the proposed demolition is taken into account the existing rear return of the property will be increased in length by 4.95m. The proposed garage measures 9.5m x 6.35m with a height of 4.49m. The proposed pillars measure a height of 2.02m with the gates a height of 1.8m.</p> <p>The key issues to be considered within the application are:</p> <ul style="list-style-type: none"> Character and appearance Design Impact on amenity Impact on Conservation Area Objections <p>The proposal is considered to be in compliance with the relevant legislation, policy and guides. The proposed extension, garage and gates/pillars are deemed to be of an acceptable scale and massing to not detract from the character and appearance of the surrounding area. The proposed footprint of the extension and garage are deemed to be within the 1.5 times limit as set out in the Adelaide/Malone Park Conservation Guide.</p> <p>The Conservation Officer was consulted and objected to the proposed ibex fencing, this has been amended and been removed from the drawings.</p> <p>8 objections and 2 letters of support were received and are addressed within the report.</p> <p>Recommendation</p> <p>The application is recommended for approval.</p>	

Case Officer Report

Site Location Plan



Block Plan



Elevations and Floor Plans



Garage Elevations and Floor Plans	
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Characteristics of the Site and Area	
1.0	Description of Proposed Development Full planning permission is sought for Renovation and a single storey rear extension to the dwelling, construction of a new detached garage and new entrance gates, pillars and boundary fence.
2.0	Description of Site The site is located at 24 Malone Park. The site is a 2.5 storey semi-detached residential home finished in red brick on a large plot. The dwelling contains an existing two storey rear return. There is parking to the side elevation and extensive gardens forming the front, side and rear elevations. The surrounding area is residential comprised of large semi-detached and detached properties within large plots. The site is within the Malone/Adelaide Park Conservation Area.
Planning Assessment of Policy and other Material Considerations	
3.0	Site History LA04/2019/0665/F, 24 Malone Park, Belfast, BT9 6NJ, Renovation and single storey rear extension to dwelling. Construction of a new detached garage. Decision Quashed LA04/2019/0627/DCA, 24 Malone Park, Belfast, BT9 6NJ, Demolition of rear extension, partly single storey, partly one and a half storey. Decision Quashed.
4.0	Policy Framework
4.1	Belfast Urban Area Plan
4.2	Draft Belfast Metropolitan Area Plan 2015 Following the recent Court of Appeal decision on BMAP, the extant development plan is now the BUAP. However, given the stage at which the Draft BMAP had reached pre-adoption through a period of independent examination, the policies within the Draft BMAP still carry weight and are a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker.
4.3	Strategic Planning Policy Statement for Northern Ireland (SPPS)
4.4	Planning Policy Statement 6: Planning, Archaeology and The Built Heritage
4.5	Addendum to Planning Policy Statement 7: Residential Extensions and Alterations
5.0	Statutory Consultees Responses None
6.0	Non Statutory Consultees Responses Conservation Officer- Objected to proposed ibex fence, amendments received to remove fence
7.0	Representations The application has been advertised and neighbour notified. 8 objections were received from 4 different objectors. 2 supporting letters were received

	Representations are dealt with in the body of this report
8.0	Other Material Considerations None
8.1	Any other guidance Malone Park/ Adelaide Park Conservation Area Guide (Dec 1993)
9.0	Assessment
9.1	The proposal is considered to be in compliance with BUAP and both versions of draft BMAP. It is also considered that the proposal is in compliance with Policy and the Malone Park/ Adelaide Park Conservation Area Guide.
9.2	Assessment
9.21	With regards to development in Conservation Areas, Section 104(11) states that special regard must be had to the desirability of; (a)preserving the character or appearance of that area in cases where an opportunity for enhancing its character or appearance does not arise; (b)enhancing the character or appearance of that area in cases where an opportunity to do so does arise
9.22	The SPPS states that <i>"in managing development within a designated Conservation Area the guiding principal is to afford special regard to the desirability of enhancing its character or appearance when an opportunity to do so exists, or preserve its character or appearance where an opportunity to enhance does not exist"</i> .
9.23	Par. 6.19 of the SPPS sets out the criteria which should be applied when determining such development.
9.24	Planning Policy Statement 6 sets out the Department's planning policies for the protection and conservation of archaeological remains and features of the built heritage.
9.25	Planning Policy Statement 7 Addendum provides planning policy for the extension and/or alteration of a dwelling house or flat. Policy EXT 1 contains 4 criteria with which the proposal is assessed against below. Character and appearance
9.26	The single storey rear extension measures 11.95m in length with a height of 5.75m. When the proposed demolition is taken into account the existing rear return of the property will be increased in length by 4.95m. The proposed garage measures 9.5m x 6.35m with a height of 4.49m.
9.27	In terms of the character of the area, the proposed single storey extension is set to the rear of the existing two storey rear return. There will be no public views of the rear extension. The height, scale and mass of the proposed built form it is considered to be subservient to the existing dwelling and will not impact the surrounding character.
9.28	The proposed garage is set behind the front building line and is of an acceptable size and scale when considering it within the context of the plot size. The garage is located in a similar location to the side of the neighbouring semi-detached property at no. 22. The proposed gates and pillars are sympathetic to the surrounding area and will allow views of

	<p>the dwelling to be predominant. Taking these factors into consideration, the proposal is considered to be in compliance with paragraphs 4.23 – 4.30 within the Strategic Planning Policy Statement for Northern Ireland. The alterations and additions, will not on balance, adversely impact the character and appearance of the surrounding area.</p>
9.29	<p>Design</p> <p>The design of the rear extension is a hipped roof with a projecting pitched roof to the east elevation. To the east elevation are to be three large windows with a vertical emphasis. To the rear is to be two smaller windows and a door providing access to the rear of the site. The garage also contains a hipped roof with two large doors providing vehicular access, to the elevation facing Malone Park is two windows while the opposite gable end features two smaller windows and a door. The materials are to match the existing dwelling utilising red brick for the walls, natural slate for the roof, hardwood sliding sash for the windows and hardwood for the doors. The proposal is considered to be compliant with paragraphs 4.23 – 4.30 within the Strategic Planning Policy Statement for Northern Ireland and Policy EXT1 of the Addendum to PPS7.</p> <p>Impact on amenity</p> <p>9.30 The proposed extension will not unduly impact affect the privacy or amenity of neighbouring residents. The proposed extension is single storey and is positioned to the rear of the existing two storey rear return. The extension is located along the boundary with no. 22 at a height of 5.8m which matches the neighbouring extension. The proposed extension will extend 1.8m further to the rear than the neighbouring extension. An Angles test has been carried out as set out in the Addendum to PPS 7 and the extension complies with the angles test.</p> <p>9.31 The position of the garage will also not unduly affect the privacy or amenity of neighbouring residents. While located close to the boundary with no. 26 there is sufficient distance between the boundary and the neighbouring dwelling (approximately 14.1m separation) to ensure there will not be an undue impact to the neighbouring property. The boundary hedge and trees will aid in screening the garage. It is not considered that the garage will cause dominance to the neighbouring property. Given the size of the dwelling and the plot the immediate outlook will not be unduly impacted, nor will the garage cause the occupants to feel hemmed in.</p> <p>9.32 The proposal will not cause the unacceptable loss of, damage to, trees or other landscape features which contribute significantly to local environmental quality.</p> <p>9.33 Sufficient space remains within the curtilage of the property for recreational and domestic purposes.</p> <p>9.34 The proposed extension is considered to be in accordance with Policy EXT1 of the addendum to PPS7 in that the proposal will not unduly affect the privacy or amenity of neighbouring residents.</p> <p>Impact on conservation Area</p> <p>9.35 As the site is located within a Conservation Area, the proposed development must comply with Section 104 of the Planning (NI) Act 2011. These statutory obligations are reflected</p>

	<p>within paragraph 6.18 of the SPPS and policy BH 12 within PPS 6, which contains 7 criteria which are discussed below.</p> <p>Policy BH 12 – New Development in a Conservation Area</p>
9.36	<p>Criteria (a) of policy BH 12 provides that the development must preserve or enhance the character and appearance of the area. The proposed single storey extension replaces a single storey lean-to the two-storey rear return. The single storey lean-to is of no architectural merit and the proposal will modernise this section of the dwelling with a sympathetic and modest extension giving more useful space within the dwelling than is provided by the existing lean-to.</p>
9.37	<p>The proposed extension almost mirrors the extension of the neighbouring semi-detached property and therefore brings an element of symmetry to the rear of the dwellings, the proposal utilises red brick within the design which is sympathetic to the existing dwelling. For the reasons above the proposed extension will enhance, or at least preserve, the character of the site and by extension the conservation area.</p>
9.38	<p>The garage has been set behind the building line of the existing dwelling and a sufficient distance from the dwelling to ensure that views of the dwelling are not impacted. The planting and landscaping scheme will aid to soften any impact of the garage. The design of the garage, being single storey and of red brick with hardwood windows and doors will integrate the garage with the existing dwelling and site. There is also a comparable relationship between the location of the garage with the neighbouring site at no. 22 and the proposed location of the garage within this application. It is clear that large garages to the side elevations are part of the character of the surrounding area. Most notably in the immediate surrounding area, garages in similar locations have been approved at nos. 20, 21, 22 and 26 Malone Park.</p>
9.39	<p>Given the proposed scale, materials, landscaping and the surrounding area it can be concluded that the proposed garage will preserve the character of the conservation area. The proposed pillars and gates to the front of the property are considered sympathetic, the design of the pillars is of a high standard and the railings will allow views of the dwelling. Taking all these factors of the proposal into consideration it is considered that the proposal complies with criterion (a) of Policy BH12.</p>
9.40	<p>Criterion (b) requires the development to be sympathetic with the characteristic built form of the area. It has been demonstrated above that the single storey extension is sympathetic to the characteristic built form within the area. The proposed single storey extension replaces an existing lean-to. The surrounding area is comprised of extensions of a much greater size than being proposed within this application. The proposal is of a similar scale to the neighbouring semi-detached property and the materials used are to match the existing dwelling. It has been demonstrated previously that the surrounding character of the area is comprised of large garages to the side of dwellings. The proposed garage is sympathetic to those within the surrounding area both in scale and location. The materials are in keeping with the existing dwelling and it is considered the proposal is sympathetic to the characteristic built form within the area. The pillars and gates are sympathetic to the surrounding area which contains similar entrances.</p>
9.41	<p>Criterion (c) requires the scale, form, materials and detailing of the development to respect the characteristics of adjoining buildings in the area. It has been demonstrated above that</p>

	the scale and form of the proposed extension, garage, pillars and gates is in keeping with the surrounding area.
9.42	Criterion (d) requires the development to not cause environmental problems. As this is a relatively minor householder application no environmental problems or issues will be caused by the development.
9.43	Criterion (e) requires important views within the conservation area to be protected. The rear extension is situated wholly to the rear of the existing property thereby there will be limited public views. The garage is located to the side of the dwelling behind the front building line. This location is characteristic within the conservation area. Views up and down Malone Park will be protected. Any views of the proposed garage will be softened by the proposed landscaping while due to the separation distance, gable views of the dwelling will remain. The use of railings to the front will allow views of the property to remain. There will be no impact on views to the front of the semi-detached dwelling. The proposal complies with criterion (e).
9.44	Criterion (f) requires trees and other landscape features which contribute to the character and appearance of the area to be protected. The Tree Officer was consulted and had no objections following amendments. Conditions will be attached which will protect any existing trees on site. The landscaping plan will enhance the landscaping within the site and aid in softening the appearance of the proposed development.
9.45	Criterion (g) requires the development to conform with the guidance set out in the conservation documents. The conservation guide is the Malone Park/ Adelaide Park Conservation guide. The guide contains a number of development guidelines. The guide requires extensions to be designed in such a manner that they appear as an integral part of the original dwelling. Guidance in relation to this area is discussed separately below.
9.46	The Conservation Officer was consulted and objected to the ibex fencing proposed to the boundary. The proposed site plan has been amended to remove this fence.
	Malone Park/Adelaide Park Conservation Guide
9.47	The Malone Park and Adelaide Park Conservation Area Development and Design Guidance ('the Guidance') was published in 2003. It was produced subsequent to the area being designated as a conservation area by the Department in accordance with the statutory procedure set out in Article 50 of the Planning (Northern Ireland) Order 1991. This requires the Council to attach great weight to the need for proposals for new development to accord with it.
9.48	The Guidance states that: <p>"Malone and Adelaide represent the best of what remains of the leafy middle class suburbs which developed around the turn of the century in South Belfast. Individually designed residences combine with generous plots, mature landscapes and tree lined avenues to produce a distinctive townscape character."</p>
9.49	It goes on to state that the townscape character derives from a number of features "which need to be protected in the overall character to be retained." The first feature is "large individually designed dwellings set well back from the road within generous gardens." In that respect, it states that "the Department will be predisposed to refuse applications for extensions to property which it considers will detract from the character of the area." Importantly, it states as follows:

	<p>“In order to allow landscape to remain dominant to the established relationships between building mass and gardens should be respected and retained where possible. In no circumstances should building coverage be more than one and a half times that of the original dwelling.”</p>
9.50	<p>The rationale for this provision appears to be that the relationship between the original building mass and gardens should be respected and retained. It is noted that the Guidance is silent in relation to outbuildings. Upon review of the case law, the Court found that it was unlawful to take into account later additions to a building into account when calculating the building coverage, which is not the case here. The Court did not find that it was unlawful to include an original outbuilding. To exclude the garage would be to ignore the original historic fabric which made up the site.</p>
9.51	<p>Further to this, there is no definition within the relevant planning policies or the Guidance of the term “dwelling”. The Council’s general position in interpreting this phrase is that the planning unit includes those structures which are ancillary and incidental to the main use of the dwelling house. This is reflected within the Section 23(3)(c) of the Planning Act (Northern Ireland) 2011, which provides that the use of any buildings within the curtilage of a dwelling house for any purpose incidental to the enjoyment of the dwelling house as such will not involve development of land.</p>
9.52	<p>For these reasons, Officers consider it appropriate and reasonable to include the original garage in its calculation.</p> <ul style="list-style-type: none"> • Calculation of the 1.5 times limit
9.53	<p>In order to calculate this the Council have to establish the footprint of the original dwelling. The earliest historical mapping records are held within OSNI historical maps. The dwelling first appears on the OSNI third edition (1900-1907). The semi-detached dwelling is shown with the footprint projecting towards the boundary of no. 26. The fourth edition (1905-1957) and fifth edition (1919-1963) is consistent with the 3rd edition. The maps are provided within the appendix.</p>
9.54	<p>A building control application was submitted in 1947. The plans are more detailed showing the projection from the side of the footprint as a garage. Given the side attached projection in the OSNI maps it can be determined that the garage or extension formed part of the original building within the site. The 1947 map associated with the building control plans has been used to inform the extent of the original footprint which in turn allows an assessment of the proposed footprint, against the position set out in the Guide. The map is provided within the appendix.</p>
9.55	<p>The original dwelling (133.26 sq m) plus the original garage (40.5sq m) contains a building coverage of 173.26sq metres, approximately. In accordance with the 1.5 times set out in the Guidance, this allows a building coverage of 259.89 sq metres. The existing dwelling on site plus the proposed extension and proposed garage give a total of 252.3 sq metres. The proposal is therefore in compliance with the restriction contained within the Guidance.</p>
9.56	<p>While the Council are of the opinion that the original garage should be included in the definition of the dwelling, a further assessment considering the calculation of the 1.5 times the original dwelling excluding the garage is set out below.</p>
9.57	<p>The permissible building coverage would in this case be 199.89sq metres, the proposed garage and extension would therefore exceed the 1.5 times by approximately 60sq metres. It is considered that while the guidance is worded strongly stating “under no circumstances” it remains the case that planning policy is not a straitjacket for the planning</p>

	<p>authority (Carswell LCJ, Re Stewart's Application (2003) NICA 4). While paragraph 7.12 of PPS 6 states that the planning authority will attach "great weight" to the need for proposals for new development to accord with the specific guidance drawn up for each particular Conservation Area it is entitled to depart from said Guidance where material considerations indicate otherwise.</p>
9.58	<p>As previously discussed the proposed extension and garage presents a modest development which is sympathetic to both the existing site and the surrounding area which contains both larger extensions and garages. The rationale behind this provision within the Guidance is to allow landscape to remain dominant by the reference to the relationship between the proposed building mass and gardens. While the permissible building coverage would be exceeded in this calculation it remains the case that landscaping will remain dominant. The proposed building coverage makes up 17% of the site.</p>
9.59	<p>As set out above, it is considered that the proposal will enhance the character of the site and by extension the surrounding conservation area. The proposed extension almost mirrors the extension of the neighbouring semi-detached property and therefore brings an element of symmetry to the rear of the dwellings. The garage has been set behind the building line of the existing dwelling and a sufficient distance from the dwelling to ensure that views of the dwelling are not impacted. The design of the garage, being single storey and of red brick with hardwood windows and doors, will integrate the garage with the existing dwelling and site.</p>
9.60	<p>Officers therefore consider that even taking into account the great weight to be attached to the Guidance, that the application is considered acceptable if the garage were to be excluded from the calculation by reason of the other material considerations set out above.</p>
9.61	<p>The second development guideline within the Adelaide/Malone Park Conservation Area is "Mature landscaping in gardens." It states that visually significant trees and vegetation should be retained. The application retains the existing trees and vegetation and contains a high detailed landscaping plan which will enhance the existing landscaping.</p>
9.62	<p>The third development guideline is "Tree lined avenues with well-defined front boundaries to properties and unobtrusive access points." The existing boundary to the front of the property is to be retained as is the existing access.</p>
9.63	<p>The guide contains design guidelines "to provide advice which will encourage sympathetic change to the existing character of the conservation area." The guide contains a number of features to be considered within the proposal, those that are applicable to the proposed extension are considered below.</p>
9.64	<p>The windows proposed within the extension echo those in the existing dwelling. While the windows on the side elevation contain larger windows they have a vertical emphasis to ensure they are sympathetic to the existing dwelling. The roof contains natural slates to match the existing dwelling while the roof pitch and eaves are set below the existing dwelling and are similar to the neighbouring extension. The red brick proposed is to match the existing dwelling in compliance with the guidance.</p>

Objections

Pragma planning on behalf of Malone Park Resident's Association.

The points below have been raised in the objection and will be addressed.

9.65

- Incorrect drawing within the Design and Access Statement

Paragraph 4.5 contains an axometric drawing of an aerial view of the proposals at no. 24 which does not reflect the site plan.

Case Officer Response: *The Design and Access Statement has been amended so that this drawing accurately reflects the proposed site plan.*

9.66

- Lack of rear boundary hedgerow on plans

The rear boundary hedge is not shown on the landscaping plan.

Case Officer Response: *This has been amended to accurately show that the rear boundary hedge has been removed. Hedgerows are not protected by legislation and therefore this is not a breach of planning control. The plans and information demonstrate that existing planting and trees will be retained and a condition will be attached for retention of such.*

9.67

- Failure to consider appeal references 2016/A0016 and A0017

Case Officer Response - *The Council recognise the dismissal of this application, however, there are key differences between the applications. It is the Council's opinion that the proposals unlike the appeal adhere to the 1.5 times limit set within the guide. The appeal related to a proposed dwelling which was over twice the size of the original, where there was no satisfactory landscape proposal. If the calculations used in this application were reduced to exclude the original garage the proposed extension and garage would be 1.76 times the original. The applicant in this application has shown that the landscaping will remain dominant, the retention of existing planting and trees with additional planting will ensure the rationale of the guide is retained. The proposed building coverage makes up 17% of the site.*

9.68

- Building Coverage

The applicant states that any calculations should exclude any original outbuildings.

Case Officer Response - *The Council disagree with this statement having previously set out the reasoning as to why the definition of dwelling includes ancillary structures. The representation from Alan Patterson Design goes into more detail regarding the calculation and this will be considered further. For clarity the council have calculated the footprint of the dwelling excluding the original garage and concluded that the landscaping within the site will still remain dominant.*

	MBA Planning Objection
9.69	<ul style="list-style-type: none"> Inconsistencies within the application <p>The objection highlights inconsistencies such as the rear hedgerow and an incorrect drawing within the Design and Access Statement.</p> <p><i>Case Officer Response: This has been corrected by the submission of an amended Landscaping Plan and a Design and Access Statement.</i></p>
9.70	<ul style="list-style-type: none"> Negative impact on the character and appearance of the Conservation Area. <p>The objection states that the proposal represents overdevelopment in the context of a reduction to the plot size and where visually significant vegetation has been removed.</p> <p><i>Case Officer Response: The application does not include a reduction in plot size and the removal of the hedgerow is not a breach of planning control.</i></p>
9.71	<ul style="list-style-type: none"> Set a precedent for breaching the 1.5 times threshold <p><i>Case Officer Response - The Council are of the opinion that the application will not breach the 1.5 threshold for the reasons set out in this report.</i></p>
9.72	<ul style="list-style-type: none"> Interpretation of the guidance <p>MBA planning have set out and argued their interpretation of previous court ruling and PAC decisions which have been set out previously in this report. The following points are of note from this section of the objector:</p> <ul style="list-style-type: none"> The court have stated the importance of the Malone Park Conservation Guide and that it should have priority over PPS 6 and that great weight should be attached. <p><i>Case Officer Response: The Council have considered in full the conservation guide giving great weight to such. The Council are of the opinion the proposal complies with the Guidance.</i></p> <ul style="list-style-type: none"> PAC decisions have upheld the provision of building coverage. <i>Case Officer Response: The Council recognise this has happened however, each application is determined on its own merits.</i> The applicant team have failed to point out an example where the building coverage requirement has been breached.

9.73	<ul style="list-style-type: none"> ○ <i>Case Officer Response: The Council has not asked the applicant to provide that information as it does not consider it necessary. Each application must be considered on its own merits.</i> <ul style="list-style-type: none"> • Assessment of building coverage <p>The objection sets out the definition of the term “dwelling” and puts forward an assessment of what the building coverage is. The objection argues the definition of a dwelling has been dealt with in the appeal reference 2018/A0189.</p> <p><i>Case Officer Response: This issue is addressed in the report. Officers have considered this representation and agree that the summer house and shed should not be considered original given the lack of conclusive evidence. However the Council is of the opinion, based on the available evidence, that not only is the garage original but should be considered in calculations of the “dwelling”, the reasoning behind this has been set out previously. The appeal reference 2018/A0189 states that garages should be included in a description which contains four dwellings, this is due to the fact the garages in themselves do not meet permitted development. The appeal does not interpret or define the term dwelling and is therefore distinguishable to this case.</i></p> <p>Further objections were submitted by both Pragma and MBA following the submission of amended plans. These objections reaffirmed the position within their original objections as well as two new matters below</p>
9.74	<ul style="list-style-type: none"> • Both objections recognise an amended Design and Access statement has been submitted however the cover letter provided by the agent refers to Revision E and the uploaded design and access statement is revision F. <p><i>The Council confirmed with the agent that revision F is correct and emailed both objectors, subsequently the agent provided a further letter confirming this position.</i></p>
9.75	<ul style="list-style-type: none"> • MBA Planning states that the removal of the rear hedgerow amends the boundary of the Conservation Area and it cannot be argued that the landscaping will remain dominant. <p><i>Case Officer’s Response: As previously stated the hedgerow is not protected and therefore the applicant can remove it under permitted development. The red line provided in the site location map shows the boundary of the site within the applicant’s ownership. While the hedgerow has been removed it does not constitute an amendment to the boundary of the conservation area. The hedgerow in question was located to the rear of the site and given that there is an existing hedgerow further forward, the removal of the hedgerow will not impact public views into the site. The landscaping plan along with the existing vegetation allows landscaping to remain dominant.</i></p>

9.76	<p>An objection was received from Pragma Planning following the Conservation Officer's response. One new matter was raised within this objection that was not raised within Pragma's previous objection and is addressed below:</p> <ul style="list-style-type: none"> Comparisons cannot be made between the neighbouring garage and the proposal as the neighbouring garage pre-dates the conservation area and modern planning system. <p><i>Case Officer's response: The neighbouring garage forms a part of the fabric of the conservation area, the location is comparable being situated to the side of dwelling and therefore is a relevant consideration. While this garage was not approved by the council it has been demonstrated there are numerous approvals of garages to the land situated to the side elevation of dwellings in the immediate surrounding area. Numbers 20, 21, 22 and 26 Malone Park provide approved examples.</i></p>
	<p>Having regard for the policy context and the considerations above, the proposal is deemed acceptable.</p>
10.0	Summary of Recommendation: Approve
11.0	<p>Conditions</p> <ol style="list-style-type: none"> The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission. Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011. All external facing and roofing materials shall be implemented as specified on the approved plans. Reason: In the interests of the character and appearance of the area. All soft landscaping works shall be carried out in accordance with the approved details on Landscaping Plan, Drawing Number 10a, received on 12th Oct 2020. The works shall be carried out prior to the completion of the proposal unless otherwise agreed in writing by the Council. Any trees or plants indicated on the approved scheme which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the Council. Reason: In the interests of the character and appearance of the area. Prior to any work commencing all protective measures, protective barriers (fencing) and ground protection is to be erected or installed as specified within the submitted Tree Survey and Report and in accordance with the British Standard 5837: 2012 (section 6.2) on any trees to be retained within the site, and must be in place before any materials or machinery are brought onto site for demolition, development or soil stripping. Protective fencing must remain in place until all work is completed and all associated materials and equipment are

	<p>removed from site.</p> <p>5. If roots are accidentally damaged the tree council must be notified and given the opportunity to inspect the damage before it is covered over.</p> <p>Reason: To ensure the protection of, and to ensure the continuity of amenity afforded by existing trees.</p> <p>6. No storage of materials, parking of vehicles or plant, temporary buildings, sheds, offices or fires within the RPA of trees within the site during the construction period.</p> <p>Reason: To avoid compaction within the RPA of existing trees to be retained.</p>

ANNEX	
Valid	13th May 2020
Date First Advertised	29th May 2020
Date Last Advertised	30th October 2020
Details of Neighbour Notification (all addresses)	
17 Malone Park,Belfast,Antrim,BT9 6NJ 19 Malone Park,Belfast,Antrim,BT9 6NJ 22 Malone Park,Belfast,Antrim,BT9 6NJ 25 Myrtlefield Park,Belfast,Antrim,BT9 6NE 26 Malone Park,Belfast,Antrim,BT9 6NJ 27 Myrtlefield Park,Belfast,Antrim,BT9 6NF	
Date of Last Neighbour Notification	21 st October 2020
Notification to Department (if relevant) – Response of Department: To be notified upon clearance of recommendation	
Elected Representatives: Kate Nicholl, Donal Lyons	

Appendices

Appendix 1: OSNI 3rd edition map (1900-1907)

Appendix 2: OSNI 4th edition map (1905-1957)

Appendix 3: OSNI 5th edition map (1919-1983)

Appendix 4: Building Control Map (1947)



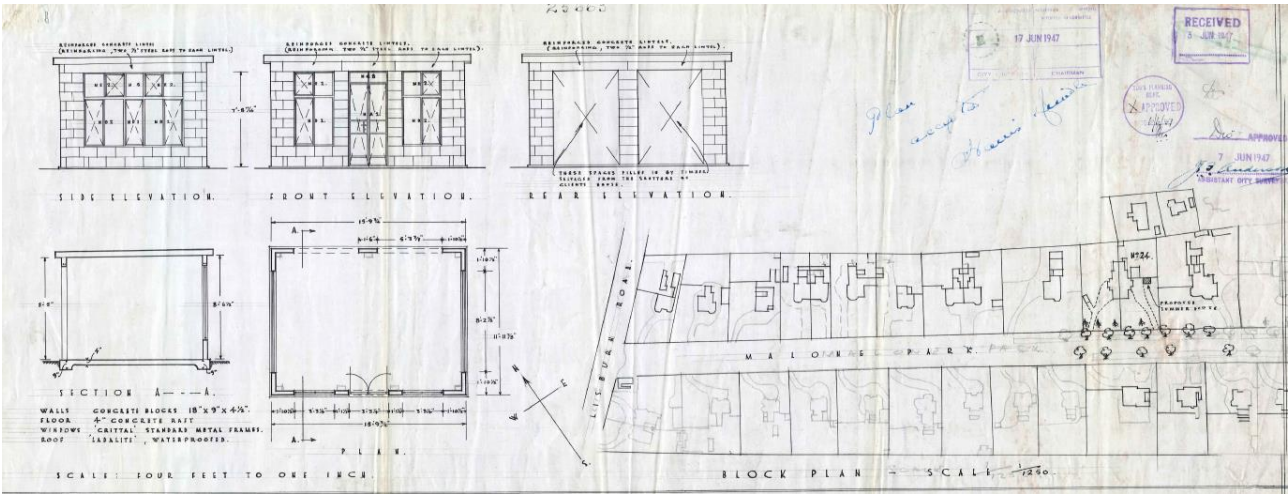
Appendix 2: OSNI 4th edition map (1905-1957)



Appendix 3: OSNI 5th edition map (1919-1983)



Appendix 4: Building Control Map (1947)



Development Management Addendum Report	
Application ID: LA04/2020/0562/DCA	Date of Committee: 17 th May 2022
Proposal: Demolition of rear extension (partly single storey, partly one and a half storey) and existing shed and summerhouse	Location: 24 Malone Park Belfast BT9 6NJ
Referral Route: Paragraph 3.8.7 of the Scheme of Delegation, following legal advice	
Recommendation: Approval	
Applicant Name and Address: Andras House Ltd 60 Great Victoria Street Belfast BT2 7BB	Agent Name and Address: Turley Hamilton House 3 Joy Street Belfast BT2 8LE
<p>ADDENDUM REPORT</p> <p>This application for Conservation Area Consent for demolition was previously listed for Planning Committee on 15 February then 14 April 2022. The application was withdrawn from the 15 February meeting to allow officers time to consider a speaking note provided on behalf of the objector at No. 26 Malone Park. The application was then deferred at the 14 April meeting for a Committee Site Visit.</p> <p>This Addendum report should be read in conjunction with the original report to the February Committee, which is appended.</p> <p>An associated application for full planning permission is also to be considered by the Planning Committee at this same meeting (LA04/2020/0559/F).</p> <p>Recommendation</p> <p>Having regard to the assessment in the previous report, the officer recommendation remains to grant Conservation Area Consent. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions.</p>	

Committee Report

Development Management Report	
Application ID: LA04/2020/0562/DCA	Date of Committee: Tuesday 15 th February 2022
Proposal: Demolition of rear extension (partly single storey, partly one and a half storey) and existing shed and summerhouse	Location: 24 Malone Park Belfast BT9 6NJ
Referral Route: 3.8.7 Following legal advice	
Recommendation: Approval	
Applicant Name and Address: Andras House Ltd 60 Great Victoria Street Belfast Bt2 7BB	Agent Name and Address: Turley Hamilton House 3 Joy Street Belfast BT2 8LE
<p>Executive Summary:</p> <p>The site is located at 24 Malone Park. The site is a 2.5 storey semi-detached residential home finished in red brick on a large plot. The dwelling contains an existing two storey rear return. There is parking to the side elevation and extensive gardens forming the front, side and rear elevations.</p> <p>The surrounding area is residential comprised of large semi-detached and detached properties within large plots. The site is within the Malone/Adelaide Park Conservation Area.</p> <p>The proposed demolition relates to a section of the two storey rear return which contains a mono pitched roof and the single storey lean to containing a boiler house.</p> <p>The proposal conforms to policy BH 14 of PPS 6 and paragraph 6.19 of the SPPS. The proposed demolition relates to sections of the rear return of the dwelling which do not make a material contribution to the character and appearance of the area. The neighbouring semi-detached property has demolished the same section as proposed in this application and therefore the demolition will not remove any element of symmetry between the two dwellings. There are no views of the section of the dwelling to be demolished therefore all views of the dwelling from the public realm area maintained.</p> <p>The Conservation Officer was consulted and had no objections.</p> <p>One objection was received from councillor Donal Lyons due to the impact on the Conservation Area. This issue is considered within the report.</p> <p>Recommendation The application is recommended for approval</p>	

Case Officer Report

Site Location Plan



Block Plan



Elevations and Floor Plans- Red hatching shows proposed demolition



Characteristics of the Site and Area	
1.0	Description of Proposed Development Demolition of rear extension (partly single storey, partly one and a half storey) and existing shed and summerhouse.
2.0	Description of Site The site is located at 24 Malone Park. The site is a 2.5 storey semi-detached residential home finished in red brick on a large plot. The dwelling contains an existing two storey rear return. There is parking to the side elevation and extensive gardens forming the front, side and rear elevations. The surrounding area is residential comprised of large semi-detached and detached properties within large plots. The site is within the Malone/Adelaide Park Conservation Area.
Planning Assessment of Policy and other Material Considerations	
3.0	Site History LA04/2019/0665/F, 24 Malone Park, Belfast, BT9 6NJ, Renovation and single storey rear extension to dwelling. Construction of a new detached garage. Decision Quashed. LA04/2019/0627/DCA, 24 Malone Park, Belfast, BT9 6NJ, Demolition of rear extension, partly single storey, partly one and a half storey. Decision Quashed.
4.0	Policy Framework
4.1	Belfast Urban Area Plan
4.2	Draft Belfast Metropolitan Area Plan 2015 Following the recent Court of Appeal decision on BMAP, the extant development plan is now the BUAP. However, given the stage at which the Draft BMAP had reached pre-adoption through a period of independent examination, the policies within the Draft BMAP still carry weight and are a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker.
4.3	Strategic Planning Policy Statement for Northern Ireland (SPPS)
4.4	Planning Policy Statement 6: Planning, Archaeology and The Built Heritage
5.0	Statutory Consultees Responses None
6.0	Non-Statutory Consultees Responses Conservation Officer- No objections to demolition
7.0	Representations
	The application was advertised on 13.03.2020. One objection was received from Councillor Donal Lyons and is considered within the report.
8.0	Other Material Considerations None
8.1	Any other guidance Malone Park/ Adelaide Park Conservation Area Guide (Dec 1993)

9.0	Assessment
9.1	<p>The proposal is considered to be in compliance with BUAP and both versions of draft BMAP.</p> <p>It is also considered that the proposal is in compliance with Policy and the Malone Park/ Adelaide Park Conservation Area Guide.</p>
9.2	Assessment
9.21	<p>With regards to development in Conservation Areas, Section 104(11) states that special regard must be had to the desirability of;</p> <p>(a)preserving the character or appearance of that area in cases where an opportunity for enhancing its character or appearance does not arise;</p> <p>(b)enhancing the character or appearance of that area in cases where an opportunity to do so does arise</p>
9.22	<p>The SPPS states that <i>“in managing development within a designated Conservation Area the guiding principal is to afford special regard to the desirability of enhancing its character or appearance when an opportunity to do so exists, or preserve its character or appearance where an opportunity to enhance does not exist”</i>.</p>
9.23	<p>Par. 6.19 of the SPPS sets out the criteria which should be applied when determining such development.</p>
9.24	<p>Planning Policy Statement 6 sets out the Department’s planning policies for the protection and conservation of archaeological remains and features of the built heritage.</p> <p>Demolition within the Conservation Area</p>
9.25	<p>The proposal conforms to policy BH 14 of PPS 6 and paragraph 6.19 of the SPPS. The proposed demolition relates to a section of the two storey rear return which contains a mono pitched roof, to the rear of this is a single storey lean to containing a boiler house and also with a mono pitched roof.</p>
9.26	<p>While the dwelling as a whole makes a significant contribution to the conservation area the demolition of this section of the rear return does not. The two storey section contains a large ground floor window with a horizontal emphasis which is out of place with the rest of the building. The boiler house has a separate entrance and is in a state of disrepair. The neighbouring semi-detached property has demolished the same section as proposed in this application and therefore the demolition will not remove any element of symmetry between the two dwellings. There are no views of the section of the dwelling to be demolished therefore all views of the dwelling from the public realm area maintained. The conservation officer was consulted and had no objection to the proposed demolition.</p>
9.27	<p>With the considerations above it is deemed that the demolition and proposed extension will preserve the character and appearance of the area as per section 104 of the Planning Act (Northern Ireland) 2011.</p>
9.28	<p>One objection was received from Councillor Donal Lyons due to the impact on the Conservation Area. For the reasons above it is considered the proposed demolition will not have a negative impact on the conservation area.</p>

9.29	Having regard for the policy context and the considerations above, the proposal is deemed acceptable.
10.0	Summary of Recommendation: Approve
11.0	<p>Conditions</p> <ol style="list-style-type: none"> 1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission. <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <ol style="list-style-type: none"> 2. This consent relates only to the walls hatched red on drawing 04A, uploaded to the portal on the 20/10/2021. <p>Reason: Reason: In the interests of the preservation of the Malone Conservation Area.</p> <p>Informatives</p> <ol style="list-style-type: none"> 1. This consent should be read in conjunction with the approval LA04/2020/0559/F

Notification to Department (if relevant)

Representations from Elected members: Kate Nicholl, Donal Lyons

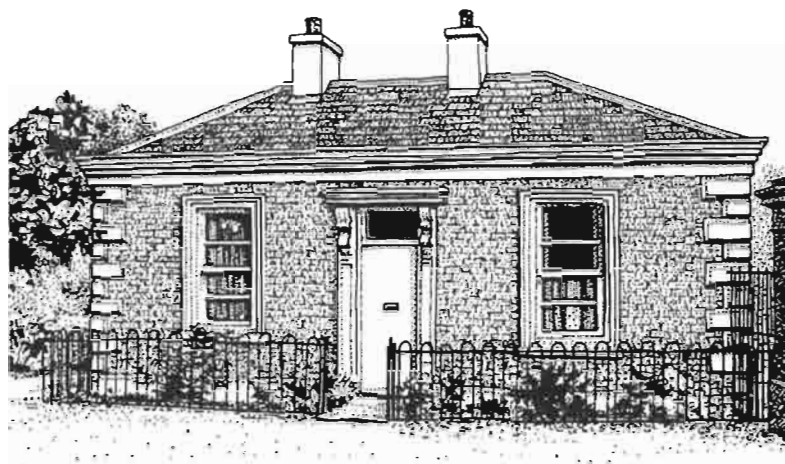
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MALONE PARK/ ADELAIDE PARK

Conservation Areas





LB 58 Malone Park Gate Lodge

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View along Malone Park



149 'Dallas' Malone Road

INTRODUCTION

The Malone area of South Belfast developed as a high quality residential environment containing one of the largest concentrations of individually designed Edwardian and Victorian villas in the Province. The growth of this prestigious suburb was linked to the emergence of Belfast as a major industrial centre and the desire by the wealthy to move away from the City Centre.

Today the character of the suburb is threatened by redevelopment, infill and changes of use and a number of localities have already changed substantially. However, within this wider area Malone and Adelaide Parks retain much of their original character and remain as fine examples of a turn of the century housing environment of some distinction.

Designation of Malone and Adelaide as Conservation Areas recognises their heritage value in terms of the architectural and historical development of the City. I am confident that this together with identification of the wider area as an Area of Townscape Character will provide a framework for the protection and enhancement of the townscape within the surrounding Avenues and Parks which still form part of a distinctive urban environment.

Robert Atkins,
Minister of the Environment and the Economy

PLANNING CONTEXT

An important element in the Conservation Strategy for Belfast outlined in the Belfast Urban Area Plan 2001 is the protection and enhancement of the City's most important areas of special townscape value. The Department's conservation programme has, so far, concentrated on the main showpieces of the civic environment which lie within the City Centre and in the vicinity of Queen's University.

Suburban Belfast contains areas of special townscape character which although on a more modest scale are an important part of the City's heritage and add to the image of the City as a whole. A substantial part of the Malone area of South Belfast has already been identified as an Area of Townscape Character where high quality residential and institutional architecture combine with mature public and private landscaping to produce a distinctive environment which is characteristic of an important phase in Belfast's development.

Malone and Adelaide Parks are the first of a number of local residential areas which the Department proposes to designate as Conservation Areas. In these local areas it is the combination of quality domestic architecture and townscape character which is worthy of protection.

The close proximity of the two Conservation Areas within the Malone Area of Townscape Character makes it expedient to bring them together in one booklet with common development and design guidance.



31/33 Adelaide Park

CONSERVATION AREA DESIGNATION

Within the overall objectives for the development of the City the Department's policy in Malone and Adelaide will seek:

- to protect and enhance the townscape character of the Areas including important landscape features within them;
- to accommodate change in a manner that respects the existing character and appearance of the Areas.

To be effective in a residential street conservation needs the active participation of the local community. The Department will welcome the involvement of property owners and occupiers in conserving and enhancing the Conservation Areas.

Notice is hereby given that the Department of the Environment (NI) in pursuance of the powers conferred upon it by article 50 of the Planning (NI) Order 1991 has designated the areas indicated on Maps (1) and (2) as Conservation Areas, being areas of special architectural and historic interest, the character of which it is desirable to preserve and enhance.

Maps of the designated areas have been deposited at the Belfast City Council Offices, Belfast Divisional Planning Office, and the Belfast Development Office at the following addresses:

Belfast City Council
City Hall, Donegall Square
BELFAST BT1 5GS Tel: Belfast (0232) 320202

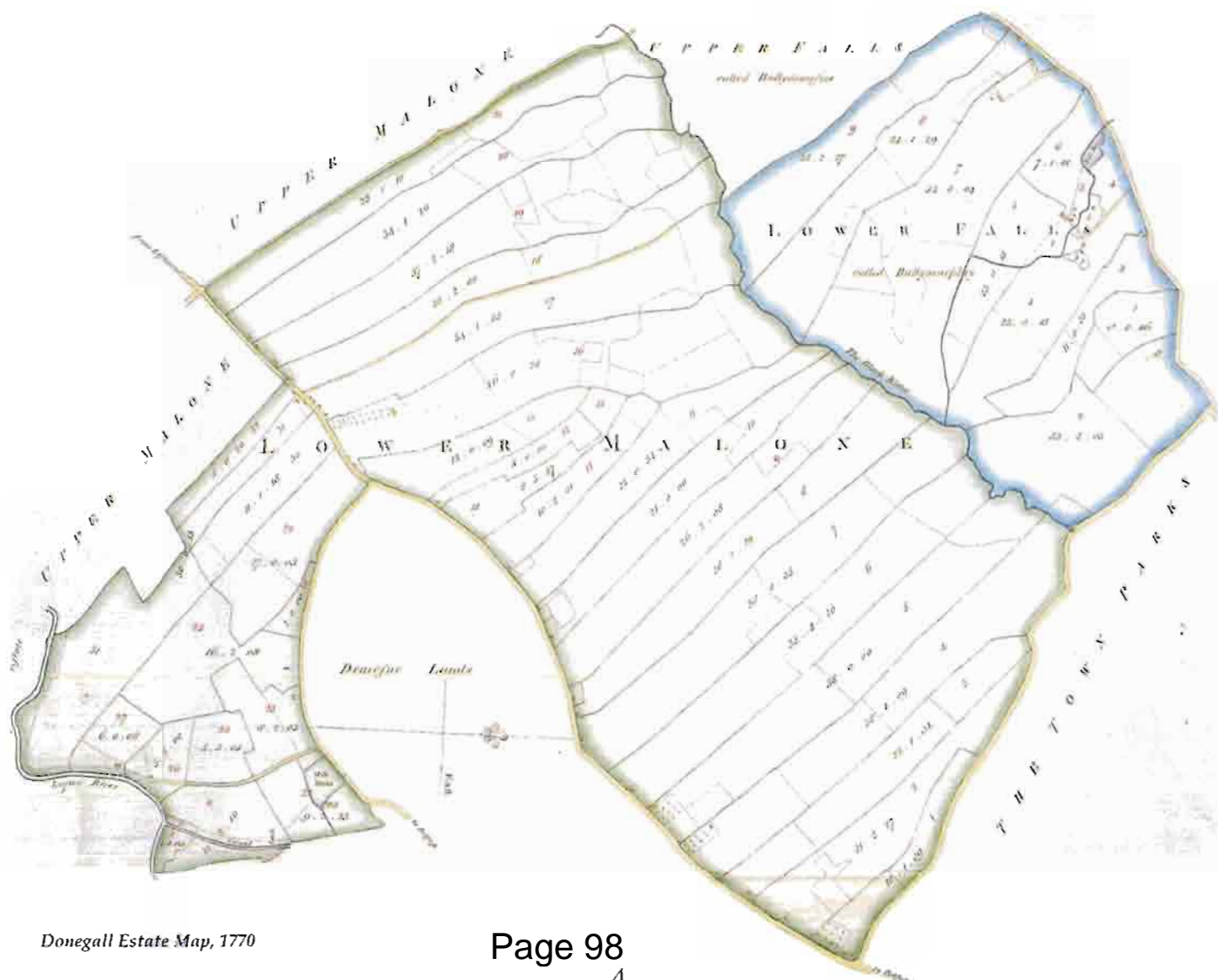
Belfast Divisional Planning Office
Bedford House, 16-22 Bedford Street
BELFAST BT2 7FD Tel: Belfast (0232) 242486

Belfast Development Office
Clarendon House, 9-21 Adelaide Street
BELFAST BT2 8DJ Tel: Belfast (0232) 244300

THE PAST

Malone Park and Adelaide Park lie on the Malone Ridge which falls away to the Bog Meadows along moderately steep but fairly uniform slopes. In the seventeenth century the ridge was laid out in long narrow strip farms of anything from 30-70 acres, the early leaseholders being the farmers who lived and worked on the land.

By the mid eighteenth century many of the leases were being taken up by prosperous Belfast merchants although under-tenants continued to farm the land as suburban residences were the exception at this time. The practice of only granting short term leases did not encourage tenants to build substantial or permanent dwellings and so most farm dwellings were single storey, with thatched roofs and mud walls. Larger dwellings were generally built of clay.



Donegal Estate Map, 1770



Malone Road, Belfast, at Malone Park circa 1915.

With the huge expansion of Belfast in the nineteenth century the urban rich began to flee the town centre towards the rural parkland of Malone. The combination of newly amassed industrial fortunes, the accelerating population growth, the granting of perpetuity leases and the selling out of estates led the middle and upper classes to establish 'gentlemen's seats' and substantial country estates in the Malone area. During the late nineteenth century Malone emerged as a residential suburb and villas multiplied as parks and avenues were opened up between the Malone and Lisburn Roads with Malone Park and Adelaide Park being two of the most distinguished.

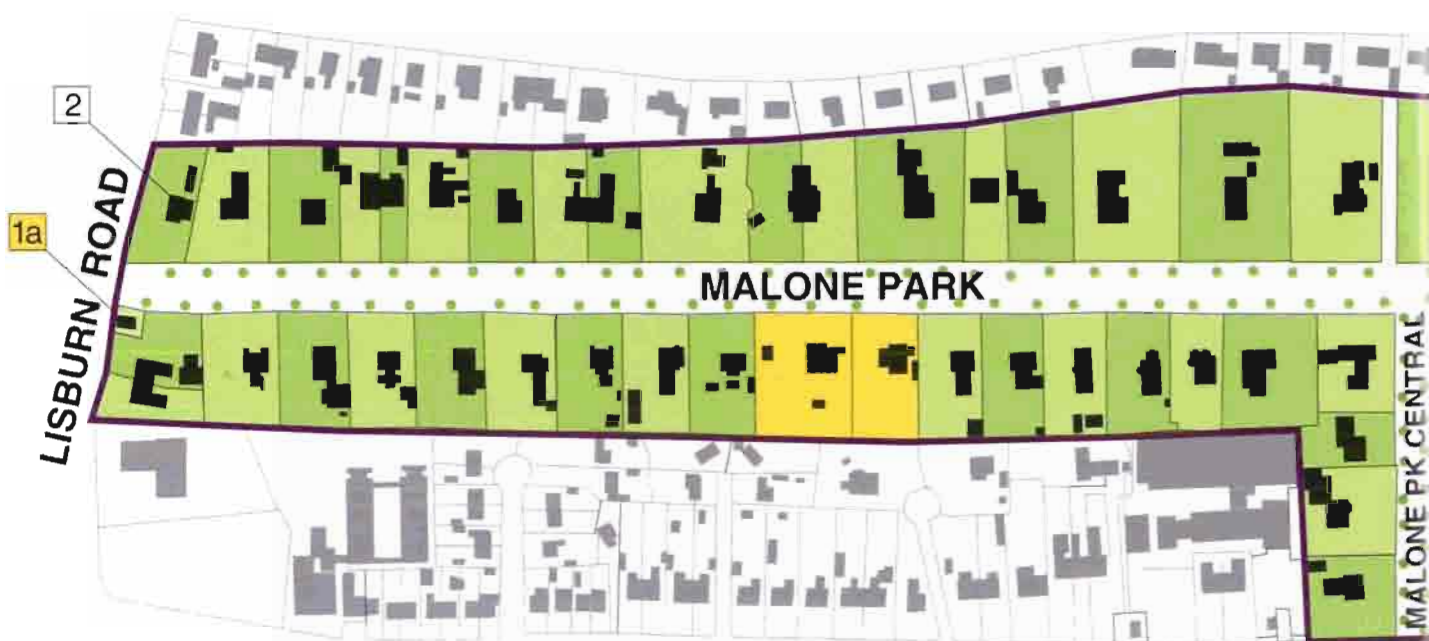


No 47: Designed 1925 by Godfrey Ferguson. A two storey house with white painted roughcast walls and asymmetrical gables to the road. The central stone porch features leaded lights and half-timbering above.

PRESENT DAY

Malone Park and Adelaide Park remain today as examples of the late Victorian housing environment. They contain a number of architectural styles including Arts and Crafts, Queen Anne Revival and Italianate together with a small number of more recent developments. Many of the dwellings exhibit individual and unspoilt details which reflect the exuberance of building during the late nineteenth century. In both Areas the combination of notable domestic Victorian architecture, mature landscaped gardens and tree lined avenues produces a townscape character which is worthy of conservation.

Malone Park

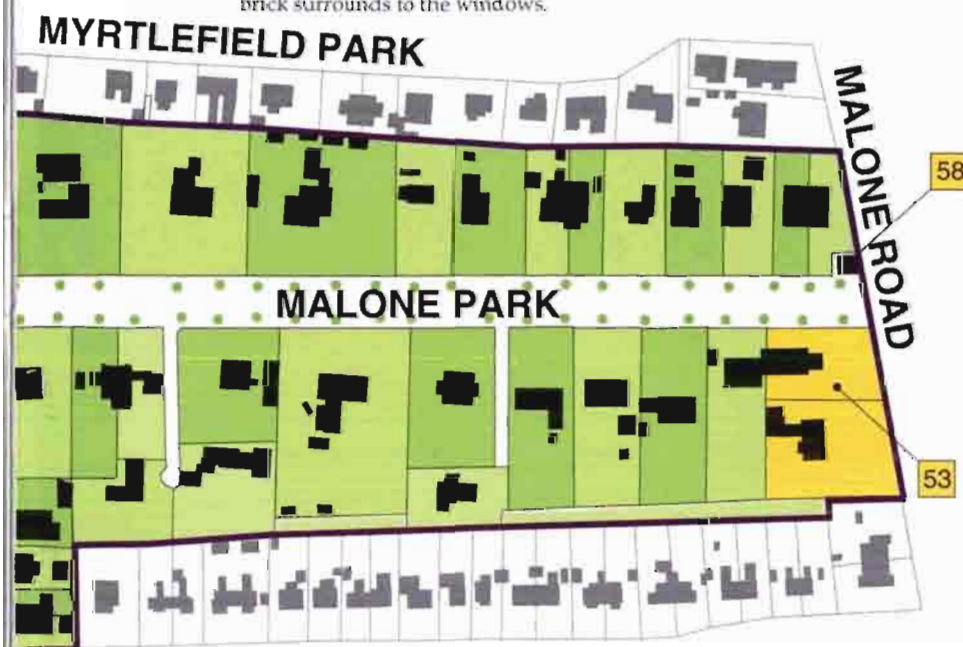




LB

No 53: Dundarave: Designed 1901 by Vincent Craig. A comfortable and snug looking house, very much in the Arts and Crafts manner with a lively roofscape of dormers, hips, gables and finials. The walls retain their original unpainted roughcast finish with red brick surrounds to the windows.

No 51: Nephin: Designed by William Fennell. An asymmetrical three storey composition with decorative ridge tiles to the Rosemary tiled roof and partial half-timbering of the gables. Ground floor in brick with very individual porch sporting buttresses and a large timber bracket.



Map 1

LB

Listed building



No 43: Designed 1920 by James Scott. Rosemary tiled roof bungalow with quirky Dutch gable and circular corner bay with conical roof. The gate piers are embellished with spherical toppings.



No 45: Senlac Hill: Designed 1925 by Thomas Houston. A two storey Arts and Crafts building with red tiled roof, white roughcast walls, gabled to the front with shutters and stepped and multi-paned staircase window.

In 1910 Malone Park was at the end of the "line". It was here that trams changed direction and returned downhill to the noise and bustle of the City Centre. Today the Park still has a quality which sets it apart from the surrounding urban environment. As one sets foot between the gate pillars a long and leafy tunnel appears to stretch ahead to infinity. The road is flanked by tall lime trees planted at regular intervals, their cornet heads in foliage showing myriad shades of green. Islands of green verge and carefully tended hedgerows emphasise the perspective and combine to create this most tranquil and pleasant environment.

Closer inspection reveals the careful planning and attention to detail that characterise the Park. The lime trees show, from the gnarls in their trunks, regular attention to pruning over many years. The trees are planted in the islands of grass verge which run between the pavement and roadway, allowing their roots to grow without damage to the surrounding hard surfaces.



No 41: Designed 1921 by Thomas Houston. White walled bungalow with Westmoreland slated roof and verandahs.



Nos 35 & 37: Built 1891. A three storey pair of houses in red brick with blue brick string courses; gabled roofs and dormers with decorative timber work. The extension to no.37 by Vincent Craig in 1900 features Art Nouveau leaded lights and a curious turret.

Malone Park Central



No 4: Built 1878 - Two storey red brick building with blue brick banding. The hipped roof has bracketed eaves and emphatic chimneys.

Malone Park continued

Even the street lighting has been designed to create the minimal visual impact. The biscuit colour of the concrete standards is barely visible against the tree trunks and the small conical bowls provide a simple and elegant design. Often the particular quality of an area can be more precisely defined in terms of what is absent. In Malone Park there is very little noise, closure at the Lisburn Road end prevents through traffic. Ramps placed at intervals along the road prevent vehicles from speeding. The tree canopy muffles the proximity of the City, creating a peaceful still environment which only the bird-song interrupts. There is no litter and no litter bins. To each side of this arcadian cul-de-sac, neatly clipped hedges define the garden boundaries.

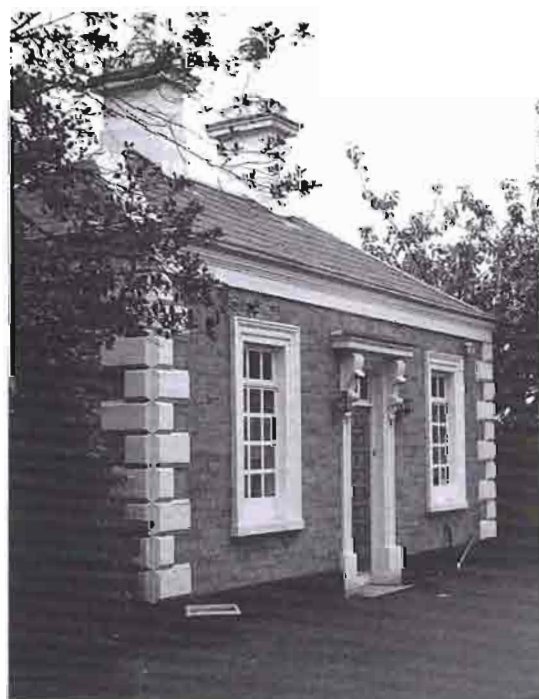


No 19: Englemere: 1892-3. Designed by Francis Ward. The dominant tiled roof gives the flavour of a cottage to this very attractive house in the Arts and Crafts style. The tall chimneys are red brick and the white walls roughcast. Timber supports to the porch suggest Art Nouveau influence and the curious Venetian window to the west gable Queen Anne revivalism.



LB

No 17: Tilecote: 1892-3 Designed by Francis Ward. A three-storey house with high Rosemary tiled roof, rendered walls, red brick at ground floor, featuring black and white fenestration, pulvinated columns to the porch and a square tower-a mixture of motifs that characterize the Queen Anne style.



LB

No 1a: Gate Lodge: Built 1871. A single storey brick and stucco design with hipped roof, quoins and console-bracketed door canopy. Twin chimney stacks with elongated pots are a strong feature.



No 6 'Killultagh': built 1885. Two storey stucco house with twin gables, these have decorative barge boarding and two storey canted bays, between them a more recent full height porch with flat parapet sits a trifle uneasily.

Nos 8 & 10: built 1897. A pair of three storey red brick houses with wall-head dormers and square and semi-circular bay windows. The entrance door cases feature stone quoins and pediments in moulded brick. Attractive octagonal cast iron gate pillars to No 10.



Nos 16 & 18: Woolsey Villas: Built 1871. A two storey ashlar rendered pair of houses with hipped roofs. The central gabled bays in a roughcast finish are a later extension in the Arts and Crafts style. The doorcase to No 16 features Ionic columns.

Sometimes Victorian brick pillars with characteristic capping stones mark the individual driveways but often it is only the gaps in the hedgerows and corresponding breaks between the grass verges that indicate an access. Above the hedgerows, clumps of rhododendrons in various pinks, reds and mauves are visible at intervals along the Park.



No 20: built 1870 to the designs of Young and Mackenzie. A solid red brick structure with hipped roof and single storey bays, canted and square with chamfered stone lintels. Attractive cast iron gates and pillars.



No 32: Melvyn: built 1872. Italianate two-storey red brick villa with hipped roof, bracketed eaves and stucco cornices. Ground floor features include a canted bay and an attractive tripartite window and a later red brick porch to the west side.



No 34: built 1892. Two storey house with attic, in red brick with sandstone lintels. Full height semi-circular bays are paired about the central pedimental door.

Generally properties are large two storey detached residences with a uniform set-back which emphasises the Park's perspective. The large gardens create their own environment which is contained by the mature planting between each property. From the street, residences are often only partially visible, nestled in their surroundings and quite separate from each other. Even semi-detached properties reflect this individual quality.



No 36 Malone Park House: Designed 1936 by Samuel Stevenson and Sons. Somewhat severe thirties mansion; two storied with horizontal windows in rustic brick walls, and Westmoreland slated roof, stone door case and massive concrete gate piers.

Malone Park has always been a prestigious location and still retains many of its original Victorian properties. Over the years a wide variety of architectural styles, including many listed examples, have contributed to the special quality of the area. Despite the divergence of types, traditional elements of scale, structure, massing and use of materials, are common to the majority of houses and confer a collective identity. Amongst the foliage, roofs and chimneys are usually visible, their outline and texture exhibiting many common characteristics.



No 38 Montorio: designed by Young and Mackenzie. Three storey red brick house with stucco quoins and decorative woodwork to gables. The Central High Victorian style doorcase is framed by single storey canted and two storey segmental bays.

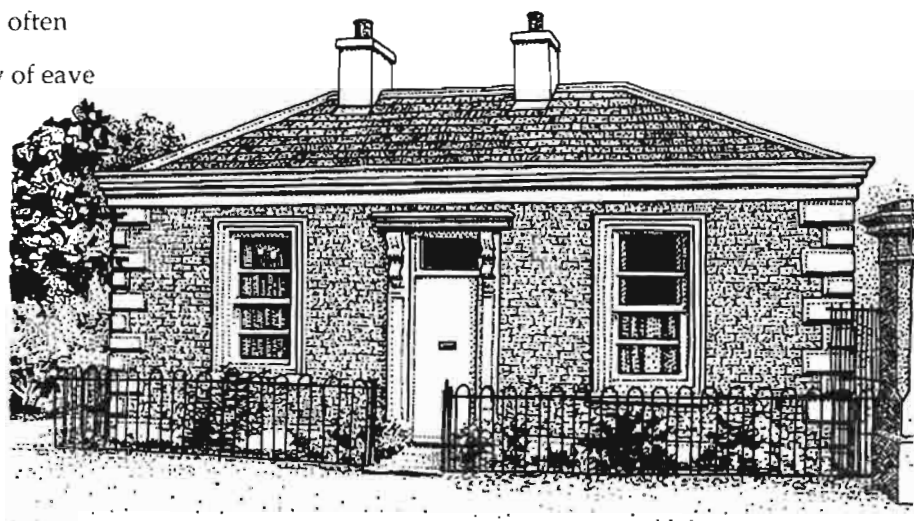


No 42: built 1897. Two storey house with attic, hipped roof and bracketed eaves, Italianate in flavour with brick walls stucco quoins and canted bay. The segmentally pedimented doorcase has Tuscan columns.



No 52: designed 1903 by William Fennell. Two storey red brick dwelling with high slated roof oversailing off-centre canted bay with decorative bracket supports. Later additions include a grandiose timber porch in a kind of Metro-Goldwyn-Meyer classic style and a sympathetically designed studio dormer.

Roofs are generally traditionally pitched and often feature pitched dormers, turrets and a variety of eave and ridge heights. Most are clad in natural slate or small clay tiles. Chimney stacks are normally tall and finished in brick. The use of corbelling or buttressed piers gives visual interest and some have unusually decorative pots.



LB

No 58: Gate Lodge: Built 1871 to the same design as its counterpart at the other end of the park, this twin has lost its original chimneys but the window frames survive intact. The sandstone entrance gateway and curved screen walls is likewise mirrored by its counterpart on the Lisburn Road.



LB Aquinas Hall

Aquinas Hall, the largest and most impressive building in Adelaide Park, can be glimpsed through the tall fir trees which grow at the Malone Road entrance. Large houses in spacious gardens are typical. Many were built in the late Victorian free style, exhibiting a sense of fun and whimsicality that demonstrates the importance of not being too earnest, others have a taste for the heavy and grandiose statement. Today the combination makes for a distinctive architectural heritage worthy of conservation.

Adelaide Park





LB

No 11: Designed 1892 by Francis Ward. Red brick design with half-timbering to the gable and balcony over the porch. The square tower with lead dome is a distinctive feature.



Map 2

LB

Listed building

LB

No 37 'Nutley': Designed 1902 by Vincent Craig. A delightfully free style Arts and Crafts composition which includes crenellations, leaded lights, half-timbered gable, a port-hole window, a door canopy and Rosemary tiled roof with decorative cresting.





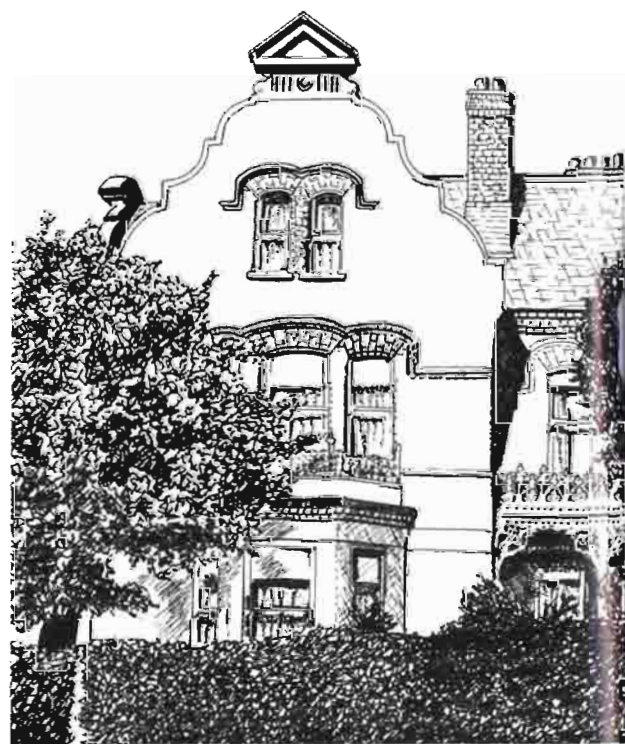
Nos 49 & 51: Designed by William Fennell. A pair of three storey gabled houses in red brick with terra-cotta panels and friezes. Single storey canted bays and a central massive chimney stack.

Sloping driveways and gardens which contain a rich variety of trees and shrubs provide changing vistas and glimpses of the impressive domestic architecture. The quality of these well maintained landscaped gardens contributes to the charm of individual properties and also provides a natural framework which complements the character of the Park.



LB

No 2, 'Shakespeare House': designed 1891 by James J. Phillips. Extravagantly gabled with pedimented top, this three storey red brick house has conservatories to east and west and fanciful cast-iron porch and balcony over.





LB

Nos 20 & 22 'Redlands' and 'Wyncroft': Designed 1891 by Francis Ward.. An impressive example of the Arts and Crafts style deploying half timbering, dormers, tall chimneys and roofscape to picturesque effect.



No 12: Designed 1893 by James J. Phillips. A half-timbered gable, stained glass and Queen Anne Style fenestration enliven this three storey red-brick structure.



No 16: Designed 1891 by Young and Mackenzie. The curved corbeling of the canted bay which meets the gabled attic storey is a striking feature in this tall red-brick house.

Walled boundaries are very much in evidence and make an important contribution to the street scene. Many are Victorian and exhibit characteristic details which complement the dwellings. The Park is flanked by lime trees set along the paving line and slopes quite steeply towards Lisburn Road, particularly in the vicinity of the junction.



Nos 24 & 26: Designed 1896 by Samuel Stevenson. Tall gables with two storey canted bays terminate the facade of this large pair of stucco houses; attractive timber porches are situated between.



Nos 38 & 40: Designed 1898 by Graeme-Watt & Tulloch. Highly individual pair of houses with high Dutch gables perched upon two storey canted bays, in red brick.

On the northern side some of the very large properties have been taken over by institutional and non-residential uses. Increased car parking and the loss of mature hedges and planting bounding the front of these properties interrupt the visual continuity of the street scene. The canopy of the lime trees on either side of the road along the pavement line is no longer complete and those trees which remain are not all healthy. Pavements and boundary walls have been badly damaged over the years by the movement of tree roots. Vehicular traffic and parked cars also detract from Adelaide's visual amenity.



LB

No 77 Malone Road Aquinas Hall: Designed 1889 by Samuel Stevenson. A large Italianate style stuccoed house with tall piers to the gateway and attractive gardens.

Adelaide Park still comprises many fine residences and retains much of its charm, though its character is under threat from insensitive development and poor maintenance. Conservation Area designation is intended to provide a basis for public and private initiatives to safeguard, improve and enhance the special architectural and townscape quality of the area.

THE WAY FORWARD

Malone and Adelaide represent the best of what remains of the leafy middle class suburbs which developed around the turn of the century in South Belfast. Individually designed residences combine with generous plots, mature landscaping and tree lined avenues to produce a distinctive townscape character.

Any future development will mainly relate to minor extensions, maintenance and improvement of existing property. In carrying out such work it is important to ensure that architectural details are kept. The use of inappropriate replacement windows and doors or the loss of important fences, hedges, garden walls and railings can seriously undermine the character of individual properties.

Cumulatively, these small changes can have a substantial negative impact on the overall appearance and character of an area. It is important therefore to consider change against its possible effects both on the individual building in its setting and on overall townscape character.

Development and Design Guidelines

The Department will endeavour to protect and enhance the townscape and architectural character of each Park. Accordingly the following development and design guidance is for the assistance of owners and will be used by the Department to assess the suitability of proposals.

When considering work it is advisable to make early contact with the Department. In particular it should be noted that:

- all planning applications in respect of buildings or sites within the Conservation Areas should be submitted with full details showing clearly in plan and elevation, relationships to adjoining buildings and existing and proposed landscape treatment;
- the consent of the Department is required to demolish unlisted as well as listed buildings within a Conservation Area.

Development Guidelines

The townscape character derives from a number of features which need to be protected if the overall character is to be retained.

1. Large individually designed dwellings set well back from the road within generous gardens

The Department will encourage the retention of existing buildings and emphasis will be placed on the protection and restoration of the individual architectural character of each building.

Extensions should be designed in such a manner as to appear either as an integral part of the original dwelling or alternatively as a self-contained design statement which complements the original. The Department will be predisposed to refuse applications for extensions to property which it considers will detract from the character of the Area. This will include proposals which give rise to unsatisfactory proportions, or seriously infringe on the setting, or are considered overbearing in relation to the form of the original buildings.

Where permission is sought to alter a building which has been listed under the Planning (NI) Order 1991 as being of special architectural or historic interest, it will be necessary to demonstrate that such works would not in themselves be detrimental to the Area's character, or that they are required for overriding and exceptional reasons relating to the development of the area.

In order to allow landscape to remain dominant the established relationship between building mass and gardens should be respected and retained where possible. In no circumstances should building coverage be more than one and a half times that of the original dwelling.

The opportunity to accommodate new development in Malone and Adelaide Parks is severely restricted. The Department will have to be satisfied that conversion and refurbishment of a building is not viable before redevelopment is considered. In such circumstances heights, building line and coverage should reflect those of the original dwelling on site and the design of new development should complement the existing architecture and townscape character.

Under the terms of the Planning (General Development) Order (NI) 1993 certain types of development including minor alterations to dwellings, erection of gates and fences and painting of property do not require specific planning permission. However, the Department has power under Article 4 of that Order, to direct that in any particular area, these types of developments require the grant of planning permission. The Department will give consideration to the application of such a direction with respect to a limited number of types of development.

2. Mature landscaping in gardens

Visually significant trees and vegetation should be retained. In this regard the Department may consider the application of Tree Preservation Orders.

The introduction of car parking into front gardens will normally be considered inappropriate.

The provision of on-site car parking may require planning permission and in the case of Listed Buildings, Listed Building Consent.

Where proposed, car parking must be accompanied by a detailed landscaping scheme which provides for adequate screening from the road and adjacent properties.

3. Tree lined avenues with well defined front boundaries to properties and unobtrusive access points

Hedges and characteristic walled boundaries should be retained.

New and altered accesses often result in significant loss of existing landscaping including trees and hedges. They interrupt the continuity of existing boundaries along street frontages, are considered obtrusive in the townscape and will not normally receive favourable consideration.

4. Residential use

The predominant land use is single family residential and this plays an important role in shaping the character of both Parks. The Department will seek to protect and promote this residential character.

Change to flats, special residential and non residential uses is considered to be inappropriate. In the case of such applications the onus will be on applicants to demonstrate conclusively that properties are no longer suitable for single family use.

Design Guidelines

Windows

The purpose of the following guidelines is to provide advice which will encourage sympathetic change to the existing character of the Conservation Areas.

Where a window requires attention the best course of action wherever possible is to repair. However, if the window is beyond repair it should be replaced with a window of the same shape, size and design. Sliding sash windows should be wholly or partially replaced by equivalents and if necessary specially made to order. Wood should always be used except in the case of hidden elevations where replacements using alternative materials may be considered. Features such as mullions, lintels, astragals and other window details should be retained and the proportions and patterns of the window should be reproduced exactly.

Replacement sills should be as substantial as those on adjacent buildings constructed in either pre-cast concrete or stone and have a traditional profile especially in respect of the leading edge.

Window openings in extensions should echo the proportions of those in the existing dwelling and have a similar solid to void ratio. New lintel and sill heights should line up with those around existing openings and the internal divisions (mullions and transoms) should reflect the style and details of the original windows.

Dormer windows and rooflights

Dormer windows should be located in rear roof elevations wherever possible. If this is impracticable consideration may be given to placing them in the front roof elevation providing they are of appropriate design and in scale with the existing building.

Dormer windows will not be permitted to exceed the ridge height of the building or to collectively occupy more than 30% of the area of any particular roof elevation.

Rooflights may be acceptable to the rear of buildings providing they line through with the existing windows below in the main elevation and retain a vertical emphasis..

Doors and accessories

Traditionally panelled or vertically boarded doors were used extensively on Victorian buildings. These door types should be used if replacement becomes necessary, particularly in front elevations.

Glass panels may be substituted for solid ones in panelled doors however large expanses of glass are inappropriate and should be avoided.

Door accessories, letterboxes, handles and knockers, should be brass, bronze or cast iron and be of period design.

Where properties have been converted to flats it is important that the number of door accessories is limited to the absolute minimum and they should be as discreetly located as possible.

Design and placement of intercom systems requires careful attention in order to minimise their effect.

Roofs

The majority of dwellings have natural slate roofs which should be retained wherever possible. Decorative ridge tiles, finials, and slate patterns should also be retained. Replacement gutters or down spouts should be made of similar material to the original and match the profile and type of fixings. In some cases alternative materials such as aluminium may be considered if they match the design of the original and are painted.

In extensions the roof pitch, eaves and ridge details should correspond to those of the existing dwelling. The colour, texture and shape of new slates and tiles should match those of the existing roof, especially where the new roof connects directly into the existing.

External Wall Finishes

The majority of the existing buildings in the Conservation Areas are brick built with a small number finished in stucco or rendered. Consequently the use of more modern materials such as artificial stone is considered inappropriate. The materials used for extensions should normally match those on the existing building.

Chimneys

The spacings of chimneys contributes to the character of individual dwellings and is particularly important where the roof line is easily visible. Some properties have ornate chimneys which characterise the exuberance of Victorian architecture. All chimney stacks and pots should be retained even when no longer used and where necessary repaired in the style and material which reflects the original. The temptation to replace existing ornate chimneys with those of a plainer style should be resisted.

Fire Escapes

Where required these must be contained within the existing building envelope or within a sympathetically designed extension.

Television Antennae

Satellite dishes require planning permission and where a building is listed, the erection of both satellite and television aerials normally requires Listed Building Consent.

Aerials fitted to chimney stacks or in an exposed position, can detract from the visual amenity of an area, particularly when silhouetted against the skyline.

Satellite dishes can be very apparent and care should be taken when siting to avoid any position which would detract from the visual aspect of the building.

Appendix I: Listed Buildings

Malone Park

	HMB No.	
58 Malone Park and Gateway	26/18/19	A single storey red brick stucco gate lodge with slated hipped roofs. The chimneys have been altered but the windows are original. The gateway is made up of octagonal stucco gate piers with curving brick walls between. Built c 1871.
1a Malone Park and Gateway	26/18/20	A single storey red brick and stucco gate lodge with slated hipped roofs. The chimneys are original but the windows have been altered. The gateway is made up of octagonal stucco gate piers. Built c 1871.
17 Malone Park	26/18/22	A late Victorian Queen Anne style house with a square tower. Built c 1893.
19 Malone Park	26/18/23	A late Victorian Queen Anne revivalist house mixing classical detail with cottage style. Built c 1893.
53 Malone Park	26/18/25	A turn of the century free style house - built c 1901.
149 Malone Road	26/18/26	A two storey Edwardian house in an abstract vernacular style with a massive slated roof and plain roughcast walls. Built c 1911.

Adelaide Park

2 Adelaide Park	26/28/77	A three storey late Victorian red brick house with Dutch gables and highly ornamental cast-iron balustrading and verandah. Built c 1891
9 Adelaide Park	26/18/3	A later Victorian two storey villa in plain Queen Anne style. Built c 1892
11 Adelaide Park	26/18/4	A late Victorian two storey plain Queen Anne style villa with a lead dome tower. Built c 1892
20/22 Adelaide Park	26/28/79A & B	A pair of semi-detached houses built in red brick and rough-cast with red tiled roofs, half timbering and tile hanging. Built c 1891
23 Adelaide Park	26/18/5	A turn of the century free style villa with some good Art Nouveau decorative glass. Built c 1900
37 Adelaide Park	26/18/6	A turn of the century free style villa with Queen Anne details. Built c 1900
77 Malone Road	26/28/34	A High Victorian stuccoed villa in an eclectic classical styling with fine and complete contemporary interiors. Large hexagonal piers to the gateway and boundary wall. Built c 1889

Appendix II: Sources of Information

Beckett, J C and Glasscock, R E (ed). Belfast, Origin and Growth of an Industrial City (*British Broadcasting Corporation, London, 1967*)

Carleton, S T, The Growth of South Belfast, (*M A Thesis, The Queen's University, Belfast 1967*)

Jones, E, A Social Geography of Belfast (*London, 1960, reprinted 1965*)

Larmour, P, The Architectural Heritage of Malone and Stranmillis. (*Ulster Architectural Heritage Society 1991*)

The Cross/Oakshaw Outstanding Conservation Area (*Renfrew District Council Planning Department*)

The Planning (Northern Ireland) Order 1991 (*HMSO, 1991*)

The Planning (General Development) Order (Northern Ireland) 1993 (*HMSO, 1993*)

The Belfast Urban Area Plan 2001 (*HMSO, 1990*)

Queen's Conservation Area (*HMSO, 1987*)

Appendix III: Acknowledgements

Reproduced by kind permission of the following:

Ulster Folk and Transport Museum- photograph of Malone Road at Malone Park by WA Green (WAG 3796)

L'Estrange & Brett, Solicitors, and the Deputy Keeper of the Records, Public Records Office of Northern Ireland- Donegall Estate Map, 1770 (Map 20. Ref. No. D835/1/3)

Watercolours by **David Evans**

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MALONE PARK RESIDENTS ASSOCIATION LIMITED
(Registration No. NI011173)

Email: mpresidentsassoc@gmail.com

Chairman:	David Thompson
Honorary Secretary:	Orla MacAllister
Honorary Treasurer	Declan Cunnane

14/02/2022

Dear Member,

24 Malone Park

Planning Application Reference – LA04/2020/0559/F and LA04/2020/0562/DCA

Malone Park Residents Association is an association made up from residents of Malone Park that is charged with the management and maintenance of the ‘public’ areas of the Park, those being the footpaths, grass verges, street trees and roadway. The Association is also charged with the preservation of the character and appearance of the Malone Park Conservation Area on behalf of all residents.

The above referenced planning application represents a pivotal point in time for this conservation area as there are a number of applications both currently in the planning system (and yet more that we are aware of that are currently held in abeyance) for which the decision in this application will be critical. The approval of this application will allow more bigger developments negatively affecting the relationship of landscape and buildings and which would when combined decimate the character and appearance of the Malone Park Conservation Area.

Relevant considerations include:

- Malone Park is a conservation area;
- It is in the public interest to protect and conserve the character and appearance of conservation areas;
- Malone Park is a valuable local amenity for those people living in south Belfast and was particularly valuable during the pandemic as it was used as a public park despite being in private ownership;
- The Malone Park Conservation Area design guide was written specifically for and tailored to the protection and preservation of this small part of south Belfast;
- The design guide states (page 23) in relation to new development that ***‘In no circumstances should building coverage be more than one and a half times that of the original dwelling’***;
- **‘In no circumstances’** is a unique phrase in planning policy it does not appear anywhere else;
- **‘building coverage’** relates to all proposed buildings; and
- **‘original dwelling’** is the original dwelling only and is as it was built in the late 19th or early 20th centuries.

These matters have been determined by both the High Court and Court of Appeal. This decision seeks to blur the lines between **‘building coverage’** and **‘original dwelling’** by

including a detached garage in the calculation of the 'original dwelling'. The Case Officers Report at paragraph 9.54 indicates this blurring where it uses the phrase 'original building'. This is not what the policy states. The policy clearly makes a difference between 'original dwelling' and 'building coverage', if it were intended that building and dwelling were to mean the same thing then the policy would state original building and not 'original dwelling'.

The Association has supported the Council in its implementation of an Article 4 direction to restrict home owners permitted development rights. This support was provided in good faith and the Association now simply seeks for Belfast City Council and the Town Planning Committee to act in good faith and apply the policy set out in the design guide as it has been written.

We hope that the Planning Committee will take on board these matters in determining this planning application on Tuesday evening.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'D Thompson', with a stylized initial 'D' and a flourish at the end.

David Thompson
Chairman

Application ID: LA04/2020/0559/F

Renovation and single storey rear extension to dwelling, construction of a new detached garage and new entrance gates and pillars - 24 Malone Park, Belfast

**Speaking Note for the Applicant
Andras House Limited**

Introduction

I have been appointed to review the legal submissions made on behalf of the objector, Mr Agnew. I therefore focus on the legal and policy parameters for the Council's decision, and confirm that there is no legal impediment to permission being granted. Also speaking in support of the Applicant are Mr Dawson Stelfox, Stelfox Conservation Consultants, and Mr Leo Brown of 22 Malone Park.

Four key questions

Four key questions arise:

1. What did the Court of Appeal say in *Gilligan*?
2. What did the Court of Appeal not say in *Gilligan*?
3. How should the 1.5x ratio be interpreted?
4. Could the Council lawfully grant permission even if the 1.5x ratio were exceeded?

1. What did the Court of Appeal say in *Gilligan*?

The Court of Appeal said three things:

The first thing it said was that "*policy statements are not mandatory requirements ... the [Council] ... is free to override or depart from any part of it if it considers it justified ... the [Council] is entitled to attribute such weight as it thinks fit to any consideration, and ... that is a question of planning judgment entirely for the [Council]*"¹.

¹ Paragraph 12, emphasis added. Paragraph 12 in full states: *Article 3(1) of the 1991 Order imposes a duty on the [Council] to "formulate and co-ordinate policy for securing the orderly and consistent development of land and the planning of that development." In performance of that duty the [Council] has produced a number of planning policy statements, which, if relevant to an application, constitute material considerations. Before examining these we should observe that these policy statements are not mandatory requirements which must be construed with the strictness applied to legislation, nor must every single item be adopted and followed like a statutory condition. As we stated in Re Belfast Chamber of Trade's Application [2001] NICA 6 at page 3, the [Council] in making planning decisions is not obliged to adhere to each point of the policy statement and is free to override or depart from any part of it if it considers it justified. That remark is, however, subject to the qualifications that the [Council] must have regard to any such point if it is relevant to the application and consider it before departing from it, and that the more categorical in expression a requirement in a policy statement may be the more carefully it must weigh the factors which*

That is entirely consistent with what the Court of Appeal said in **Stewart** that planning policies are “not ... a straightjacket and do not have to be slavishly followed”².

The second thing it said was that the 1.5x ratio (“the ratio”) should not be gauged by reference to the coverage of the dwelling plus recent additions, but by reference to the dwelling as originally built³.

The third thing it said was that an undesirable precedent would be set by including recent additions, because that would allow the footprint to be increased cumulatively until it was larger than the original⁴.

2. What did the Court of Appeal not say in *Gilligan*?

It did not say:

1. Anything about the meaning of the term “*original dwelling*” in the Guide, nor say or imply that that meaning was limited to the dwelling-house itself and excluded ancillary outbuildings dating back to the time the dwelling was built.
2. Anything to cast doubt on the propriety of including original outbuildings in the ratio.
3. Anything to require the Committee to give determining weight to the ratio⁵.
4. Anything to curb the exercise of the Committee’s planning judgement or entitlement to weigh other material considerations against the Guide⁶.
5. Anything about creating an undesirable precedent by including in the ratio ancillary outbuildings that dated back to the original dwelling. So, the objector is flatly wrong that including those outbuildings “*opens up the same precedent that the Court of Appeal warned against*” (paragraph 8 of the objector speaking note).

*cause it to depart from the statement before it does so. Subject to this obligation, the [Council] is entitled to attribute such weight as it thinks fit to any consideration, and, as was made clear in Lord Hoffmann’s familiar observation in *Tesco Stores Ltd v Secretary of State for the Environment* [1995] 2 All ER 636 at 657, that is a question of planning judgment entirely for the planning authority”.*

² *Re Stewart’s Application* [2003] NICA 4, paragraph 9, emphasis added, per Carswell LCJ.

³ Paragraph 25.

⁴ “... one or more developers could by a series of planning applications increase the footprint of the premises by 150 per cent each time until it became substantially larger than the original, which would completely stultify the object of the provision” (paragraph 25).

⁵ As opposed to the “*great weight*” mandated by paragraph 7.12 of PPS6 or the “*considerable importance and weight*” required by Section 104’s ‘special regard’ requirement, neither of which must be determining weight.

⁶ Consistently with paragraph 6.18 of the SPPS.

3. How should the ratio be interpreted?

As the **Nelson**⁷ decision confirms, the Guide must be interpreted by reference to its intended purpose. The ratio's purpose is "to allow landscape to remain dominant" as compared to "building mass"⁸. To that end, "the established relationship between building mass and gardens should be respected and retained where possible"⁹. Original outbuildings are, of course, part of the "established relationship between building mass and gardens". What would be the logic in the Guide intending to exclude original outbuildings in order to respect and retain the established relationship between building mass and gardens? That would not respect and retain the established relationship, but fundamentally distort it, by artificially deleting from that historic relationship part of the original building mass. Relatedly, the Applicant makes five points:

1. The Guide itself uses the words "dwelling", "buildings" and "property" interchangeably to refer to historic built form, with no intent to distinguish between the living part of a house and ancillary outbuildings apparent. It refers¹⁰ to refusing extension proposals which are "considered overbearing in relation to the form of the original buildings", plural, which is not consistent with the notion that the only original built form that matters is the house itself.
2. The *particular* use to which individual parts of a residential property are used – whether in primary residential occupation or ancillary to that occupation – is completely irrelevant to the retention of the dominance of landscaping that is key to the character and appearance of Malone Park.
3. There is nothing in Northern Ireland planning legislation, planning policy, or in the decision-taking of the Planning Appeals Commission to suggest that the term "dwelling" in planning policy and guidance excludes outbuildings and other structures ancillary to the dwelling-house itself.
4. In **Moore**¹¹, the English Court of Appeal held that converting the outbuildings of a house to holiday units involved a change of use from a single dwelling-house to use as two or more dwelling-houses, so the Court of Appeal plainly treated the outbuildings as part of the dwelling. As an English Court of Appeal decision, **Moore** is not strictly binding in this jurisdiction, but it has strong persuasive value and is likely to be given very significant weight by our courts.

⁷ *Re Nelson's Application* (unreported, Kerr J, 1997)

⁸ Page 23 of the Guide.

⁹ Page 23 of the Guide.

¹⁰ Page 23.

¹¹ *Moore v SOSETR & New Forest District Council* (1999) 77 P & CR 114 at 118, per Nourse LJ:

"It is clear from the judgment of Simon Brown L.J. (with whom Dillon and Farquharson L.JJ. agreed) in *Van Dyck v. Secretary of State for the Environment* [1993] 1 P.L.R. 124 that the concept of the planning unit has no part to play in a case where there has been a change from use as a single dwelling-house to use as two or more separate dwelling-houses within section 55(3)(a) ... The actual decision in that case was that the predecessor of what is now section 171B(2) of the Act, when construed in the context of section 55(3)(a) and the definition of "building" in section 336(1), is capable of applying to a subdivision of one single dwelling-house into two or more separate dwelling-houses so as to give protection from enforcement action to the new dwelling-houses after the four year period has expired. I agree with Mr Alesbury that both the observations of Simon Brown L.J. and the actual decision are directly applicable to this case" (emphasis added).

5. In the **Creighton**¹² appeals the PAC included within the ratio calculation an ancillary garage¹³. Following **ABO Wind** PAC decisions “*must either be accepted and respected or challenged through the courts*”¹⁴. The PAC approach in those appeals has never been challenged through the courts, and must therefore be accepted and respected.

4. Could the Council lawfully grant permission even if the 1.5x ratio were exceeded?

Absolutely, yes, in the exercise of its planning judgement.

The Applicant and the Officers agree that the proposal is within the ratio, but the Officers have gone on to assess whether the proposal would be acceptable if the objectors were right and the proposal were to exceed the ratio. The Report concludes at paragraph 9.57 that in that event the proposal would exceed the ratio by approximately 69 square metres, but:

“... while the guidance is worded strongly stating ‘under no circumstances’ it remains the case that planning policy is not a straightjacket for the planning authority (Carswell LCJ, Re Stewart’s Application (2003) NICA 4). While paragraph 7.12 of PPS 6 states that the planning authority will attach ‘great weight’ to the need for proposals for new development to accord with the specific guidance drawn up for each particular Conservation Area it is entitled to depart from said Guidance where material considerations indicate otherwise”.

The Report then in the following paragraphs sets out the material considerations that the Officers judge indicate that it would be appropriate to depart from the Guide’s ratio, if that ratio were exceeded. In summary:

- a) The proposal is “*modest*” and “*sympathetic*” both to the site and to the surrounding area.
- b) The proposal with 17% building coverage will “*allow landscaping to remain dominant*”, fulfilling the rationale behind the ratio.
- c) The proposal’s design will actually enhance the character of the Conservation Area, in large part because the extension “*almost mirrors the extension of the neighbouring semi-detached property and therefore brings an element of symmetry to the rear of the dwellings*”.

That is the Officers’ planning judgement, and by their recommendation to approve they invite Members to make the same planning judgement.

Section 104’s ‘special regard’ provision requires Members to give “*considerable importance and weight*” to the desirability of preserving the character and appearance of the Conservation Area and to the desirability of enhancing it where an opportunity to do so arises. If, in their planning judgement, Members agree with the Officers that the proposal enhances the character and appearance of the Conservation Area - notwithstanding any breach of the ratio - then Members must give that positive factor considerable importance and weight. If, in their planning judgement, Members do not agree that there is enhancement but that there

¹² 2006/A0016 & A0017.

¹³ See the reference to 187 square metres overall footprint at paragraph 38 and Existing Site Block Plan Department reference 03, which shows that to achieve this figure the calculation of the footprint must have included the garage.

¹⁴ *Re ABO Wind NI Limited and Another’s Application* [2021] NIQB 96, per Humphreys J, at paragraph 100.

is an opportunity to enhance, then they must give that negative factor considerable importance and weight. However, even then paragraph 6.18 of the SPPS states that an exception can be made to the general presumption against granting permission where that lack of enhancement is outweighed by other material considerations grounded in the public interest, which would include the factors identified by the Officer, in particular that the proposal is sympathetic to the surrounding area and will allow landscaping to remain dominant, fulfilling the rationale behind the ratio. In short, if Members disagree with the Officers that there is enhancement Members can lawfully still grant permission by giving determining weight to other material considerations such as those identified by the Officers, in the exercise of their planning judgement. The Court of Appeal in **Gilligan** said nothing to the contrary.

Focussing then on the Guide's ratio, consistently with what the Court of Appeal said in both **Stewart** and **Gilligan**, the Guide does not imprison Members within a straightjacket or require Members to follow the ratio slavishly, and Members are entitled to depart from the ratio if in the exercise of their planning judgement they consider that justified by material considerations such as those identified by the Officers.

While paragraph 7.12 of PPS 6 directs that "*great weight*" should be given to the Guide, that is not the same thing as determining weight, and the Court of Appeal in **Gilligan** did not require determining weight to be given to the Guide, or to the ratio. Nor did the Court of Appeal in **Gilligan** say anything to curb the exercise of the Committee's planning judgement or entitlement to weigh other material considerations against the Guide. Rather, the Court of Appeal respected that planning judgement, and that entitlement to decide what weight should be given to each of the material considerations, including the Guide.

Conclusion

Properly understood, the ratio should be calculated on the basis of the original dwelling house plus the outbuildings originally associated with it, and because the proposal will not exceed 1.5x the footprint of the original dwelling house plus the outbuildings originally associated with it is compliant with both the letter and the spirit of the ratio.

If Members were to disagree with the Applicant and the Officers that the proposal will not exceed the ratio, then in the exercise of their planning judgement Members may still lawfully grant permission by giving more weight to the other material considerations than to the ratio.

William Orbinson QC

**Legal Associate of the Royal Town Planning Institute
Affiliate of the Irish Planning Institute**

14 April 2022

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SPEAKING NOTE ON BEHALF OF THE OBJECTOR



1. It is frankly astonishing that the Officer would rely upon the general wording of the Stewart High Court case (at para 9.57) and only mention the relevant policy Court of Appeal case in passing at para 9.50.
2. The analysis is in any event misconceived.
3. The Court of Appeal decision on the Conservation Area stated:

[25] The main argument on the appeal centred round head (c), on which the judge found in favour of the respondents. The Development Control Group, whose conclusions were accepted by the Department, had decided that the ratio between the "footprint" of the development proposal and the "original dwelling" could correctly be based by looking at the coverage of the house together with its post-1970s accretions, rather than that of the house as it was originally built. This appears not only from the minutes of the Group to which we have referred, but also from the averment in paragraph 5(e) of Ms O'Toole's affidavit of 29 May 2002 where she says:

"It was the view of the Development Control Group that we should take account of the existing situation at 3 Malone Park including the extensions approved and implemented. To have made calculations on a built form which has not existed for a considerable number of years would have been unreasonable."

The judge said, in a passage at page 12 of his judgment with which we agree:

"I do not consider that such an interpretation of the policy set out in the Conservation Area document was either lawful or reasonable bearing in mind the whole ethos of the document which was to protect and enhance the historical heritage of this area. In the words of the Minister of the Environment and the Economy introducing the document '... within this wider area Malone and Adelaide Parks retain much of their original character and remain as fine examples of a turn of the century housing environment of some distinction'. As noted earlier in this judgment it was common case between the parties that the existing extensions and outbuildings were unsightly, unsympathetic and of poor quality and clearly would not have complied with the requirements of paragraph 1 of the Conservation Area Development Guidelines. Nevertheless, it appears that these were preferred as the basis for calculations by the Department rather than 'a built form which has not existed for a considerable number of years' a view which, in my opinion, runs the risk of missing the point of the development guidelines altogether."

We would only add that if the Department's construction were correct, one or more developers could by a series of planning applications increase the footprint of the premises by 150 per cent each time until it became substantially larger than the original, which would completely stultify the object of the provision. We accordingly hold, as did the judge, that the Department has misinterpreted and misapplied its policy in an important respect. It was clearly a material part of the Department's consideration in giving planning permission for the development, and it could not be regarded as having been so tangential or peripheral that it would have made no difference to the outcome if it had been correctly approached.

[26] On this ground alone we would affirm the judge's decision and quash the planning decision made by the Department, but when the other issue relating to single family dwelling is added to it we have no hesitation in holding that it cannot stand. We therefore dismiss the appeal.

(emphasis underlined)

4. Following from that, it is manifestly unsatisfactory that a 20-page Case Officer Report fails to address the wording of the applicable policy.
5. The Case Officer instead relies upon a generalized assertion of a "dwelling" – see para 9.51 and ignores the policy altogether.
6. The fact that the Case Officer Report expressly identifies an "outbuilding" distinguishes that from "a dwelling".
7. Page 23 of the policy states:

"In order to allow landscape to remain dominant the established relationship between building mass and gardens should be respected and retained where possible. In no circumstances should building coverage be more than one and a half times that of the original dwelling."

(emphasis underlined)

8. As noted, the officer report concedes the distinction between "dwelling" and "outbuilding" (para 9.50). Even if correct in terms of the original buildings, the approach to policy is wrong. It opens up the same precedent that the Court of Appeal warned against.
9. Moreover, the Committee should have been advised that it is hard to think of any planning policy on these islands that is more strictly worded. The proposition that a decision maker can set that aside using a general statement of principle in an unrelated case is unacceptable.
10. Furthermore, that policy is underpinned by the statutory duty that is (again) mentioned in passing without explanation, and in particular fails to address the context of a hard-edged policy against development.
11. The statute states:

*(11) Where any area is for the time being designated as a conservation area, **special regard must be had, in the exercise, with respect to any buildings or other land in that area, of any powers under this Act, to the desirability of—***

(a)preserving the character or appearance of that area in cases where an opportunity for enhancing its character or appearance does not arise;

(b)enhancing the character or appearance of that area in cases where an opportunity to do so does arise.

12. As a matter of Law the decision maker is required to consider the statutory intention in enacting section 104 was that decision-makers should give "**considerable importance and weight**" to the desirability of preserving the setting of listed buildings when carrying out the balancing exercise.
13. Apart from the policy context of the statute, the Officer misstates the approach as para 9.28 when saying:

The alterations and additions, will not on balance, adversely impact the character and appearance of the surrounding area.

14. It also ignores the **SPPS** that says that **PPS 6 BH12** is modified by **SPPS Para 6.18** insofar as it introduces a '*guiding principle*', consistent with the statutory duty to pay '*special regard*' to the desirability of enhancing the character or appearance of a Conservation Area where an opportunity to do so exists, or to preserve its character or appearance where an opportunity to enhance does not arise.

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Committee Application

Development Management Report	
Committee Date: Tuesday 17 May 2022	Application ID: LA04/2021/1769/F
Proposal: Environmental improvements to include rationalisation of 3 no. car spaces in the courtyard car park to provide multiple seating opportunities; table tennis; a new surface level pedestrian linkage between FinTrU buildings and ancillary development. The existing service plant structures will be consolidated and 'wrapped' in matte black charred timber with a flat Sedum Green Roof System fitted to span the new section of storage created. This storage will encompass a 14 bike rack. Two new Electric Vehicle (EV) charging points and landscaping to supplement existing beds.	Location: FinTrU House 1 Cromac Avenue The Gasworks Belfast
Referral Route: Presented to Planning Committee - BCC interest in land	
Recommendation: Approval subject to conditions	
Applicant Name and Address: Sharon McGregor FinTru House 1 Cromac House Belfast	Agent Name and Address: Paul Hogarth Company 5 Ravenhill Road Belfast BT6 8DN
Executive Summary The application seeks full planning permission for environmental improvements, reconfiguration of car parking space resulting in the loss of three spaces. New pedestrian pathway, re-cladding of service plant area, provision of cycle storage area, provision of two electric charge points, seating and planter boxes and a table tennis area. The main issues to be considered in this case are: <ul style="list-style-type: none"> • Principle of development • Impact on surrounding character • Impact on environmental issues • Impact on Parking and Road safety • Impact on adjacent listed building The application was neighbour notified and advertised in the local press, no third-party comments have been received. The proposal is for environmental improvements which overall will upgrade a number of elements and improve the environmental quality of the area. Consultees BCC Environmental Health Service, Historic Environment Division (HED) and DFI Roads were consulted and are content with the proposal subject to planning conditions.	

The proposal has been assessed against and is considered to comply with the SPPS, BUAP, Draft BMAP (both versions) & PPS3.

Recommendation:

Having regard to the policy context and all other material considerations, the proposal is considered acceptable and is recommended for approval subject to conditions with delegated authority given to the Director of Planning and Building Control to finalise conditions.

Case Officer Report

Site Location Plan:



Existing Plan



Characteristics of the Site and Area	
1.0	Description of Proposed Development
1.1	Environmental improvements to include rationalisation of 3 no. car spaces in the courtyard car park to provide multiple seating opportunities; table tennis; a new surface level pedestrian linkage between FinTrU buildings and ancillary development. The existing service plant structures will be consolidated and 'wrapped' in matte black charred timber with a flat Sedum Green Roof System fitted to span the new section of storage created. This storage will encompass a rack for 14 bike. Two new Electric Vehicle (EV) charging points will be introduced and additional landscaping to supplement existing beds.
2.0	Description of Site and Area
2.1	The site is an open area space area containing planted beds, pathways and car parking spaces within the redeveloped Gas Works site now used to accommodate office suites. The site is located between a new build office and a listed building that was associated with the previous gas works use of the site. The surrounding character is one of commercial use with large office blocks and hotel within the confines of the old gas works site.
Planning Assessment of Policy and Other Material Considerations	
3.0	Site History
3.1	Numerous applications on site relating to the commercial redevelopment of the old gas works site - none are of particular relevance to the proposal.
4.0	Policy Framework
4.1	Regional Development Strategy
4.2	Belfast Urban Area Plan 2001
4.3	Strategic Planning Policy Statement for Northern Ireland (SPPS)
4.4	Draft Belfast Metropolitan Plan 2015 (published 2004) (dBMAP 2004)
4.5	Draft Belfast Metropolitan Area Plan 2015 (published 2014) (dBMAP 2015)
4.6	Planning Policy Statement 3: Access, Movement and Parking
5.0	Statutory Consultees
5.1	DFI Roads – offered no objection to the proposal
5.2	Historic environment Division – offered no objection to the proposal
6.0	Non Statutory Consultees
6.1	Environmental Health – No objection subject to condition relating to potential contamination concerns given prior gas works use of the site
7.0	Representations
7.1	The proposal was advertised in the local press and forty-nine neighbouring properties notified, to date the Council has received no third-party comments.
8.0	Assessment

8.1	<p>Principle of development:</p> <p>The propose site is within the existing development limits for the City, the site is within land previously developed as the City supply and storage facility and more recently has been converted to office accommodation complex. The principle of development is therefore established on site. The SPPS advises that planning permission ought to be granted for development that accords with the area plan and causes no significant harm to areas of acknowledged importance.</p>
8.2	<p>Impact on surrounding character:</p> <p>The proposal is for minor works to the outdoor area surrounding an existing office block to improve the outdoor environment. These works will result in the loss of three car parking spaces to allow a multi seating area, a recreation area, applicant indicates for table tennis. The proposal will also introduce a new pathway to facilitate pedestrian movement around the site providing better connectivity. The proposal will see the service plant structures being consolidated and additional storage space for cycle parking created which will be enclosed by charred timber and a green roof structure. The proposal also includes the introduction of two charging points for electric vehicles. The proposal also includes bedding planters which will contribute to softening with surrounding area.</p>
8.3	<p>Impact on environmental issues:</p> <p>Planning Service consulted BCC environmental Health on the proposal, having received a ground contamination report and additional details of planter etc. offered no objection to the proposal.</p>
8.4	<p>Impact on parking:</p> <p>Dfl Roads Service was consulted on the proposal given the loss of three car parking spaces. Dfl have indicated that the proposal is acceptable and offered no objection. The loss of three spaces and the replacement with 14 cycle storage spaces follows current trend to reduce reliance on the car and providing means to encourage more sustainable forms of transport. The proposal therefore will not result in any significant issue regarding parking and traffic flow.</p>
8.5	<p>Impact on adjacent listed buildings:</p> <p>The site is close to the original gas works building which is currently listed. Section 91 of the Planning Act NI 2011 requires that consideration is given to potential impacts development may have on the setting for a list building. In this regards the Council sought the advice of Historic Environment Division (HED). Both Listed Buildings and Listed Monuments section of HED have advised that the proposal will have no impact on the listed building or monuments.</p>
8.6	<p>Conclusion:</p> <p>The proposal provides environmental improvements within an area of the site. It will also encourages sustainable transport with the provision of cycle parking and electric charge points. The seating and recreation space will provide a better standard of work environment within the site area. The proposal is acceptable complying with planning policy and guidance and satisfying consultees areas of control.</p>
9.0	<p>Summary of Recommendation – Approval</p>
9.1	<p>Having regard to the policy context and other material considerations above, the proposal is acceptable, and it is recommended that planning permission is granted</p>

	subject to conditions with delegated authority given to the Director of Planning and Building Control to finalise conditions.
10.0	<p>Conditions</p> <p>1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <p>2. Prior to the operation of the proposed development, a Verification Report shall be submitted to and approved in writing by the City Council. This report must demonstrate that the remediation measures outlined in the McCloy Consulting Ltd report entitled 'Preliminary Risk Assessment, FinTrU House, The Gasworks, M03218-01_ENV00, February 2022', and as clarified by the Paul Hogarth Company drawings entitled "Typical Planter Detail" (Project number: 1414, Drawing number: 904, Revision: P01) and "Proposed General Layout" (Project number: 1414, Drawing number: 100, Revision: P02), have been implemented. The Verification Report shall demonstrate the successful completion of remediation works and that the site is now fit for end-use (commercial). It must demonstrate that the identified human health contaminant linkages are effectively broken. The Verification Report shall be in accordance with Environment Agency guidance. In particular, this Verification Report must demonstrate that:</p> <p>a) A minimum of 500mm of clean imported soils (demonstrably suitable for a commercial use) have been emplaced in all planting beds.</p> <p>Reason: To demonstrate that the required remedial measures have been incorporated into the development, in the interests of human health.</p> <p>3. If during the carrying out of the development, new contamination is encountered that has not previously been identified, all related works shall cease immediately, and the City Council shall be notified immediately in writing. This new contamination shall be fully investigated in accordance with current industry recognised best practice. In the event of unacceptable human health risks being identified, a Remediation Strategy and subsequent Verification Report shall be submitted to and agreed in writing by the City Council, prior to the development being occupied or operated. The Verification Report shall be completed by competent persons in accordance with best practice and must demonstrate that the remediation measures have been implemented and that the site is now fit for end-use.</p> <p>Reason: To ensure that any contamination within the site is appropriately dealt with, in the interests of human health.</p>

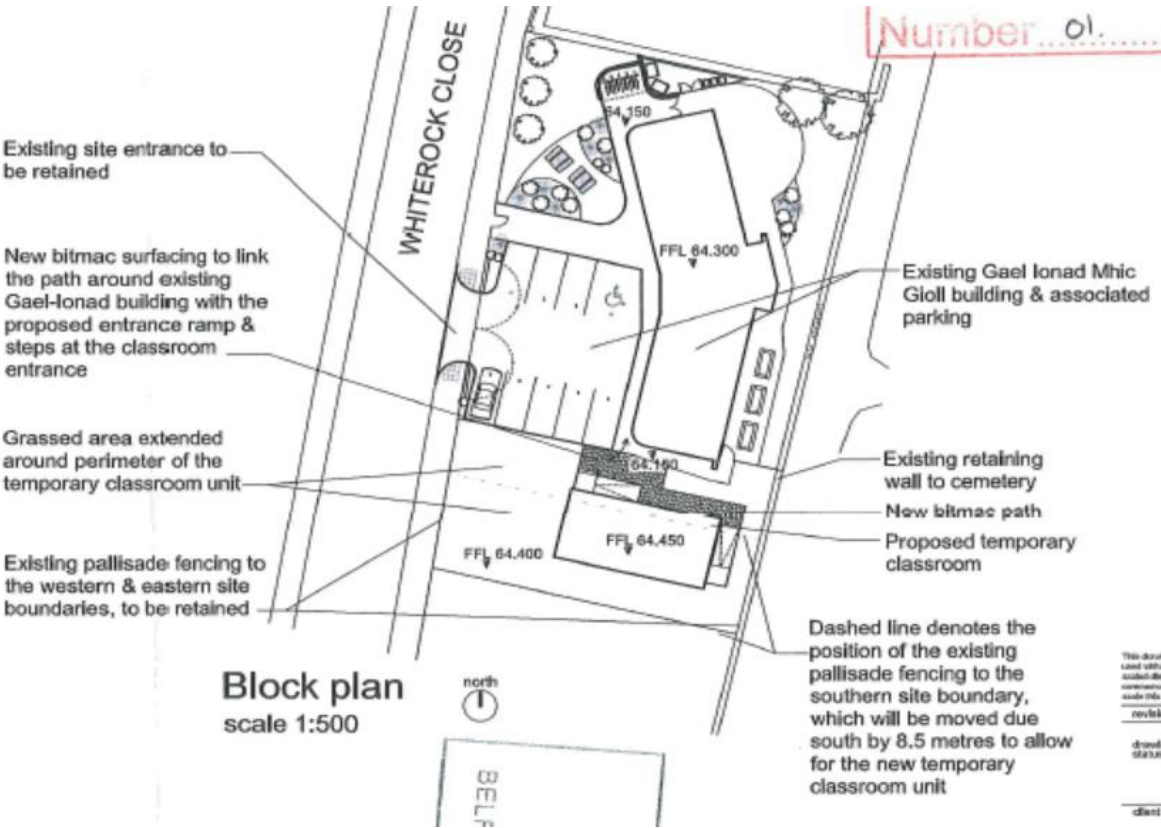
ANNEX	
Valid	14 th July 2021
Date First Advertised	13 th August 2021
Date Last Advertised	
Date of Last Neighbour Notification	15/09/2021
Date of EIA Determination	N/A
ES Requested	No
Drawing Numbers and Title 01 – Site Location Plan 20 Typical Planter Detail 21 Proposed General Layout	
Notification to Department (if relevant) – N/A	
Elected Representatives: N/A	

Development Management Officer Report Committee Application

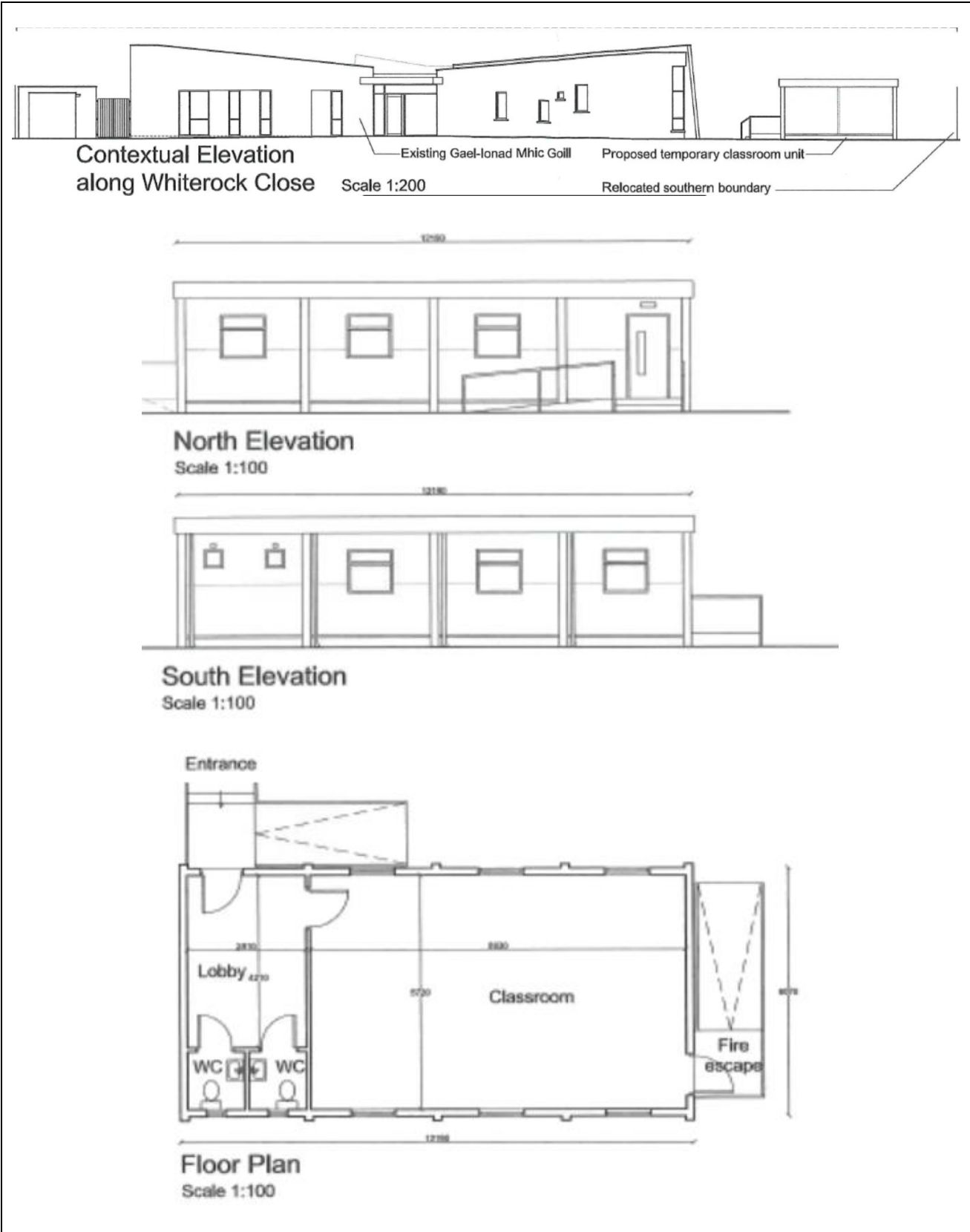
Summary	
Committee Meeting Date: Tuesday 17 May 2022	Application ID: LA04/2021/2577/F
Proposal: Detached modular temporary classroom and toilet unit to the south of the existing community facility. Existing southern fenced boundary moved due south by 8.5 metres.	Location: Gael-Ionard Mhic Goill 4 Whiterock Close Belfast BT12 7RJ
Referral Route: Belfast City Council Interest	
Recommendation: Approval	
Applicant Name and Address: Gael-Ionard Mhic Goill 4 Whiterock Close Belfast BT12 7RJ	Agent Name and Address: McCartan Muldoon Architects 22A Lisburn Street Hillsborough BT26 6AB
Executive Summary: This application seeks full planning permission for a modular temporary classroom unit to the south of the existing community facility. The unit will have a footprint of 12m by 6m. It will be 3.1m in height with a flat roof. The existing southern fenced boundary will be moved south by 8.5 metres to accommodate the unit. The main issues to be considered are: <ul style="list-style-type: none"> • The design and appearance of the proposal • Open Space and Landscape Designations • Access and Movement Consultees DfI Roads, NI Electricity and BCC Environmental Health offered no objections to the proposal. Recommendation: Having regard to the development plan, regional planning policy and associated guidance, it is recommended that this application is approved.	

Case Officer Report

Site Location Plan



PLANS AND ELEVATIONS



1.0	Description of Proposed Development
1.1	Detached modular temporary classroom and toilet unit to the south of the existing community facility. Existing southern fenced boundary moved due south by 8.5 metres.
2.0	Description of Site
2.1	The site is located at the Glór na móna centre in west Belfast. The site contains an existing single storey building with associated car parking. There are grassed areas adjacent to all sides of the building. There is a fenced off area of vacant, open space immediately to the south. The Whiterock Leisure Centre is to the south west, there is a playground to the west and the City Cemetery is to the east. The site is within BT 99 Milltown Urban Landscape Wedge, as designated in BMAP (2004).
Planning Assessment of Policy and other Material Considerations	
3.0	Site History
	Z/2014/1741/F Lands 50 metres due south of 2 Whiterock Close. Change of design from that previously approved under application reference Z/2013/1075/F to provide a new single storey Irish language and youth community centre. Permission Granted
	Z/2013/1075/F Lands to East of Whiterock Close, North of Whiterock Leisure Centre, West of Belfast cemetery. New construction timber framed, modular building for Irish Language Youth Centre, 2 storeys. Permission Granted
4.0	Policy Framework
4.1	Belfast Urban Area Plan 2001 Draft Belfast Metropolitan Area Plan 2015 Strategic Planning Policy Statement for Northern Ireland
4.2	SPPS, Planning Policy Statements: Strategic Planning Policy Statements for NI (SPPS) Planning Policy Statement 3: Access, Movement and Parking (Revised Feb 2005) Planning Policy Statement 8 – Open Space, Sport and Outdoor Recreation
5.0	Statutory Consultees Responses
5.1	DfI Roads – No objection.
6.0	Non Statutory Consultees Responses
6.1	BCC Environmental Health – No objection.
6.2	Northern Ireland Electricity – No objection.
7.0	Representations
7.1	The application has been advertised in the local press and neighbours notified. No representations have been received regarding the application.
8.0	Assessment
8.1	The main issues to be considered are: <ul style="list-style-type: none"> • The design and appearance of the proposal • Open Space and Landscape Designations

	<ul style="list-style-type: none"> • Access and Movement
8.2	The design and appearance of the proposal
8.3	The southern boundary of the Community Centre site is bounded by a 1.8m high palisade fence. This fence will be moved 8.5m south and the extended site will incorporate a section of overgrown wasteland. This is where the modular unit will be located. The unit will have a footprint of 12m by 6m. It will be 3.1m in height with a flat roof. There will be a door, a series of windows and a ramp on the north elevation, windows on the south elevation and a fire escape door and ramp on the east elevation.
8.4	A grassed area will be extended around the perimeter of the unit. A new bitmac path will connect the existing carpark to the northern elevation of the unit.
8.5	It is considered that the form and scale of the proposal is not unduly prominent or detracting from the character of the area. The classroom is set back from the public road to the side of the main building.
8.6	It is not considered that the proposal will cause demonstrable harm on the character and appearance of the surrounding area. They will be adjacent to the existing Community Centre, and will use the existing access to the site. The modular unit will be visible on approach along Whiterock Close from the north. However, the unit will be set back from the road. The unit will not appear as uncommon in the context of the existing Community Centre. Due to large separation distances from residential dwellings the unit will not be visible from dwellings.
8.7	Open Space and Landscape Designations
8.8	Policy OS 1 (Protection of Open Space) of PPS 8 (Open Space, Sport and Outdoor Recreation) protects against the loss of existing open space. Whilst the proposal will be on overgrown open space, it is currently derelict and fenced off. there is a presumption however in favour of its retention, an exception will be permitted where redevelopment will bring substantial community benefits that outweigh its loss. The application has advised that the proposal is for an overspill classroom facility as the current facility is at capacity due to a combination of increased membership numbers and covid restrictions. The accommodation is essential to let Irish Language Classes and Youth group practices to continue. The group have proposals for a larger premises however funding is yet to be secured therefore this is temporary and will be replaced. The proposed development will extend a grassed area and there will be an increase in usable open space. It will bring a community benefit and is temporary in nature; it is considered on balance that the proposal is generally compliant with PPS8.
8.9	The site is within the Milltown Urban Landscape Wedge. This designation protects valuable open areas and prevents the merger of different urban communities. The proposal suitably integrates and is small in scale. It does not affect views into the site to a large degree and will not have a detrimental impact on the integrity of the wedge.
8.10	Access and Movement <p>PPS 3 sets out policies to ensure that any new development does not create a traffic hazard. The proposal will utilise the existing access and parking associated with the existing Community Centre. The proposal complies with PPS3. In-curtilage parking is not affected by the proposal. DfI Roads were consulted and had no objections to the proposal.</p>

8.11	Consultations DfI Roads, BCC Environmental Health and NI Electricity were consulted and offered no objections.
8.12	Conclusion
8.13	The applicant is seeking temporary permission for the mobile classroom for 4/5 years. It is considered on balance that the mobile classroom is acceptable subject to a time limited condition requiring removal after 3 years and reinstatement of the land to its previous condition.
8.14	Considering the value of the proposal in terms of community benefit and how the proposal complies with policy, approval is recommended.
9.0	Summary of Recommendation: Approval
9.1	Having regard to the policy context and other material considerations above, the proposal is considered acceptable and planning permission is recommended.
10.0	Conditions 1. The approval is temporary for a period of 36 months from the date of this decision notice. All works must be removed and the site reverted to its original condition after this period. Reason: To enable the Council to consider the development in the light of circumstances then prevailing. Informatives The applicant's attention is drawn to the consultation responses received by the Council in respect of this application. The responses can be viewed at https://www.planningni.gov.uk/index/tools/public-access-info.htm .

ANNEX	
Date Valid	2 nd November 2021
Date First Advertised	26 th November 2021
Date Last Advertised	
Details of Neighbour Notification (all addresses) The Owner/Occupier, Apartment 1,2 Whiterock Close,Belfast,Antrim,BT12 7FE The Owner/Occupier, Apartment 10,2 Whiterock Close,Belfast,Antrim,BT12 7FE The Owner/Occupier, Apartment 11,2 Whiterock Close,Belfast,Antrim,BT12 7FE The Owner/Occupier, Apartment 12,2 Whiterock Close,Belfast,Antrim,BT12 7FE The Owner/Occupier, Apartment 13,2 Whiterock Close,Belfast,Antrim,BT12 7FE The Owner/Occupier, Apartment 14,2 Whiterock Close,Belfast,Antrim,BT12 7FE The Owner/Occupier, Apartment 15,2 Whiterock Close,Belfast,Antrim,BT12 7FE The Owner/Occupier, Apartment 16,2 Whiterock Close,Belfast,Antrim,BT12 7FE The Owner/Occupier, Apartment 17,2 Whiterock Close,Belfast,Antrim,BT12 7FE The Owner/Occupier, 1 Apartment 18,2 Whiterock Close,Belfast,Antrim,BT12 7FE The Owner/Occupier, Apartment 2,2 Whiterock Close,Belfast,Antrim,BT12 7FE The Owner/Occupier, Apartment 3,2 Whiterock Close,Belfast,Antrim,BT12 7FE The Owner/Occupier, Apartment 4,2 Whiterock Close,Belfast,Antrim,BT12 7FE The Owner/Occupier, Apartment 5,2 Whiterock Close,Belfast,Antrim,BT12 7FE	

The Owner/Occupier, Apartment 6,2 Whiterock Close,Belfast,Antrim,BT12 7FE	
The Owner/Occupier, Apartment 7,2 Whiterock Close,Belfast,Antrim,BT12 7FE	
The Owner/Occupier, Apartment 8,2 Whiterock Close,Belfast,Antrim,BT12 7FE	
The Owner/Occupier, Apartment 9,2 Whiterock Close,Belfast,Antrim,BT12 7FE	
Date of Last Neighbour Notification	8 th December 2021
Date of EIA Determination	
ES Requested	No
Planning History Ref ID: Z/2014/1741/F Proposal: Change of design from that previously approved under application reference Z/2013/1075/F to provide a new single storey Irish language and youth community centre. Address: Lands 50 metres due south of 2 Whiterock Close. Decision: Permission Granted Decision Date: 29 May 2015 Ref ID: Z/2013/1075/F Proposal: New construction timber framed, modular building for Irish Language Youth Centre, 2 storeys. Address: Lands to East of Whiterock Close, North of Whiterock Leisure Centre, West of Belfast cemetery. Decision: Permission Granted Decision Date: 24 January 2014	
Summary of Consultee Responses DfI Roads – no objection BCC Environmental Health – no objection Northern Ireland Electricity – no objection	
Drawing Numbers and Title	
Drawing No. 01 Type: Site Location Plan Status: Submitted Drawing No. 02 Type: Existing and Proposed Floor Plans Status: Submitted	

Notification to Department (if relevant)

Date of Notification to Department:

Response of Department:

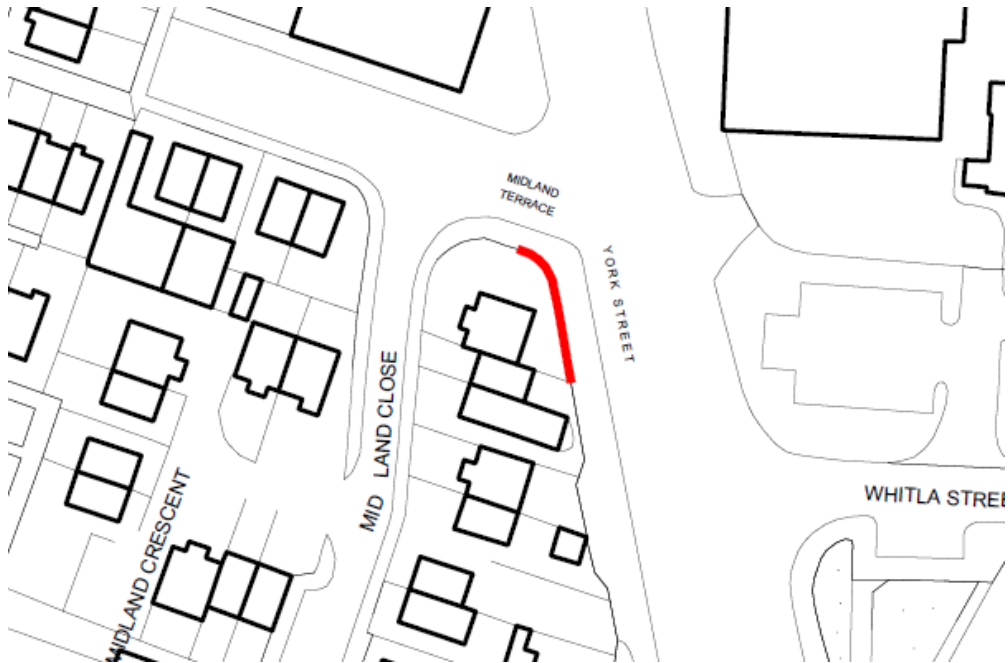
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Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: Tuesday 17 May 2022	Application ID: LA04/2021/2726/F
Proposal: Art installation of 5no. printed panel measuring 2440mm x 1220mm.	Location: 2 Midland Close Belfast BT15 1FX.
Referral Route: Belfast City Council funding	
Recommendation:	Refusal
Applicant Name and Address: Small Steps North Belfast Orange Memorial Hall 170 Alexandra Park Avenue Belfast BT15 3GJ	Agent Name and Address: OGU Architects Flax Art Studios Havelock House Belfast BT7 1EB
<p>Executive Summary:</p> <p>The proposal seeks permission for the installation of 5 printed panels measuring 2.4m x 1.2m. The proposal is part of a Business Cluster Support Project and is an Ulster-Scots themed project. The panels are proposed to incorporate photographs and text to explain important Ulster-Scots with local connections, including the Mulholland's of York Street Mill; Thomas Gallaher's tobacco factory; motorbike pioneer Rex McCandless whose business is on Limestone Road; and famous local artists John Luke and James Humbert Craig.</p> <p>The key issues are:</p> <ul style="list-style-type: none"> ○ Impact on amenity and general characteristics of the area. ○ Impact on public safety. <p>The site is located on the boundary wall of no. 2 Midland Close located off Antrim Road. The area is predominantly residential in nature.</p> <p>The proposal has been assessed against the Strategic Planning Policy Statement for Northern Ireland (SPPS), Belfast Urban Area Plan 2001 (BUAP) and the Draft Metropolitan Area Plan 2015 (BMAP).</p> <p>Recommendation: Refusal.</p> <p>It is recommended that the application is refused and it is requested that delegated authority be given to the Director of Planning and Building Control to finalise the wording for refusal.</p>	

Case Officer Report

Site Location Plan



Characteristics of the Site and Area	
1.0	Description of Proposed Development Art installation of 5no. printed panel measuring 2440mm x 1220mm.
2.0	Description of Site <p>The site is located on the boundary wall of no. 2 Midland Close located off Antrim Road. The area is predominantly residential with the exception of Ulster Bank located directly across from the site. On the opposite side of York Street there are large commercial buildings, a car park and York Street train station.</p>
Planning Assessment of Policy and other Material Considerations	
3.0	Relevant Site History
3.1	None
4.0	Policy Framework
4.1	Strategic Planning Policy Statement
4.2	Belfast Urban Area Plan 2001
4.3	Draft Belfast Metropolitan Area Plan 2015 (Following the recent Court of Appeal decision on BMAP, the extant development plan is now the BUAP. However, given the stage at which the Draft BMAP had reached pre-adoption through a period of independent examination, the policies within the Draft BMAP still carry weight and are a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker)
4.4	Belfast Local Development Plan Draft Plan Strategy 2035 The Belfast Local Development Plan Draft Plan Strategy 2035 will guide future planning application decision making to support the sustainable spatial growth of the city up to 2035. The draft Plan Strategy has been subject to examination by the Planning Appeals Commission and the Council has been provided with a copy of their Report, together with a Direction from DfI in relation to additional required steps before it can be considered adopted. Paragraph 1.10 states that a transitional period will operate until such times as a Council's Plan Strategy has been adopted. Accordingly, whilst the Draft Plan Strategy is now a material consideration it has limited weight until it is adopted and during the transitional period planning authorities will apply existing policy together with the SPPS.
5.0	Consultations:
5.1	Statutory Consultee Responses
5.1.1	None
5.2	Non-Statutory Consultee Responses
5.2.1	None
6.0	Representations
6.1	1 objection was received from the occupier of 4 Midland Close on the basis that they are in agreement with a 3 rd party and the boundary wall is included in this agreement.

7.0	Assessment
7.1	The proposal seeks permission for the installation of 5 printed panels measuring 2.4m x 1.2m. These panels are to be located along the boundary wall of no. 2 Midland Close, located off York Street. The proposal is part of a Business Cluster Support Project and is an Ulster-Scots themed project. The panels are proposed to incorporate photographs and text to explain important Ulster-Scots with local connections, including the Mulholland's of York Street Mill; Thomas Gallaher's tobacco factory; motorbike pioneer Rex McCandless whose business is on Limestone Road; and famous local artists John Luke and James Humbert Craig.
7.2	The proposed panels are not illuminated and are not considered to prejudice public safety.
7.3	The proposed panels are considered unacceptable as they do not respect amenity when assessed in the context of the general characteristics of the locality. The panels, if approved, given to their extent and position would not result in good design as outlined in the SPPS, and would be out of place in this residential setting. The panels cumulatively would result in clutter when read together and with the existing poster panel located on the gable wall of no. 2 Midland Close. This poster panel does not benefit from planning approval but has been present for more than 10 years and is immune from enforcement action.
7.4	The scale, intrusive nature and cumulative effect of the proposed panels are considered unacceptable in this predominantly residential area.
8.0	Conclusion The proposal is considered to have a detrimental impact on the amenity of the residential area and, if approved, would result in clutter. The proposal is recommended for refusal.
9.0	Reason for refusal:
9.1	The proposal is contrary to the Strategic Planning Policy Statement in that, if approved, be detrimental to the residential amenity of the area and result in clutter when read cumulatively within the context of the surrounding area.

ANNEX	
Date Valid	16th November 2021
Date First Advertised	17th December 2021
Date Last Advertised	
Details of Neighbour Notification (all addresses) The Owner/Occupier, 2 Midland Close, Belfast, Antrim, BT15 1FX The Owner/Occupier, 2-6 , Whitla Street, Belfast, Antrim, BT15 1JP The Owner/Occupier, 202-206 , York Street, Belfast, Antrim, BT15 1HY The Owner/Occupier, 4 Midland Close, Belfast, Antrim, BT15 1FX The Owner/Occupier, 6 Midland Close, Belfast, Antrim, BT15 1FX The Owner/Occupier, 8 Midland Close, Belfast, Antrim, BT15 1FX	
Date of Last Neighbour Notification	31st January 2022
Date of EIA Determination	
ES Requested	No
Planning History Ref ID: LA04/2021/2726/F Proposal: Art installation of 5no. printed panel measuring 2440mm x 1220mm. Address: 2 Midland Close, Belfast, BT15 1FX., Decision: Decision Date: Ref ID: Z/1984/0804 Proposal: CONSTRUCTION OF 72 DWELLINGS Address: BROUGHAM STREET/YORK STREET Decision: Decision Date: Ref ID: Z/1983/0910 Proposal: RESIDENTIAL DEVELOPMENT Address: BROUGHAM STREET/CANNING STREET Decision:	

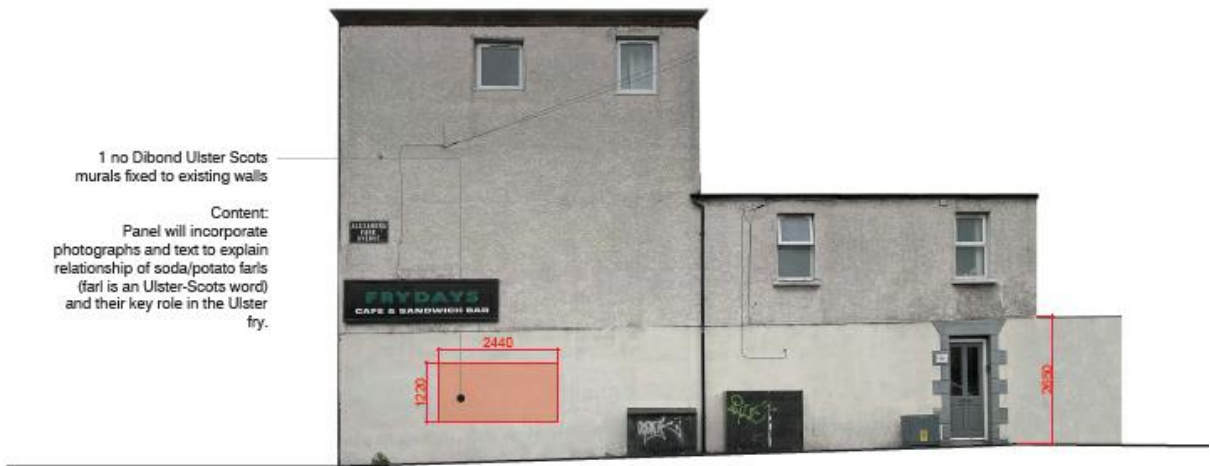
Decision Date:
Drawing Numbers and Title
01- Location Plan and block plan 02- Proposed site plan and elevations
Notification to Department (if relevant) Date of Notification to Department: Response of Department:

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: Tuesday 17 May 2022	Application ID: LA04/2021/2727/F
Proposal: Art installation of 1no. printed panel measuring 2440mm x 1220mm.	Location: Frydays Cafe 98 York Road Belfast BT15 3HF.
Referral Route: Belfast City Council funding.	
Recommendation:	Approval
Applicant Name and Address: Small Steps North Belfast Orange Memorial Hall 170 Alexandra Park Avenue Belfast BT15 3GJ	Agent Name and Address: OGU Architects Flax Art Studios Havelock House Belfast BT7 1EB
<p>Executive Summary:</p> <p>The proposal seeks permission for the installation of 1 printed panel measuring 2.4m x 1.2m. The proposal is part of a Business Cluster Support Project and is an Ulster-Scots themed project. The panels are proposed to incorporate photographs and text to explain the relationship of soda/ potato farls and their key role in the Ulster Fry.</p> <p>The key issues are:</p> <ul style="list-style-type: none"> ○ Impact on amenity and general characteristics of the area. ○ Impact on public safety. <p>The site is located on the gable wall of no. 98 York Road. The area is mixed use in nature. The proposal has been assessed against the Strategic Planning Policy Statement for Northern Ireland (SPPS), Belfast Urban Area Plan 2001 (BUAP) and the Draft Metropolitan Area Plan 2015 (BMAP).</p> <p>Recommendation: Approval.</p> <p>It is recommended that the application is approved for a temporary period of 3 years, and it is requested that delegated authority be given to the Director of Planning and Building Control to finalise the wording of conditions.</p>	

Case Officer Report

Site Location Plan



Characteristics of the Site and Area	
1.0	Description of Proposed Development Art installation of 1no. printed panel measuring 2440mm x 1220mm.
2.0	Description of Site The site is located on the gable wall of no. 98 York Road. The ground floor unit of the host building is a café located along a terrace of commercial and retail uses. There are residential dwellings located on the opposite side of the road on York Road.
Planning Assessment of Policy and other Material Considerations	
3.0	Relevant Site History
3.1	Z/1988/2902 - Erection of 48 sheet hoardings. Consent granted
3.2	Z/2006/0773/A - Shop signage. Permission granted 05.06.2006
4.0	Policy Framework
4.1	Strategic Planning Policy Statement
4.2	Belfast Urban Area Plan 2001
4.3	Draft Belfast Metropolitan Area Plan 2015 (Following the recent Court of Appeal decision on BMAP, the extant development plan is now the BUAP. However, given the stage at which the Draft BMAP had reached pre-adoption through a period of independent examination, the policies within the Draft BMAP still carry weight and are a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker)
4.4	Belfast Local Development Plan Draft Plan Strategy 2035 The Belfast Local Development Plan Draft Plan Strategy 2035 will guide future planning application decision making to support the sustainable spatial growth of the city up to 2035. The draft Plan Strategy has been subject to examination by the Planning Appeals Commission and the Council has been provided with a copy of their Report, together with a Direction from DfI in relation to additional required steps before it can be considered adopted. Paragraph 1.10 states that a transitional period will operate until such times as a Council's Plan Strategy has been adopted. Accordingly, whilst the Draft Plan Strategy is now a material consideration it has limited weight until it is adopted and during the transitional period planning authorities will apply existing policy together with the SPPS.
5.0	Consultations:
5.1	Statutory Consultee Responses
5.1.1	None
5.2	Non-Statutory Consultee Responses
5.2.1	None
6.0	Representations
6.1	No representations have been received.
7.0	Assessment
7.1	The proposal seeks permission for the installation of 1 printed panel measuring 2.4m x 1.2m. The panel is to be located at the gable wall of Frydays Café at 98 York Road. The

	proposal is part of a Business Cluster Support Project and is an Ulster-Scots themed project. The panels are proposed to incorporate photographs and text to explain the relationship of soda/ potato farls and their key role in the Ulster Fry.
7.2	The proposed panels will be for information purposes only and will not be used for the purposed of advertising. The proposal is considered acceptable under the SPPS as the proposed panel is not located in an area which features any historic, archaeological, architectural, landscape or cultural interest.
7.3	The position of the panel on the host building and its scale and size in relation to that building is considered acceptable.
7.4	The proposal is not considered to result in clutter when read with advertisements in the area. The host building currently has 1 fascia sign and one business logo located on the gable wall. The panel is not high level and will not appear dominant or out of character within the context of the surrounding area.
8.0	Conclusion The proposal is considered acceptable on balance, given the nature of the surrounding area. Approval is recommended.
9.0	Conditions:
9.1	The permission hereby granted is for a temporary period of 3 years. The art installation and all associated development hereby granted will be removed on or before 3 years from the date of this permission. Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011 and in order to protect the amenity of the area
9.2	The panel hereby permitted shall be used to display information for the Ulster-Scots themed project only and will be kept well maintained and in good repair Reason: In the interests of the amenity of the area.

ANNEX	
Date Valid	16th November 2021
Date First Advertised	17th December 2021
Date Last Advertised	
Details of Neighbour Notification (all addresses) The Owner/Occupier, 100 York Road,Belfast,Antrim,BT15 3HF The Owner/Occupier, 100 York Road,Belfast,Antrim,BT15 3HF The Owner/Occupier, 104-106 ,York Road,Belfast,Antrim,BT15 3HF The Owner/Occupier, 98 York Road,Belfast,Antrim,BT15 3HF The Owner/Occupier, Flat 1,2a ,Alexandra Park Avenue,Skegoneill,Belfast,Antrim,BT15 3EP The Owner/Occupier, Flat 2,2a ,Alexandra Park Avenue,Skegoneill,Belfast,Antrim,BT15 3EP The Owner/Occupier, Flat 3,2a ,Alexandra Park Avenue,Skegoneill,Belfast,Antrim,BT15 3EP	
Date of Last Neighbour Notification	31st January 2022
Date of EIA Determination	
ES Requested	No
Planning History Ref ID: LA04/2021/2727/F Proposal: Art installation of 1no. printed panel measuring 2440mm x 1220mm. Address: Frydays Cafe, 98 York Road, Belfast, BT15 3HF., Decision: Decision Date: Ref ID: Z/2006/0773/A Proposal: Shop signage. Address: 82-116 York Road, Skegoneill, Belfast, Northern Ireland, BT15 3HF Decision: Decision Date: 05.06.2006 Ref ID: Z/1988/2902 Proposal: Erection of 48 sheet hoardings	

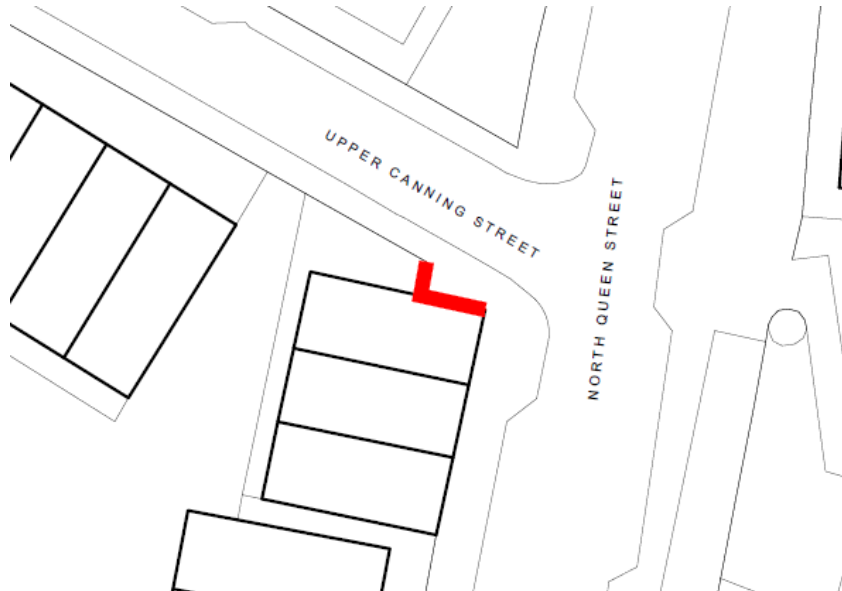
Address: 98 YORK ROAD, BELFAST Decision: Decision Date:
Drawing Numbers and Title
01- Location Plan and site plan 02- Proposed site plan and elevations
Notification to Department (if relevant) Date of Notification to Department: Response of Department:

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: Tuesday 17 May 2022	Application ID: LA04/2021/2728/F
Proposal: Art installation of 2no. printed panel measuring 2440mm x 1220mm.	Location: Winefair 142 North Queen Street Belfast BT15 1HQ.
Referral Route: Belfast City Council funding.	
Recommendation:	Approval
Applicant Name and Address: Small Steps North Belfast Orange Memorial Hall 170 Alexandra Park Avenue Belfast BT15 3GJ	Agent Name and Address: OGU Architects Flax Art Studios Havelock House Belfast BT7 1EB
<p>Executive Summary:</p> <p>The proposal seeks permission for the installation of 2 printed panels measuring 2.4m x 1.2m. The proposal is part of a Business Cluster Support Project and is an Ulster-Scots themed project. The panels are proposed to incorporate photographs and text to explain the role of Ulster-Scots in whiskey distilling in Belfast and also the invention of Belfast ginger ale and brown lemonade.</p> <p>The key issues are:</p> <ul style="list-style-type: none"> ○ Impact on amenity and general characteristics of the area. ○ Impact on public safety. <p>The panels are located on the gable wall and boundary wall of no. 142 North Queen Street. The area is mixed use in nature.</p> <p>The proposal has been assessed against the Strategic Planning Policy Statement for Northern Ireland (SPPS), Belfast Urban Area Plan 2001 (BUAP) and the Draft Metropolitan Area Plan 2015 (BMAP).</p> <p>Recommendation: Approval.</p> <p>It is recommended that the application is approved for a temporary period of 3 years and it is requested that delegated authority be given to the Director of Planning and Building Control to finalise the wording of conditions.</p>	

Case Officer Report

Site Location Plan



2 no Dibond Ulster Scots murals pinned to existing walls

Content:

Panel will incorporate photographs and text to explain the role of Ulster-Scots in whiskey distilling in Belfast and also the invention of Belfast ginger ale and brown lemonade.



Characteristics of the Site and Area	
1.0	Description of Proposed Development Art installation of 2no. printed panel measuring 2440mm x 1220mm.
2.0	Description of Site The site is located on the gable wall and boundary wall of no. 142 North Queen Street. The ground host building is in use as a Winefair off licence. The surrounding area is mixed use with residential dwellings across from the site, commercial premises and retail units.
Planning Assessment of Policy and other Material Considerations	
3.0	Relevant Site History
3.1	Z/1993/2249 - Erection of 3 shop units. Permission Granted.
4.0	Policy Framework
4.1	Strategic Planning Policy Statement
4.2	Belfast Urban Area Plan 2001
4.3	Draft Belfast Metropolitan Area Plan 2015 (The extant development plan is the BUAP. However, given the stage at which the Draft BMAP had reached pre-adoption through a period of independent examination, the policies within the Draft BMAP still carry weight and are a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker)
4.4	Belfast Local Development Plan Draft Plan Strategy 2035 The Belfast Local Development Plan Draft Plan Strategy 2035 will guide future planning application decision making to support the sustainable spatial growth of the city up to 2035. The draft Plan Strategy has been subject to examination by the Planning Appeals Commission and the Council has been provided with a copy of their Report, together with a Direction from DfI in relation to additional required steps before it can be considered adopted. Paragraph 1.10 states that a transitional period will operate until such times as a Council's Plan Strategy has been adopted. Accordingly, whilst the Draft Plan Strategy is now a material consideration it has limited weight until it is adopted and during the transitional period planning authorities will apply existing policy together with the SPPS.
5.0	Consultations:
5.1	Statutory Consultee Responses
5.1.1	None
5.2	Non-Statutory Consultee Responses
5.2.1	None
6.0	Representations
6.1	No representations have been received.
7.0	Assessment
7.1	The proposal seeks permission for the installation of 2 printed panels measuring 2.4m x 1.2m. The proposal is part of a Business Cluster Support Project and is an Ulster-Scots themed project. The panels are proposed to incorporate photographs and text to explain the role of Ulster-Scots in whiskey distilling in Belfast and also the invention of Belfast ginger ale and brown lemonade.

7.2	The proposed panels will be for information purposes only and will not be used for the purposed of advertising. The proposal is considered acceptable under the SPPS as the proposed panel is not located in an area which features any historic, archaeological, architectural, landscape or cultural interest.
7.3	The position of the panels on the host building and their scale and size in relation to that building is considered acceptable
7.4	The proposal is not considered to result in clutter when read with existing advertisements in the area. The host building and the adjoining pharmacy and charity shop currently have 1 fascia sign each. The panels are not high level and will not appear dominant or out of character within the context of the surrounding area.
7.5	The proposed panels are not illuminated and are not considered to prejudice public safety.
8.0	Conclusion The proposal is considered acceptable on balance, given the nature of the surrounding area. Approval is recommended.
9.0	Conditions:
9.1	The permission hereby granted is for a temporary period of 3 years. The art installation and all associated development hereby granted will be removed on or before 3 years from the date of this permission. Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011 and in order to protect the amenity of the area
9.2	The panel hereby permitted shall be used to display information for the Ulster-Scots themed project only and will be kept well maintained and in good repair. Reason: In the interests of the amenity of the area.

ANNEX	
Date Valid	3rd December 2021
Date First Advertised	17th December 2021
Date Last Advertised	
Details of Neighbour Notification (all addresses) The Owner/Occupier, 142 North Queen Street, Skegoneill, Belfast, Antrim, BT15 1HQ The Owner/Occupier, 142 North Queen Street, Skegoneill, Belfast, Antrim, BT15 1HQ The Owner/Occupier, 144 North Queen Street, Skegoneill, Belfast, Antrim, BT15 1HQ	
Date of Last Neighbour Notification	31st January 2022
Date of EIA Determination	
ES Requested	No
Planning History Ref ID: LA04/2021/2728/F Proposal: Art installation of 2no. printed panel measuring 2440mm x 1220mm. Address: Winefair, 142 North Queen Street, Belfast, BT15 1HQ., Decision: Decision Date: Ref ID: Z/1991/2757 Proposal: Proposed enterprise centre comprising small manufacturing units, associated management offices and security kiosk Address: SITE A, 2-24 DUNCAIRN GDNS, SITE B, 1-35 DUNCAIRN GDNS AND LAND TO REAR BOUNDED BY UPPER CANNING ST & N Decision: Decision Date: Ref ID: Z/1993/2249 Proposal: Erection of 3 shop units Address: 138-144 NORTH QUEEN STREET BELFAST BT1 Decision: Decision Date:	

Drawing Numbers and Title
Drawing No. Type: Status: Submitted
Drawing No. Type: Status: Submitted
Drawing No. Type: Status: Submitted
Drawing No. Type: Status: Submitted
Drawing No. Type: Status: Submitted
Notification to Department (if relevant) Date of Notification to Department: Response of Department:

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: Tuesday 17 May 2022	Application ID: LA04/2021/2730/F
Proposal: Art installation of 2no. printed panel measuring 2440mm x 1220mm.	Location: Second Time Around Charity Shop 46 Parkmount Street Belfast BT15 3DX.
Referral Route: Belfast City Council funding.	
Recommendation:	Approval
Applicant Name and Address: Small Steps North Belfast Orange Memorial Hall 170 Alexandra Park Avenue Belfast BT15 3GJ	Agent Name and Address: OGU Architects Flax Art Studios Havelock House Belfast BT7 1EB
<p>Executive Summary:</p> <p>The proposal seeks permission for the installation of 2 printed panels measuring 2.4m x 1.2m, located on the side and rear wall of the premises at no. 46 Parkmount Street. The proposal is part of a Business Cluster Support Project and is an Ulster-Scots themed project. The panels are proposed to incorporate photographs and text to explain the role of Ulster-Scots in philanthropy such as the foundation of Belfast Charitable Society and the role of an American Ulster-Scots descent, General Ambrose Burnside.</p> <p>The key issues are:</p> <ul style="list-style-type: none"> o Impact on amenity and general characteristics of the area. o Impact on public safety. <p>The site is located at Second Time Around charity shop at no. 46 Parkmount Street on the corner of Parkmount Street and North Queen Street. The host building is commercial in nature located within a predominantly residential area.</p> <p>The proposal has been assessed against the Strategic Planning Policy Statement for Northern Ireland (SPPS), Belfast Urban Area Plan 2001 (BUAP) and the Draft Metropolitan Area Plan 2015 (BMAP).</p> <p>Recommendation: approval.</p> <p>It is recommended that the application is approved for a temporary period of 3 years, and it is requested that delegated authority be given to the Director of Planning and Building Control to finalise the wording of conditions.</p>	

Case Officer Report

Site Location Plan



Characteristics of the Site and Area	
1.0	Description of Proposed Development Art installation of 2no. printed panels measuring 2440mm x 1220mm.
2.0	Description of Site The site is located at Second Time Around charity shop at no. 46 Parkmount Street on the corner of Parkmount Street and North Queen Street. The host building is commercial in nature located within a predominantly residential area.
Planning Assessment of Policy and other Material Considerations	
3.0	Relevant Site History
3.1	None
4.0	Policy Framework
4.1	Strategic Planning Policy Statement
4.2	Belfast Urban Area Plan 2001
4.3	Draft Belfast Metropolitan Area Plan 2015 (Following the recent Court of Appeal decision on BMAP, the extant development plan is now the BUAP. However, given the stage at which the Draft BMAP had reached pre-adoption through a period of independent examination, the policies within the Draft BMAP still carry weight and are a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker)
4.4	Belfast Local Development Plan Draft Plan Strategy 2035 The Belfast Local Development Plan Draft Plan Strategy 2035 will guide future planning application decision making to support the sustainable spatial growth of the city up to 2035. The draft Plan Strategy has been subject to examination by the Planning Appeals Commission and the Council has been provided with a copy of their Report, together with a Direction from DfI in relation to additional required steps before it can be considered adopted. Paragraph 1.10 states that a transitional period will operate until such times as a Council's Plan Strategy has been adopted. Accordingly, whilst the Draft Plan Strategy is now a material consideration it has limited weight until it is adopted and during the transitional period planning authorities will apply existing policy together with the SPPS.
5.0	Consultations:
5.1	Statutory Consultee Responses
5.1.1	None
5.2	Non-Statutory Consultee Responses
5.2.1	None
6.0	Representations
6.1	No representations have been received.
7.0	Assessment
7.1	The proposal seeks permission for the installation of 2 printed panels measuring 2.4m x 1.2m, located on the side and rear wall of the premises at no. 46 Parkmount Street. The proposal is part

	of a Business Cluster Support Project and is an Ulster-Scots themed project. The panels are proposed to incorporate photographs and text to explain the role of Ulster-Scots in philanthropy such as the foundation of Belfast Charitable Society and the role of an American Ulster-Scots descent, General Ambrose Burnside.
7.2	The proposed panels will be for information purposes only and will not be used for the purpose of advertising. The proposal is considered acceptable under the SPPS as the proposed panel is not located in an area which features any historic, archaeological, architectural, landscape or cultural interest.
7.3	The position of the panel on the host building and its scale and size in relation to that building is considered acceptable.
7.4	The proposal is not considered to result in clutter when read with advertisements in the area. The surrounding area is predominantly residential, however given the nature of the site's corner location and the position of the panels at the rear and side elevation, the proposed panels will not be read with residential properties and are considered acceptable on balance.
7.5	The panels are not high level and will not appear dominant or out of character within the context of the surrounding area.
7.6	The proposed panels are not illuminated and are not considered to prejudice public safety.
8.0	Conclusion The proposal is considered acceptable on balance, given the nature of the surrounding area. Approval is recommended.
9.0	Conditions:
9.1	The permission hereby granted is for a temporary period of 3 years. The art installation and all associated development hereby granted will be removed on or before 3 years from the date of this permission. Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011 and in order to protect the amenity of the area
9.2	The panel hereby permitted shall be used to display information for the Ulster-Scots themed project only and will be kept well maintained and in good repair Reason: In the interests of the amenity of the area.

ANNEX	
Date Valid	8th December 2021
Date First Advertised	24th December 2021
Date Last Advertised	
Details of Neighbour Notification (all addresses) The Owner/Occupier, 377 North Queen Street, Skegoneill, Belfast, Antrim, BT15 1HT The Owner/Occupier, 377 North Queen Street, Skegoneill, Belfast, Antrim, BT15 3DN The Owner/Occupier, 46 Parkmount Street, Belfast, Antrim, BT15 3DX The Owner/Occupier, 46a ,Parkmount Street, Belfast, Antrim, BT15 3DX	
Date of Last Neighbour Notification	31st January 2022
Date of EIA Determination	
ES Requested	No
Planning History None relevant	
Drawing Numbers and Title 01 - Location Plan and Block Plan 02 - Existing and Proposed Elevations A1	
Notification to Department (if relevant) Date of Notification to Department: Response of Department:	

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Committee Report

Development Management Report	
Application ID: LA04/2022/0275/F	Date of Committee: Tuesday 17 th May 2022
Proposal: Victorian Style Canopy localised over entrance doorway.	Location: M&M Property Services 26 University Avenue Belfast BT7 1GY.
Referral Route: Referral to the Planning Committee under Section 3.8.5 (d) Subject to council funding.	
Recommendation:	Approval
Applicant Name and Address: M&M Property Services 26 University Avenue Belfast BT7 1GY.	Agent Name and Address: OGU Architects Flax Art Studios Havelock House Belfast BT7 1EB
<p>Executive Summary: The proposal is for a Victorian Style Canopy installed over entrance of doorway at Ground Floor Office Space. (Amended Scheme)</p> <p>Area Plan The proposed site is situated on University Avenue and falls outside the adopted Holyland Area of Townscape Character.</p> <p>The key issues to be considered are:</p> <ul style="list-style-type: none"> • Design / Impact on character and appearance • Amenity • Public Safety <p>The amended plans uploaded to the planning portal on the 03/05/2022 have reduced the size and design of the awning to address concerns of anti-social behaviour and being out of character with the existing building and in a residential area. The proposal will not negatively impact the amenity of neighbouring properties and will not prejudice public safety. The amended proposed scheme is considered acceptable.</p> <p>DFI Roads was consulted and had no objections.</p> <p>No representations have been received.</p> <p>Having had regard to the development plan, relevant planning policies, and other material considerations, it is determined that the proposal should be approved.</p> <p>Recommendation - Approve subject to conditions It is recommended that the application is approved, and it is requested that delegated authority be given to the Director of Planning and Building Control to finalise the wording of conditions</p>	

Case Officer Report

Site Location Plan



Existing Elevation



Existing South Facing Elevation

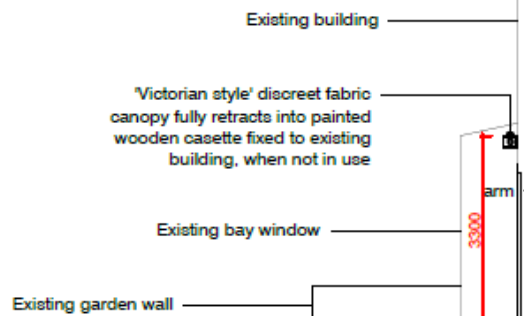
Proposed Elevation



Proposed South Facing Elevation

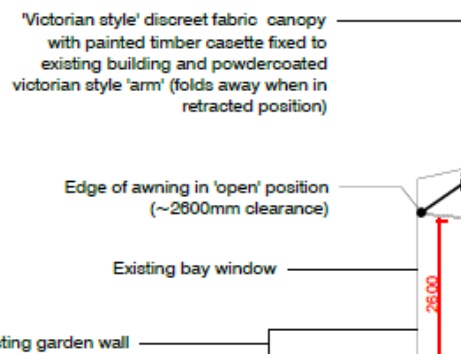
Proposed Section Drawing

UNIVERSITY AVENUE



Proposed West Facing Section (shown with canopy retracted)

UNIVERSITY AVENUE



Proposed West Facing Section (shown with canopy open)

Characteristics of the Site and Area	
1.0	<p>Description of Proposed Development</p> <p>‘Victorian Style’ fabric Canopy with painted timber cassette fixed to first storey of existing building and powder coated Victorian style arm.</p> <p>The application is for a fabric awning at the south facing front elevation of the property. The application site is a two and half storey corner site which is currently occupied as Office Space. The canopy will extend 1.6m once in open position with a 2.6m height clearance. The canopy will be fixed between the bay window and the doorway. The awning when not in use will be retracted into timber frame cassette fixed to the fascia at a height of 3.3m. The timber cassette projection measures approximately 0.20m in the closed position.</p>
2.0	<p>Description of Site</p> <p>The site is located on University Avenue at the corner with Carmel Street. The application site is currently used as office space. The character of the area is mostly traditional red-brick terrace buildings with two and a half stories. The surrounding area is mostly residential dwellings. The corner site to the left of the proposed site location is City Church hall at 12-24 University Avenue, the use of awnings have been established by a bakery at the City Church Hall. The awning use has been established at this site since 2008. There is no planning permission attached to this structure.</p>
Planning Assessment of Policy and other Material Considerations	
3.0	<p>Site History</p> <p>Z/2007/0073/F – 26 University Avenue- Part change of use to ground floor of existing HMO to accommodate property manager ancillary office and alterations. PERMISSION GRANTED- 24.05.2007.</p> <p>Z/2011/0245/CA – 26 University Avenue- Banner advertisement- ENFORCEMENT CASE CLOSED</p> <p>Z/2009/0178CA – 26 University Avenue – Change of Use- ENFORCEMENT CASE CLOSED</p>
4.0	Policy Framework
4.1	Belfast Urban Area Plan 2001
4.2	Draft Belfast Metropolitan Area Plan 2004
4.3	<p>Draft Belfast Metropolitan Area Plan 2015</p> <p>Following the recent Court of Appeal decision on BMAP, the extant development plan is now the BUAP. However, given the stage at which the Draft BMAP had reached pre-adoption through a period of independent examination, the policies within the Draft BMAP still carry weight and are a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker.</p>
4.4	<p>Belfast Local Development Plan Draft Plan Strategy 2035</p> <p>The Belfast Local Development Plan Draft Plan Strategy 2035 will guide future planning application decision making to support the sustainable spatial growth of the city up to 2035. The draft Plan Strategy has been subject to examination by the Planning Appeals</p>

	Commission and the Council has been provided with a copy of their Report, together with a Direction from the Department for Infrastructure in relation to additional required steps before it can be adopted. Paragraph 1.10 of the Strategic Planning Policy Statement (SPPS) states that a transitional period will operate until such times as a Council's Plan Strategy has been adopted. Accordingly, whilst the Draft Plan Strategy is now a material consideration it has limited weight until it is adopted and during this transitional period existing policies will be applied including the SPPS and relevant PPSs.
4.5	Strategic Planning Policy Statement for Northern Ireland (SPPS)
5.0	Statutory Consultees Responses DFI Roads- No objections.
6.0	Non Statutory Consultees Responses None
7.0	Representations
	No representations were received.
8.0	Other Material Considerations None
8.1	Any other supplementary guidance None
9.0	Assessment
9.1	The proposal is considered to be in compliance with the development plan.
9.2	<p>Assessment</p> <p>The key issues to be considered are:</p> <ul style="list-style-type: none"> • Design / Impact on Character and Appearance • Amenity • Public Safety <p>It is considered that the proposal is in compliance with SPPS in that the proposed development will not cause demonstrable harm to interest of acknowledged importance which are considered below.</p> <p>Design / Impact on Character and Appearance</p> <p>The proposal is considered to be in compliance with paragraphs 4.23 - 4.30 within the SPPS which seeks to ensure good design. The reduction of size and change of design proposed in the amended scheme are considered to not negatively alter the front of the existing building.</p> <p>Amenity</p> <p>Paragraphs 4.11 – 4.12 of the SPPS set out the considerations to safeguard residential and work environs. It is deemed that this proposal would not result in demonstrable harm to the residential amenity of neighbours. The reduction in size of the canopy will only provide shelter at the entrance door of the office space. The proposal will not block light or cause over dominance in the area.</p>

	<p>The canopy is not considered to negatively impact the amenity of neighbouring properties due to the reduced size of the amended scheme. The canopy will extend approximately 1m and the height of the awning will be 3m.</p> <p>Public Safety There will be no issue of reduced sight lines for traffic in the area and pedestrian movement will not be affected. The canopy fully extended will be at the height of 2.6m. This is in-line with height clearance levels.</p>
9.3	Having regard for the policy context and the considerations above, the proposal is deemed acceptable.
10.0	Summary of Recommendation: Approval
11.0	<p>Conditions</p> <p>1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <p>Informatives</p> <p>1. The drawing refs referred to above correspond with those drawings submitted to the Authority in respect of this application and published to the Planning Portal NI on: 01/03/2022; 01, 02 & 02A (Published to the Planning Portal NI ON 03/05/2022)</p>
Notification to Department (if relevant): No	
Representations from Elected members: None	

Committee Report

Development Management Report	
Application ID: LA04/2022/0138/F	Date of Committee: Tuesday 17 th May 2022
Proposal: Victorian Style Canopy localised over entrance doorway.	Location: Ground Floor Office 1 Rugby Avenue Belfast BT7 1RD.
Referral Route: Referral to the Planning Committee under Section 3.8.5 (d) Subject to council funding.	
Recommendation:	Approval
Applicant Name and Address: Boyle Properties 1 Rugby Avenue Belfast BT7 1RD	Agent Name and Address:
<p>Executive Summary: The proposal is for a Victorian Style Canopy installed over entrance of doorway at Ground Floor Office Space.</p> <p>Area Plan The proposed site is situated on Rugby Avenue and falls outside the adopted Holyland Area of Townscape Character.</p> <p>The key issues to be considered are:</p> <ul style="list-style-type: none"> • Design / Impact on character and appearance • Amenity • Public Safety <p>The amended plans uploaded to the planning portal on the 03/05/2022 have reduced the size and design of the awning to address concerns of anti-social behaviour and being out of character with the existing building and in a residential area. The proposal will not negatively impact the amenity of neighbouring properties and will not prejudice public safety. The amended proposed scheme is considered acceptable.</p> <p>DFI Roads were consulted and had no objections.</p> <p>Two objections have been received, raising concern over anti-social behaviour, noise and safety as well the awning not being in keeping with the residential area. These matters have been addressed in the report.</p> <p>Having had regard to the development plan, relevant planning policies, and other material considerations, it is determined that the proposal should be approved.</p> <p>Recommendation - Approve subject to conditions It is recommended that the application is approved and it is requested that delegated authority be given to the Director of Planning and Building Control to finalise the wording of conditions</p>	

Case Officer Report

Site Location Plan



Existing Elevation

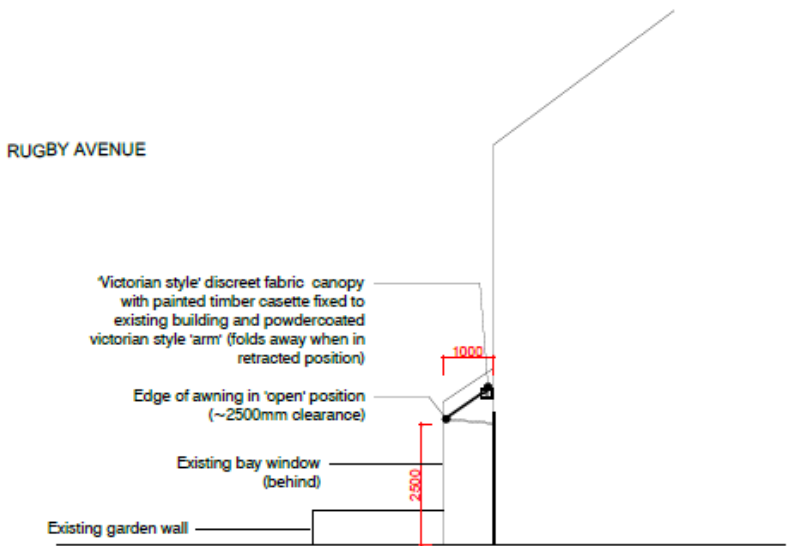


Proposed Elevation

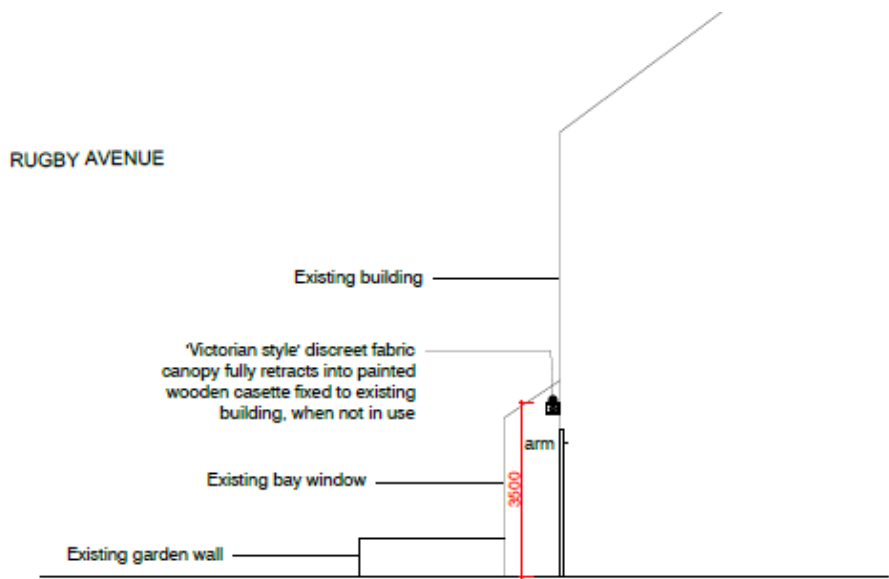


Proposed North Facing Elevation

Proposed Section Drawing



Proposed East Facing Section (shown with canopy open)



Proposed East Facing Section (shown with canopy retracted)

Characteristics of the Site and Area	
1.0	<p>Description of Proposed Development</p> <p>‘Victorian Style’ fabric Canopy with painted timber cassette fixed to first storey of existing building and powder coated Victorian style arm.</p> <p>The application is for a fabric awning at the east facing front elevation of the property. The application site is a two and half storey corner site which is currently occupied as an estate agents on the ground floor with apartments on the upper floors. The canopy will extend 1m once in open position with a 2.5m height clearance. The awning when not in use will be retracted into timber frame cassette fixed to the fascia at a height of 3.5m. The timber cassette measures approximately 0.21m in the closed position.</p>
2.0	<p>Description of Site</p> <p>The site is located on Rugby Avenue at the corner with Carmel Street. The application site is currently used as office space. The character of the area is mostly traditional red-brick terrace buildings with two and a half stories. The surrounding area is mostly residential dwellings.</p>
Planning Assessment of Policy and other Material Considerations	
3.0	<p>Site History</p> <p>Z/2008/2442/F- 1 Rugby Avenue- Change of use from offices to apartments on 1st and 2nd floor (one-bedroom apartments) with alterations to rear return and side of terrace (Amended Scheme). Permission Granted- 16.11.2009</p> <p>LA04/2017/1762/F – 1 Rugby Avenue - Change of use from first and second floor offices to 2 No. flats including 3 storey rear extension, replacement single storey bays and elevation changes (amended scheme) Permission Granted</p> <p>LA04/2019/0202/CA- 1 Rugby Avenue- Unauthorised sign advertising a business – Enforcement Closed.</p>
4.0	Policy Framework
4.1	Belfast Urban Area Plan 2001
4.2	Draft Belfast Metropolitan Area Plan 2004
4.3	<p>Draft Belfast Metropolitan Area Plan 2015</p> <p>Following the recent Court of Appeal decision on BMAP, the extant development plan is now the BUAP. However, given the stage at which the Draft BMAP had reached pre-adoption through a period of independent examination, the policies within the Draft BMAP still carry weight and are a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker.</p>
4.4	<p>Belfast Local Development Plan Draft Plan Strategy 2035</p> <p>The Belfast Local Development Plan Draft Plan Strategy 2035 will guide future planning application decision making to support the sustainable spatial growth of the city up to 2035. The draft Plan Strategy has been subject to examination by the Planning Appeals Commission and the Council has been provided with a copy of their Report, together with a Direction from the Department for Infrastructure in relation to additional required steps</p>

	before it can be adopted. Paragraph 1.10 of the Strategic Planning Policy Statement (SPPS) states that a transitional period will operate until such times as a Council's Plan Strategy has been adopted. Accordingly, whilst the Draft Plan Strategy is now a material consideration it has limited weight until it is adopted and during this transitional period existing policies will be applied including the SPPS and relevant PPSs.
4.5	Strategic Planning Policy Statement for Northern Ireland (SPPS)
5.0	Statutory Consultees Responses DFI Roads- No objections.
6.0	Non Statutory Consultees Responses None
7.0	Representations The application was neighbour notified and advertised in the local press. The planning service received two letters of objection. The objectors have concerns in respect to: <ul style="list-style-type: none"> - Anti-social Behaviour, noise and safety concerns. - The application is not in-keeping with the residential area. <u>Officer Response</u> These are addressed below.
8.0	Other Material Considerations None
8.1	Any other supplementary guidance None
9.0	Assessment
9.1	The proposal is considered to be in compliance with the development plan.
9.2	<p>Assessment</p> <p>The key issues to be considered are:</p> <ul style="list-style-type: none"> • Design / Impact on Character and Appearance • Amenity • Public Safety <p>It is considered that the proposal is in compliance with SPPS in that the proposed development will not cause demonstrable harm to interest of acknowledged importance which are considered below.</p> <p>Design / Impact on Character and Appearance</p> <p>The proposal is considered to be in compliance with paragraphs 4.23 - 4.30 within the SPPS which seeks to ensure good design. The reduction of size and change of design proposed in the amended scheme are considered to not negatively alter the front of the existing building.</p> <p>Amenity</p>

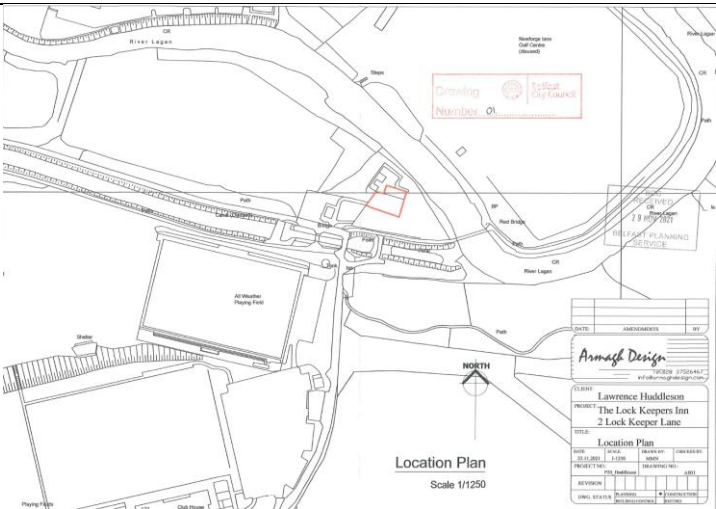
	<p>Paragraphs 4.11 – 4.12 of the SPPS set out the considerations to safeguard residential and work environs. It is deemed that this proposal would not result in demonstrable harm to the residential amenity of neighbours. The proposal will not block light or cause over dominance in the area. The reduction in size of the canopy will only provide shelter over the door entrance of the office space.</p> <p>The canopy is not considered to negatively impact the amenity of neighbouring properties. The amended scheme has reduced the size of the awning to cover just the doorway entrance, this will discourage any gathering of people and potential anti-social behaviour. The canopy will extend approximately 1m and the height of the awning will be 3m.</p> <p>Public Safety There will be no issue of reduced sight lines for traffic in the area and pedestrian movement will not be affected. The canopy fully extended will be at the height of 2.5m. This is in-line with height clearance levels.</p>
9.3	Having regard for the policy context and the considerations above, the proposal is deemed acceptable.
10.0	Summary of Recommendation: Approval
11.0	<p>Conditions</p> <p>1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <p>Informatives</p> <p>1. The drawing refs referred to above correspond with those drawings submitted to the Authority in respect of this application and published to the Planning Portal NI on: 03/02/2022, drawing nos: 01, 02 & 03A (03A published to the Planning Portal NI on 03/05/2022)</p>
Notification to Department (if relevant): No	
Representations from Elected members: None	

Committee Report

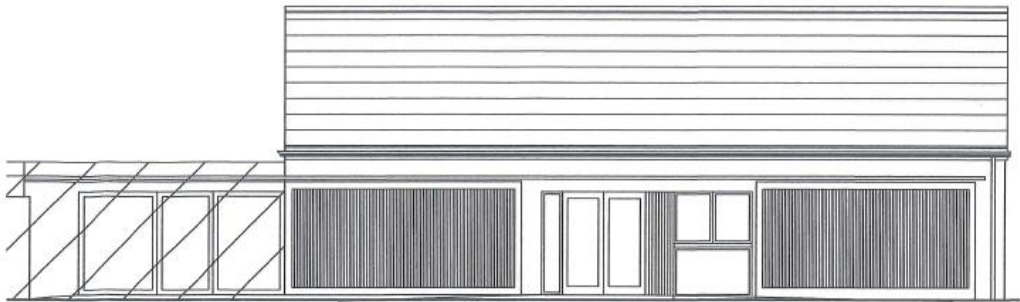
Development Management Report	
Application ID: LA04/2021/2794/F	Date of Committee: Tuesday 17 th May 2022
Proposal: Provision of retractable awning cover on removeable supporting frame to provide protection to patrons from inclement weather.	Location: The Lock Keepers Inn 2 Lock Keeper Lane Ballynavally Belfast BT8 7XT.
Referral Route: Referral to the Planning Committee under Section 3.8.5 (d) Subject to council funding.	
Recommendation:	Approval
Applicant Name and Address: Lawrence Huddleson 105a Windmill Road Hillsborough BT26 2NP	Agent Name and Address: Marc McNeice The Breague 73 Lisanally Lane Armagh BT61 7HF
<p>Executive Summary: The proposal is for a retractable awning mounted to the fascia of the building.</p> <p>Area Plan The proposed application is situated at Lock Keepers Inn at Lagan Valley Regional Park. The site falls within the designations for an Area of Outstanding Natural Beauty (AONB), Archaeological site and Monument, listed Building Curtilage and Regional Park Node.</p> <p>The key issues to be considered are:</p> <ul style="list-style-type: none"> • Design / Impact on character and appearance including AONB • Amenity • Public Safety • The Impacts on the Listed Setting. <p>The proposed application for retractable awning cover on removable supporting frame is considered to be minor changes to the existing façade. The proposal is in close proximity to Lock-Keepers House, 117 Milltown Road, Belfast (Grade B1) and Lock and Bridge Milltown Road (Grade B1) which both sites are of special architectural and historic importance and are protected by section 80 of the Planning Act 2011. The proposal will not negatively impact the Listed Building and Lock and its setting in accordance with PPS6, the SPPS and Section 91 of the Planning Act 2011.</p> <p>DFI Roads was consulted and had no objections.</p> <p>Historic Environment Division (HED) had no objections with conditions.</p> <p>No representations have been received.</p> <p>Having had regard to the development plan, relevant planning policies, and other material considerations, it is determined that the proposal should be approved.</p> <p>Recommendation - Approve subject to conditions It is recommended that the application is approved and it is requested that delegated authority be given to the Director of Planning and Building Control to finalise the wording of conditions</p>	

Case Officer Report

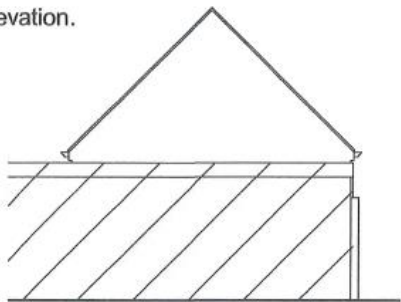
Site Location Plan



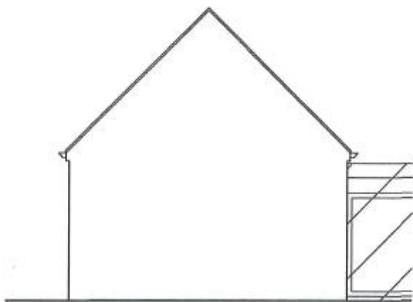
Existing Elevation



Existing Front Elevation.

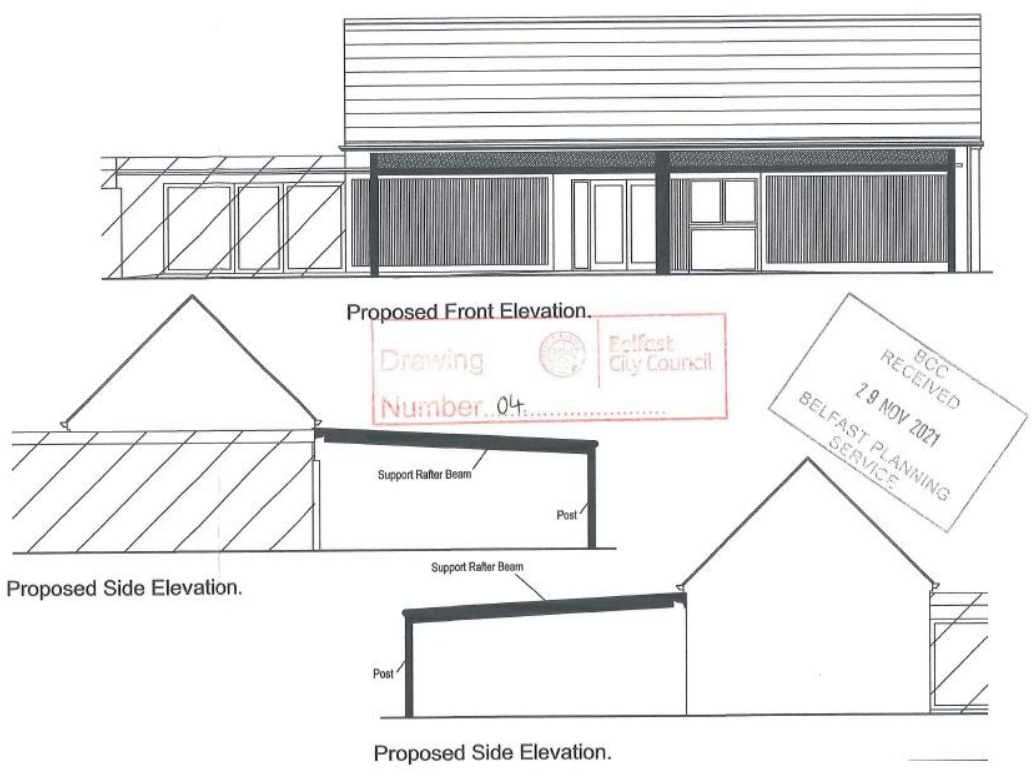


Existing Side Elevation.



Existing Side Elevation.

Proposed Elevation



Characteristics of the Site and Area	
1.0	<p>Description of Proposed Development</p> <p>A Provision of retractable awning cover on removeable supporting frame.</p> <p>The application is for a retractable fabric awning at the north facing elevation of the property. The application site is currently one storey, which is occupied as a café/shop. The support rafter beam length measures at 6.52m and the post measures at 2.6m The box that attaches to the fascia of the building measures at 0.28m.</p>
2.0	<p>Description of Site</p> <p>The site is located at Lagan Valley Regional Park. The application site is in close proximity to Lock Keepers House and the Lock and Bridge, which is protected by section 80 of the Planning Act 2011. This listed building and lock are an important part of Northern Ireland's Lagan Canal industrial heritage. The surrounding area is rural in nature and used as open space.</p>
Planning Assessment of Policy and other Material Considerations	
3.0	<p>Site History</p> <p>Y/2012/0156/F - Adjacent to Lock No. 3, Lockkeepers Lane- Creation of barge mooring point – PERMISSION GRANTED- 20.12.2012.</p> <p>Y/2006/0366/F- Lock Keepers Cottage- Construction of a single storey building adjacent to the Lock Keepers Cottage, which will operate as a tearoom plus ancillary office space. – PERMISSION GRANTED. 13.11.2006.</p>
4.0	Legislative and Policy Framework
4.1	Belfast Urban Area Plan 2001
4.2	Draft Belfast Metropolitan Area Plan 2004
4.3	<p>Draft Belfast Metropolitan Area Plan 2015</p> <p>Following the recent Court of Appeal decision on BMAP, the extant development plan is now the BUAP. However, given the stage at which the Draft BMAP had reached pre-adoption through a period of independent examination, the policies within the Draft BMAP still carry weight and are a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker.</p>
4.4	<p>Belfast Local Development Plan Draft Plan Strategy 2035</p> <p>The Belfast Local Development Plan Draft Plan Strategy 2035 will guide future planning application decision making to support the sustainable spatial growth of the city up to 2035. The draft Plan Strategy has been subject to examination by the Planning Appeals Commission and the Council has been provided with a copy of their Report, together with a Direction from the Department for Infrastructure in relation to additional required steps before it can be adopted. Paragraph 1.10 of the Strategic Planning Policy Statement (SPPS) states that a transitional period will operate until such times as a Council's Plan Strategy has been adopted. Accordingly, whilst the Draft Plan Strategy is now a material</p>

	consideration it has limited weight until it is adopted and during this transitional period existing policies will be applied including the SPPS and relevant PPSs.
4.5	Section 91 (2) of the Planning Act 2011 In considering whether to grant planning permission for development which affects a listed building or its setting, and in considering whether to grant listed building consent for any works, a council or, as the case may be, the Department must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
4.6	Planning Policy Statement 2: Natural Heritage – Policy NH6 (Areas of Outstanding Natural Beauty)
4.6	Planning Policy Statement 6: Planning, Archaeology, and the Built Heritage – Policy BH11 (Development affecting the Setting of a Listed Building.)
4.7	Strategic Planning Policy Statement for Northern Ireland (SPPS)
5.0	Statutory Consultees Responses DFI Roads- No objections. HED – No objections with Conditions
6.0	Non Statutory Consultees Responses None
7.0	Representations No representations were received.
8.0	Other Material Considerations None
8.1	Any other supplementary guidance None
9.0	Assessment
9.1	The proposal is considered to be in compliance with the development plan.
9.2	<p>Assessment</p> <p>The key issues to be considered are:</p> <ul style="list-style-type: none"> • Design / Impact on Character and Appearance • Amenity • Public Safety • The Impacts of the Listed Setting. <p>It is considered that the proposal is in compliance with SPPS in that the proposed development will not cause demonstrable harm to interest of acknowledged importance which are considered below. The proposal is considered to comply with the policy requirements and Section 91 of the Planning Act 2011.</p> <p>Design / Impact on Character and Appearance including AONB</p> <p>The proposal is considered to be in compliance with paragraphs 4.23 - 4.30 within the SPPS which seeks to ensure good design. The proposed awning is a minor ancillary structure to the Lock Keepers Inn which will not negatively impact the character and appearance of area including the AONB in accordance with Policy NH6 of PPS2.</p>

	<p>Amenity The proposal is not located near any residential properties and as such is not considered to result in any impact to amenity.</p> <p>The Impacts on the Listed Setting. Paragraphs 6.12 sets out character of the area that surrounds a listed building, as key elements to the build heritage. It is important therefore that proposals impacting upon such buildings and their settings are assessed.</p> <p>Planning Policy 6: Planning, Archaeology, and the Built Heritage- Policy BH11. The awning will not diminish the listed setting of Lock Keeper's Inn. The proposed finishes of the awning will be breathable acrylic fibre coated polyester and the supporting frame will be structural aluminium.</p> <p>HED are content with the proposal. The proposed awning is considered to not negatively impact the setting of the listed building. The proposal is in accordance with SPPS paragraph 6.12 (Setting) and Section 91 of the Planning Act 2011.</p> <p>Public Safety There will be no issue of reduced sight lines for traffic in the area and pedestrian movement will not be affected. The canopy fully extended will be at the length of 6.5m and height of 2.6m.</p>
9.3	Having regard for the policy context and the considerations above, the proposal is deemed acceptable.
10.0	Summary of Recommendation: Approval
11.0	<p>Conditions</p> <ol style="list-style-type: none"> 1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission. Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011. 2. The proposal including materials and finishes shall be as per planning drawings 02 and 04 (Date published 15.12.2021) Reason: To protect the visual amenity of the area and setting of listed building. 3. The awning and associated supporting structure shall protrude no more than 6.5m from the building at its furthest point when in full operation. Reason: To protect the visual amenity of the area and setting of listed building. <p>Informatives</p> <ol style="list-style-type: none"> 1. The drawing refs referred to above correspond with those drawings submitted to the Authority in respect of this application and published to the Planning Portal NI on: 15/12/2021, drawing nos. 01,02,03 & 04

Notification to Department (if relevant): No
Representations from Elected members: None

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Committee Report

Development Management Report	
Application ID: LA04/2022/0276/F	Date of Committee: Tuesday 17 th May 2022
Proposal: Retractable awning installed to fascia of existing building.	Location: SPAR University Avenue 27 University Avenue Belfast BT7 1GX.
Referral Route: Referral to the Planning Committee under Section 3.8.5 (d) Subject to council funding.	
Recommendation:	Approval
Applicant Name and Address: Spar University Avenue 27 University Avenue Belfast BT7 1GX	Agent Name and Address: OGU Architects Flax Art Studios Havelock House Belfast BT7 1EB
<p>Executive Summary: The proposal is a mounted retractable awning installed to fascia of a retail unit.</p> <p>Area Plan The proposed site is situated on University Avenue and falls outside the adopted Holyland Area of Townscape Character.</p> <p>The key issues to be considered are:</p> <ul style="list-style-type: none"> • Design / Impact on character and appearance • Amenity • Public Safety <p>The proposed awning and materials are considered in keeping with the existing ground floor commercial unit of the building. The proposal will not negatively impact the amenity of neighbouring properties and will not prejudice public safety.</p> <p>DFI Roads were consulted and had no objections.</p> <p>No representations have been received.</p> <p>Having had regard to the development plan, relevant planning policies, and other material considerations, it is determined that the proposal should be approved.</p> <p>Recommendation - Approve subject to conditions It is recommended that the application is approved and it is requested that delegated authority be given to the Director of Planning and Building Control to finalise the wording of conditions</p>	

Case Officer Report

Site Location Plan



Location Plan

Existing Elevation



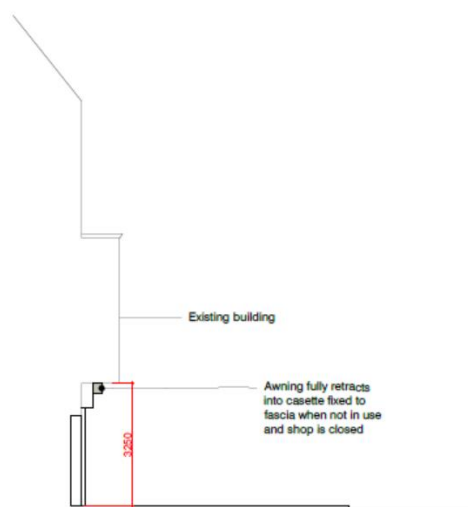
Existing North Facing Elevation

Proposed Elevation



D

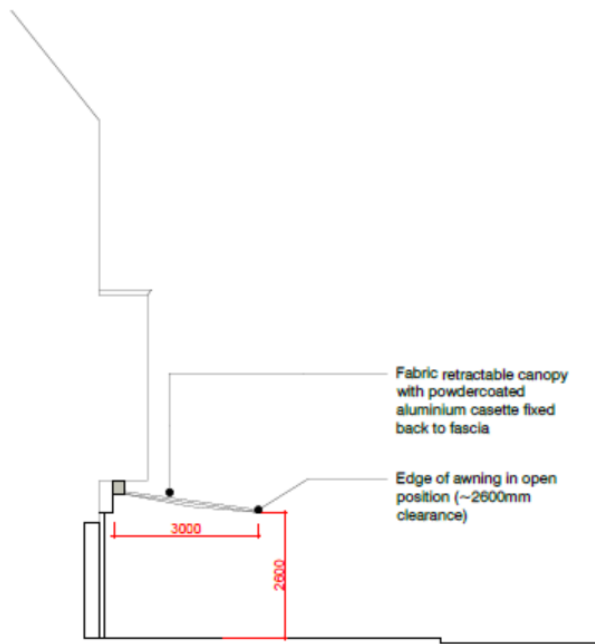
Proposed North Facing Elevation



E

Proposed West Facing Section (shown with awning retracted)

Scale 1:100@A1/ 1:200@A3



Proposed West Facing Section (shown with awning open)

Characteristics of the Site and Area	
1.0	<p>Description of Proposed Development Awning attached to Fascia of existing building.</p> <p>The application is for a mechanical awning at the north facing front elevation of the property. The application site is a three-storey corner site which is currently occupied by a retail unit. It will project to bottom fascia board, from a height of approximately 2.6m when in open position. The awning when not in use will be retracted into a cassette fixed to the fascia, from a height of 3.25m. The cassette will be powder coated aluminium with waterproof fabric.</p>
2.0	<p>Description of Site</p> <p>The site is located on University Avenue at the corner with Carmel Street. The application site is currently used as a retail unit by Spar. The retail unit has existing street furniture outside the front of the shop. The character of the area is mostly traditional red-brick terrace buildings with two and a half stories. The surrounding area is mostly residential dwellings with a small mix of commercial properties located on University Avenue.</p>
Planning Assessment of Policy and other Material Considerations	
3.0	<p>Site History LA04/2019/1029/CA – 27 University Avenue - Street sign and seating- Enforcement Case Closed- 24.08.2021.</p>
4.0	Policy Framework
4.1	Belfast Urban Area Plan 2001
4.2	Draft Belfast Metropolitan Area Plan 2004
4.3	<p>Draft Belfast Metropolitan Area Plan 2015</p> <p>Following the recent Court of Appeal decision on BMAP, the extant development plan is now the BUAP. However, given the stage at which the Draft BMAP had reached pre-adoption through a period of independent examination, the policies within the Draft BMAP still carry weight and are a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker.</p>
4.4	<p>Belfast Local Development Plan Draft Plan Strategy 2035</p> <p>The Belfast Local Development Plan Draft Plan Strategy 2035 will guide future planning application decision making to support the sustainable spatial growth of the city up to 2035. The draft Plan Strategy has been subject to examination by the Planning Appeals Commission and the Council has been provided with a copy of their Report, together with a Direction from the Department for Infrastructure in relation to additional required steps before it can be adopted. Paragraph 1.10 of the Strategic Planning Policy Statement (SPPS) states that a transitional period will operate until such times as a Council's Plan Strategy has been adopted. Accordingly, whilst the Draft Plan Strategy is now a material consideration it has limited weight until it is adopted and during this transitional period existing policies will be applied including the SPPS and relevant PPSs.</p>
4.5	Strategic Planning Policy Statement for Northern Ireland (SPPS)

5.0	Statutory Consultees Responses DFI Roads- No objections with conditions
6.0	Non Statutory Consultees Responses None
7.0	Representations
	No representations were received.
8.0	Other Material Considerations None
8.1	Any other supplementary guidance None
9.0	Assessment
9.1	The proposal is considered to be in compliance with the development plan.
9.2	<p>Assessment</p> <p>The key issues to be considered are:</p> <ul style="list-style-type: none"> • Design / Impact on Character and Appearance • Amenity • Public Safety <p>It is considered that the proposal is in compliance with SPPS in that the proposed development will not cause demonstrable harm to interest of acknowledged importance which are considered below.</p> <p>Design / Impact on Character and Appearance</p> <p>The proposal is considered to be in compliance with paragraphs 4.23 - 4.30 within the SPPS which seeks to ensure good design. The proposed awning and materials are considered in keeping with the front of the existing building.</p> <p>Amenity</p> <p>Paragraphs 4.11 – 4.12 of the SPPS set out the considerations to safeguard residential and work environs. It is deemed that this proposal would not result in demonstrable harm to the residential amenity of neighbours. The awning will provide shelter from the weather for customers and passers-by. The proposal will not block light or cause over dominance in the area.</p> <p>The awning is not considered to negatively impact the amenity of neighbouring properties. There is already existing moveable seating outside the shop. To diminish the impact to neighbouring properties the awning will only be in open position during the operational hours of the business which closes at 11pm each day. This is to discourage any gathering of people late at night and potential anti-social behaviour. The awning will extend approximately 3m and the height of the awning will be 2.6m. This will be in-line with minimum clearance levels.</p> <p>Public Safety</p> <p>There will be no issue of reduced sight lines for traffic in the area and pedestrian movement will not be affected. DFI Roads were consulted and had no concerns, subject to conditions.</p>

9.3	Having regard for the policy context and the considerations above, the proposal is deemed acceptable.
10.0	Summary of Recommendation: Approval
11.0	Conditions <ol style="list-style-type: none"> 1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission. Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011. 2. The proposed awning shall be erected in accordance with Drawing No. 02, published on the planning portal 1st March 2022, Reason: In the interests of public safety. 3. Any street furniture located within the extents of the proposed awning shall be relocated to the satisfaction of the relevant authority, at the applicant's expense. Reason: In the interests of public safety 4. The awning hereby approved shall only remain open during the operational hours of business for the premises and shall be fully retracted at the end of each working day (by 11:00pm each night). Reason: In the interests of the visual amenity of the area. Informatives <ol style="list-style-type: none"> 1. The drawing refs referred to above correspond with those drawings submitted to the Authority in respect of this application and published to the Planning Portal NI on: 01/03/2022, drawing nos. 01,02, 04/05/2022, drawing no 03.
Notification to Department (if relevant): No	
Representations from Elected members: None	

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Committee Report

Development Management Report	
Application ID: LA04/2022/0277/F	Date of Committee: Tuesday 17 th May 2022
Proposal: Retractable awning installed to fascia of existing building.	Location: Bo Tree Kitchen 65-67 University Avenue Belfast BT7 1GX.
Referral Route: Referral to the Planning Committee under Section 3.8.5 (d) Subject to council funding.	
Recommendation:	Approval
Applicant Name and Address: Bo Tree Kitchen 65-67 University Avenue Belfast BT7 1GX	Agent Name and Address: OGU Architects Flax Art Studios Havelock House Belfast BT7 1EB
<p>Executive Summary: The proposal is a mounted retractable awning installed to fascia of a restaurant.</p> <p>Area Plan The proposed site is situated on University Avenue and falls outside the adopted Holyland Area of Townscape Character.</p> <p>The key issues to be considered are:</p> <ul style="list-style-type: none"> • Design / Impact on character and appearance • Amenity • Public Safety <p>The proposed awning and materials are considered in keeping of the existing ground floor commercial unit of the building. The proposal will not negatively impact the amenity of neighbouring properties and will not prejudice public safety.</p> <p>DFI Roads were consulted and had no objections.</p> <p>No representations have been received.</p> <p>Having had regard to the development plan, relevant planning policies, and other material considerations, it is determined that the proposal should be approved.</p> <p>Recommendation - Approve subject to conditions It is recommended that the application is approved and it is requested that delegated authority be given to the Director of Planning and Building Control to finalise the wording of conditions</p>	

Site Location Plan



Existing North Facing Elevation

Fence to intermediate canopy with permeable wall ADAPT (up concrete floor) back to fence

Fencing extends into concrete floor to fence when not in use

Level of bottom of seating in open position (Minimum clearance restricted)

2.0m

CARMEL STREET

Proposed North Facing Elevation



F

Proposed West Facing Elevation (shown with awning retracted)



F

Proposed West Facing Elevation (shown with awning opened)

Scale 1:100@A1/ 1:200@A3

1.0	Description of Proposed Development Awning attached to Fascia of existing building The application is for a mechanical awning at the north facing front elevation of the property. The application site is a two and a half corner site which is currently occupied by a restaurant. It will project below fascia board, from a height of approximately 2.6m. The awning when not in use will be retracted into a cassette fixed to the fascia, from a height of 3.6m. The cassette will be powder coated aluminium with waterproof fabric.
2.0	Description of Site The site is located on University Avenue at the corner with Carmel Street. The application site is currently used as a restaurant by Bo Tree Kitchen. The character of the area is mostly traditional red-brick terrace buildings with two and a half stories. The surrounding area is mostly residential dwellings with a small mix of commercial properties located on University Avenue.
Planning Assessment of Policy and other Material Considerations	
3.0	Site History LA04/2016/0042/F – Vary condition 1 (opening time to be changed from 11.00 to 07.30) – Permission Granted 23.02.2016 Z/2011/0404/A - Shop signage to front and gable elevations- Permission Granted 29.12.2021. Z/2009/0034/F (Appeal reference 2009/A0257) –65-67 University Avenue - Change of use of ground floor retail to restaurant and take away – Allowed at appeal 30.09.2010
4.0	Policy Framework
4.1	Belfast Urban Area Plan 2001
4.2	Draft Belfast Metropolitan Area Plan 2004
4.3	Draft Belfast Metropolitan Area Plan 2015 Following the recent Court of Appeal decision on BMAP, the extant development plan is now the BUAP. However, given the stage at which the Draft BMAP had reached pre-adoption through a period of independent examination, the policies within the Draft BMAP still carry weight and are a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker.
4.4	Belfast Local Development Plan Draft Plan Strategy 2035 The Belfast Local Development Plan Draft Plan Strategy 2035 will guide future planning application decision making to support the sustainable spatial growth of the city up to 2035. The draft Plan Strategy has been subject to examination by the Planning Appeals Commission and the Council has been provided with a copy of their Report, together with a Direction from the Department for Infrastructure in relation to additional required steps before it can be adopted. Paragraph 1.10 of the Strategic Planning Policy Statement (SPPS) states that a transitional period will operate until such times as a Council's Plan Strategy has been adopted. Accordingly, whilst the Draft Plan Strategy is now a material consideration it has limited weight until it is adopted and during this transitional period existing policies will be applied including the SPPS and relevant PPSs.

4.5	Strategic Planning Policy Statement for Northern Ireland (SPPS)
5.0	Statutory Consultees Responses DFI Roads- No objections
6.0	Non Statutory Consultees Responses None
7.0	Representations
	No representations were received.
8.0	Other Material Considerations None
8.1	Any other supplementary guidance None
9.0	Assessment
9.1	The proposal is considered to be in compliance with the development plan.
9.2	<p>Assessment</p> <p>The key issues to be considered are:</p> <ul style="list-style-type: none"> • Design / Impact on Character and Appearance • Amenity • Public Safety <p>It is considered that the proposal is in compliance with SPPS in that the proposed development will not cause demonstrable harm to interest of acknowledged importance which are considered below.</p> <p>Design / Impact on Character and Appearance</p> <p>The proposal is considered to be in compliance with paragraphs 4.23 - 4.30 within the SPPS which seeks to ensure good design. The proposed awning and materials are considered in keeping with the front of the existing building.</p> <p>Amenity</p> <p>Paragraphs 4.11 – 4.12 of the SPPS set out the considerations to safeguard residential and work environs. It is deemed that this proposal would not result in demonstrable harm to the residential amenity of neighbours. The awning will provide shelter from the weather for customers and passers-by. The proposal will not block light or cause over dominance in the area.</p> <p>The awning is not considered to negatively impact the amenity of neighbouring properties. To diminish the impact to neighbouring properties and to ensure no late night gathering of people, the awning will only be in open position during the operational hours of the business. The opening hours of the premises are restricted via planning condition and are required to close by 10pm.</p> <p>Public Safety</p> <p>There will be no issue of reduced sight lines for traffic in the area and pedestrian movement will not be affected. DFI Roads were consulted and had no concerns.</p>

9.3	Having regard for the policy context and the considerations above, the proposal is deemed acceptable.
10.0	Summary of Recommendation: Approval
11.0	Conditions <ol style="list-style-type: none"> 1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission. Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011. 2. The awning hereby approved shall only remain open during the operational hours of business for the premises and shall be fully retracted at the end of each working day (by 10pm). Reason: In the interests of the visual amenity of the area. Informatives <ol style="list-style-type: none"> 1. The drawing refs referred to above correspond with those drawings submitted to the Authority in respect of this application and published to the Planning Portal NI on: 01/03/2022, drawing nos. 01,02, 04/05/2022, drawing no 03.
Notification to Department (if relevant): No	
Representations from Elected members: None	

By virtue of paragraph(s) 3 of Part 1 of Schedule 6
of the Local Government Act (Northern Ireland) 2014.

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