

# Planning Committee

Tuesday, 18th October, 2022

## HYBRID MEETING OF THE PLANNING COMMITTEE

Members present: Councillor Whyte (Chairperson);  
The High Sheriff, Councillor Hussey;  
Alderman Rodgers;  
Councillors Bower, Carson, Matt Collins,  
Douglas, Garrett, Groogan, Hanvey,  
Hutchinson, Maskey, Murphy and Spratt.

In attendance: Ms. K. Bentley, Director of Planning and Building Control;  
Ms. N. Largey, City Solicitor;  
Mr. E. Baker, Planning Manager (Development  
Management);  
Mr. K. Sutherland, Principal Planning Officer;  
Ms. L. Walshe, Senior Planning Officer; and  
Ms. C. Donnelly, Democratic Services Officer.

### **Apologies**

No apologies for inability to attend were reported.

### **Minutes**

The minutes of the meetings of 31st August and 20th September were taken as read and signed as correct. It was reported that those minutes had been adopted by the Council at its meeting on 3rd October, 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 reported.

### **Extinguishments**

#### **Alloa Street**

The Committee noted the Alloa Street Extinguishment Order.

#### **Corrib Avenue**

The Committee noted the Corrib Avenue Extinguishment Order.

### **Request for additional meeting of the Planning Committee to support roll-in of new Planning Portal**

The Planning Manager informed the Committee that, due to the precise “go live date” of the new Regional Planning IT System not being known, it would be prudent to schedule an additional meeting of the Planning Committee to allow for any change in the timetable for implementation of the new IT system.

The Committee agreed that, if deemed necessary by the Director of Planning and Building Control and the City Solicitor, a meeting of the Committee would take place in week commencing 19th December.

### **Request to hold a Pre-emptive Committee Site Visit**

The Committee agreed to hold a pre-emptive site visit in respect of the following application:

- **LA04/2022/1284/F** - Lands bounded by Library Street (to south); Stephen Street (to west); Little Donegall Street (to north); and Union Street (to east), Belfast BT1 2JE. Erection of Purpose Built Managed Student Accommodation (PBMSA) development comprising 862 units with additional use of accommodation by further or higher education institutions outside term time, communal facilities, internal amenity courtyard, cycle stores, active ground floor uses including cafe and retail, and associated bin stores and plant and public realm improvements to surrounding footpaths

### **Planning Decisions Issued**

The Committee noted the Planning decisions issued between 8th September and 10th October 2022.

### **Appeals**

#### **Appeals Notified and Decisions**

The Committee noted the Appeals Decisions.

#### **LA04/2022/0810/F Change of Use from Shop Unit to Hot Food Take Away. Unit 2 142 Stewartstown Road opposite junction of Stewartstown Road and Suffolk Road, Belfast BT11 9NB.**

The Planning Manager informed the Committee that the application had been submitted to the Council in April 2022 and that Section 60 of the Planning Act (Northern Ireland) 2011 enabled an applicant to lodge an appeal for non-determination to the Planning Appeals Commission (PAC) if a decision had not been taken by the Council within the prescribed time.

He reported that the applicant had submitted a non-determination appeal in July 2022 to the PAC and, as part of the appeal process, the PAC had requested an opinion from the Council as to its position at the appeal and whether planning permission should be granted.

He illustrated the impact of the proposal with site location maps, layout plans and aerial photographs, and he outlined the key issues which had been considered in the assessment of the proposal, that included an acoustic barrier that had been added to the location site.

He stated that, due to the inclusion of the acoustic barrier and having received no objections from Environmental Health, it was considered that the proposal was acceptable and that officers had recommended that the appeal should be allowed and planning permission granted, subject to conditions.

The Committee agreed that the Council's position at the appeal would be that the appeal should be allowed and planning permission granted, subject to conditions.

### **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)**

##### **LA04/2022/0915/F AFBI building at Stormont. Development of new, replacement Animal Health Sciences Building with General Stores Building, Post-Mortem Suite and Carcass Incineration Facility, and associated works at 12 Stoney Road, Belfast.**

The Principal Planning Officer outlined the application to replace the current Animal Health Sciences Building (AHSB) with a new building, to include a general stores building, post-mortem suite and carcass incineration facility, on the Agri-Food and Biosciences Institute (AFBI) estate at Stormont.

She illustrated the impact of the proposal with site location and layout plans, aerial photographs and visual impact imaging on adjacent premises, and she outlined the key issues which had been considered in the assessment of the proposed development, that included:

- The principle of the development at the location (including development beyond the settlement development limit);
- Impact on rural character visual amenity;
- Scale, Massing and Design;
- Impact on Built and Archaeological Heritage;
- Impact on Ecology and Natural Heritage;
- Provision of Landscaping and Screening;
- Traffic Movement and Parking;
- Human Health;
- Flooding and Drainage;
- Economic Considerations;
- Pre-application Community Consultation; and
- The consideration of developer contributions.

She explained that the function of the AFBI included management of potentially biohazardous animal disease outbreaks which was considered as an extenuating circumstance for the requirement of additional vehicular entrance and stores building beyond the Settlement Development Limit.

She informed the Committee that no objections had been received from any statutory or non-statutory consultees and that a final response from the Department for Agriculture, Environment and Rural Affairs (DAERA), the applicant, remained outstanding, however, it had not been anticipated that any fundamental issues would be raised.

She reported that, having regard to the Development Plan and other material considerations, that the proposed development had been considered, on balance, to be acceptable.

**Proposal**

Moved by Councillor Groogan,  
Seconded by Councillor Matt Collins,

That the Committee agrees to defer consideration of the application until a response has been received from DAERA NIEA: NED and a detailed Air Quality Assessment is undertaken.

On a recorded vote, two Members voted for the proposal and twelve against and it was declared lost.

<b><u>For 2</u></b>	<b><u>Against 12</u></b>
Councillors Matt Collins and Groogan.	Councillor Whyte (Chairperson); The High Sheriff, Councillor Hussey; Alderman Rodgers; Councillors Bower, Carson, Douglas, Garrett, Hanvey, Hutchinson, Maskey, Murphy and Spratt.

The Chairperson welcomed Mr. P. Flemming, FM Planning, Dr. A. Carson, Chief Scientific Adviser, DAERA, Ms. J. Uhlemann, Project Sponsor, DAERA, and Mr. A. Shields, RPP Architects, to the meeting.

Mr. Flemming informed the Committee that he was the Agent for the planning application, acting on behalf of the applicant, DAERA. He explained that the application had followed a detailed and constructive pre-application discussion process with the Council and statutory consultees, and a pre-application community consultation process which had generated positive feedback on the high-quality design of the building and landscaping.

He stated that the planning application packaged contained a comprehensive range of drawing, visual material and technical reports and had involved consultations with six statutory consultees and five non-statutory consultees, and he reported that none of the consultees had raised any objections and no third-party representations had been received.

He informed the Committee that approval of the application would be a significant milestone in the creation of a high-quality facility would be an important showcase for Northern Ireland's Science infrastructure capacity and leading-edge capability in the animal health and food science sectors.

Dr. Carson outlined the three main functions of the AHSB – Statutory Testing and Analytical Services, Emergency Response Provision and Research. He stated that the proposal would replace the existing 1960s Veterinary Sciences Division main building which was no longer fit for purpose and that the new AHSB would be an industry leading science facility for Northern Ireland of high-quality design which would enhance Northern Ireland's scientific platform and research capabilities.

In response to a question from a Member with regard to the detail of the Air Quality Assessment and nitrogen emissions, the Senior Planning Officer reported that undertaking of the Air Quality Assessment would take place once the technical specification of the incinerator had been finalised and that Environmental Health had indicated that it was content with the information submitted but would require a final Air Quality Management Plan once the specification had been agreed and in advance of the incinerator being installed.

Mr. Shields confirmed that the acquisition of an incinerator would be undertaken during the construction process, having regard to the procurement process, and would be a bespoke piece of equipment that would be assessed in due course.

The Planning Manager added that the consultation with Shared Environmental Services would be extended to include consideration of potential impacts on Belfast Lough as well as nitrogen emissions, as appropriate. The City Solicitor added that Air Quality would be considered in advance of a decision notice having been issued.

The Chairperson put the officers' recommendation to the Committee, namely, to grant approval to the application, and delegated authority to the Director of Planning and Building Control to finalise the wording of the conditions and to resolve any outstanding issues raised by DAERA NIEA: NED and additional consultation with Shared Environmental Services upon no objection to the application.

On a recorded vote, twelve Members voted for the recommendation, one against and one no vote, and it was accordingly declared carried.

<b><u>For 12</u></b>	<b><u>Against 1</u></b>	<b><u>No Vote 1</u></b>
Councillor Whyte (Chairperson); The High Sheriff, Councillor Hussey; Alderman Rodgers; Councillors Bower, Carson, Douglas, Garrett, Hanvey, Hutchinson, Maskey, Murphy and Spratt.	Councillor Groogan.	Councillor Matt Collins.

### **Planning Publication Policy Update**

The Planning Manager provided the Committee with an update on the Planning Publication Policy, which set out how authorities would manage personal information in the new Regional Planning IT System.

He explained that, as part of the preparation work for the new IT system, a revised Planning Publication Policy had been developed and agreed by all of the regional planning authorities, including Mid Ulster Council which was not part of the regional project.

The Committee noted the report.

### **Restricted Items**

**The information contained in the reports associated with the following four items is restricted in accordance with Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014.**

Resolved – That the Committee agrees to exclude the members of the Press and public from the meeting during discussion of the following 4 items as, due to the nature of the item, there would be a disclosure of exempt information as described in Section 42(4) and Section 6 of the Local Government Act (Northern Ireland) 2014.

### **LDP Update**

The Principal Planning Officer provided the Committee with an update on engagement with the Department for Infrastructure with regard to approval of the proposed wording of an additional policy for inclusion in the final adopted Local Development Plan Strategy, -SP1A Managing Growth and Supporting Infrastructure Delivery.

He advised the Committee of the current position of the Department for Infrastructure and potential next steps. He informed the Members of a request which had been received from the Department for access to the responses received in respect of a public consultation which had been undertaken by the Council for draft Policy SP1A.

The Committee:

- noted the engagement with the DfI and the iterations of Policy SP1A;
- noted the assessment of the wording for the versions of the draft Policy SP1A proposed with supporting narratives by both Council officers and the DfI;
- agreed that it was minded to endorse the proposed wording for Policy SP1A and the Justification and Amplification;
- deferred the endorsement of the proposed draft SP1A with the supporting Justification and Amplification, and

that briefing sessions are undertaken with Members in advance of submission;

- agreed that correspondence to DfI would be circulated to Members of the Committee in advance of submission; and
- agreed not to accede to the request from DfI for copies of the detailed public consultation responses in respect of the draft Policy SP1A at this time.

### **Renewal of Scheme of Delegation for Planning**

The Committee considered a report which outlined that, in accordance with legislation, the Council was required to review its current Scheme of Delegation every three years and that it was next due to be reviewed by January 2023.

The report proposed to renew the existing Scheme of Delegation, subject to two minor changes, with a view to a more in-depth review at some point in the future and explained that it would be considered by the Strategic Policy and Resources Committee and, in accordance with legislation, the Scheme of Delegation must be agreed by the Department for Infrastructure.

The Committee noted the report.

### **Update on Improvement of the Regional Planning System**

The Director of Planning and Building Control provided the Committee with an update on the Regional Planning Improvement Work that had been progressed since the publication of the DfI Review of the Implementation of the Planning Act (Northern Ireland) 2011 (published in February 2022), the NI Audit Office Review of the Planning System (published in February 2022) and the Public Accounts Committee Report Planning In Northern Ireland (published in March 2022).

The Committee noted the report.

### **Update on the replacement Planning Portal**

The Planning Manager provided the Committee with an update on the project to replace the Planning Portal.

The Committee noted the update.

### **Issue raised in advance by a Member**

#### **City Architect - Councillor Groogan**

Councillor Groogan explained that she was proposing that a report would be brought back to the Committee which would explore the option of having a city architect for the Council and provided examples of other local authorities across Ireland and the United Kingdom which availed of a City Architect or Architect Division.

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The Committee agreed that a report would be brought back which would explore the possibility of a City Architect, outlining the finance and resource implications.

Chairperson