

Planning Committee

Tuesday, 14th May, 2024

MEETING OF THE PLANNING COMMITTEE

Members present: Councillor Garrett (Chairperson);
Aldermen Lawlor, McCullough and Rodgers;
Councillors Anglin, Bell, Bradley, T. Brooks,
Carson, Doherty, P. Donnelly, S. Douglas,
Doran, Ferguson, Groogan, Maskey,
McCann, Nic Bhranair and Whyte.

In attendance: Ms. K. Bentley, Director of Planning and Building Control;
Ms. N. Largey, City Solicitor;
Mr. K. McDonnell, Solicitor (Regulatory and Planning)
Mr. E. Baker, Planning Manager (Development Management);
Mr. D. O’Kane, Acting Planning Manager (Plans and Policy);
Ms. C. Reville, Principal Planning Officer
Ms. L. Walshe, Principal Planning Officer
Mr. C. Campfield, Principal Planning Officer; and
Ms. C. Donnelly, Democratic Services Officer.

Apologies

No apologies for inability to attend were reported.

Minutes

The minutes of the meeting of 16th April, 2024 were taken as read and signed as correct. It was reported that those minutes had been adopted by the Council, at its meeting on 7th May, 2024, subject to the omission of those matters in respect of which the Council had delegated its powers to the Committee.

Declarations of Interest

Councillor T. Brooks declared an interest in relation to item 8a - LA04/2023/3635/RM - Redevelopment of existing surface level car park for erection of residential development comprising of 205 No. units, car parking, landscaping and all associated site works. Lands bound by Glenalpin Street, Wellwood Street and Norwood Street, in that she owned an apartment on Victoria Street.

Councillor T. Brooks declared an interest in relation to item 7e - Advanced Notice of Listed Buildings - All Saints Church, Canterbury Street and Queen's University, University Road, in that she was employed by Queen's University, Belfast.

Councillor Groogan declared an interest in relation to item 8a - LA04/2023/3635/RM - Redevelopment of existing surface level car park for erection of residential development comprising of 205 No. units, car parking, landscaping and all associated site works. Lands bound by Glenalpin Street, Wellwood Street and Norwood

Street, in that she had she had previously declared an interest to the outline planning permission – LA04/2019/0127/O in June, 2019.

Withdrawn Items

The Committee noted that the following items had been withdrawn from the agenda:

- Model Section 76 Planning Agreements; and
- Committee Decisions on Planning Applications awaiting issuing.

Committee Site Visits

Note of Committee Site Visits

The Committee noted the Committee site visits and agreed to defer consideration of the following three items on the agenda, in order that the Committee would undertake site visits to the application sites:

- LA04/2023/3936/O - Outline planning for proposed replacement dwelling and all associated site works - 89a Upper Springfield Road
- LA04/2023/4162/F - Change of use from retail unit to amusement arcade and adult gaming centre. - 51 Rosemary Street
- LA04/2023/2748/A - 1 Digital Advertisement Display - 12-13 Shaftesbury Square

Request for agreement to hold a Special Meeting of the Planning Committee (if required)

The Committee agreed to hold an additional meeting of the Committee in June, if required.

Notifications of Provision/Removal of Accessible Parking Bay

The Committee noted the provision of accessible parking bays at the following locations:

- 3 Edenvale Grove;
- 4 Knocknagoney Road;
- 6 Vandyck Gardens;
- 13 Lancefield Road;
- 27 Knock Grove;
- 91 Grace Avenue;
- 24 Knock Green; and
- 162 Cliftonville Road.

Appeals

The Committee noted the appeals decisions.

Planning Decisions Issued

The Committee noted the planning decisions issued in April, 2024.

Miscellaneous Reports

Delegation of Local Applications with NI Water Objections

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

Department for Infrastructure Memoranda of Reply to the recommendations of the Public Accounts Committee on the NI Planning System

The Committee noted the content of the report, that included the Memorandum of Response and the update on the Regional Planning Improvement Programme.

Advanced Notice of Listed Buildings – All Saints Church, Canterbury Street and Queen's University, University Road

The Committee noted the content of the report and agreed to support the proposed listing of:

- All Saints' Church, Canterbury Street, Belfast, BT7 1LB; and
- International Research Centre for Experimental Physics, The Queen's University of Belfast, University Road, Belfast, BT7 1NN.

Consultation of revised timetable and new SPG for Mid and East Antrim Council's SPG

The Committee noted the update which set out Mid and East Antrim Borough Council's revised Local Development Plan timetable and the three draft Supplementary Planning Guidance documents.

Planning Applications previously considered

(Councillors T. Brooks and Groogan left the meeting while the following item was under consideration.)

LA04/2023/3635/RM - Redevelopment of existing surface level car park for erection of residential development comprising of 205 No. units, car parking, landscaping and all associated site works. - Lands bound by Glenalpin Street, Wellwood Street and Norwood Street

The Planning Manager outlined the application to the Committee and explained that it was an application which sought approval of the details pursuant to the outline planning permission and that the principle of development was established through the outline permission.

He stated that the Committee's consideration was limited to the evaluation and acceptability of the following reserved matters:

- Siting;
- Design;
- External appearance;
- Means of access; and
- Landscaping.

He explained that Condition 5 required that the shoulder heights of the building should be no higher than on drawing number 10A and that the reserved matters were within those parameters. He added that a condition to require the provision and retention of the amenity area was recommended.

He reported that, having regard to the development plan and other material considerations, the reserved matters were considered acceptable and that it was recommended that the reserved matters were approved.

The Chairperson welcomed Mr. S. Beattie KC, Mr. P. Stinson and Mr. M. Gordon to the meeting.

Mr Beattie stated that it would be remiss not to acknowledge the detailed engagement of the Council officers in the design process at the outline application stage, which was reflected in the outline condition five, that firmly framed the scale and massing of the building.

He stated that the Plan Strategy had also been considered as part of the detailed design of the development and that the proposal provided a variety of types and sizes of units in accordance with the requirements of HOU 6 and all units had been designed to ensure they were adaptable and accessible throughout all stages of life in accordance with HOU 7.

He explained that the amenity space provision for the development was controlled by the building's envelope which was fixed at outline stage and the provision was inclusive of a gym, break out areas and two external terrace areas. He added that the noise levels associated with these areas and their potential impact on adjacent residential properties had been fully considered by Environmental Health and were considered acceptable, subject to mitigation, controlled by conditions.

He concluded by stating that the issue of affordable housing was the subject of careful consideration by the Committee at the outline stage and that the application had been deferred to seek further advice from the Northern Ireland Housing Executive on the matter, and that having considered that advice, the Committee had declined to impose conditions on that issue.

In response to a query from a Member with regard to amenity space, the Planning Manager explained that it was not unusual for a city centre development to have a lower than 10 metre average amenity space, regard was also had to the proximity of local play parks. On balance, the level of amenity space was considered acceptable.

Proposal

Moved by Alderman McCullough,
Seconded by Alderman Lawlor,

“That the application be refused on the grounds of a lack of amenity space and housing mix.”

On a vote by show of hands, eight Members voted for the proposal and nine against and it was declared lost.

Accordingly, the Chairperson put the officer recommendation to the Committee and the Committee approved the reserved matters and delegated authority to the Director of Planning and Building Control to finalise the wording of the conditions, subject to the resolution of outstanding issues which had been raised by DfI Roads, and to deal with any other matters that might arise, provided that they were not substantive.

LA04/2023/4208/F - Change of use from Dwelling to HMO (6 Beds) - 24 Orient Gardens

The Planning Manager provided the Committee with an overview of the application which had been deferred for a site visit at its meeting in March.

He highlighted policy considerations that included:

- Policy HOU10 allowed for up to 4 HMO properties on Orient Gardens and there was currently one HMO and so the proposal fell below the 10% policy threshold and was acceptable in principle;
- The proposal met the space standards required by Policy RD1; and
- The parking survey carried out which shows capacity in the location streets.

He stated that it was recommended that the application was approved, subject to conditions.

A number of Members raised concerns with regard to bin storage space at the rear of the property and a lack of space.

Proposal

Moved by Councillor Maskey,
Seconded by Councillor Carson,

“That the Committee agrees to refuse the application on the grounds of lack of space for adequate bin provision and amenity and delegates authority to the Director of Planning and Building control to finalise the wording of the reasons for refusal.”

On a vote by show of hands, nineteen Members voted for the proposal and none against and it was declared carried.

New 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)

(Councillor Whyte left the meeting while the following item was being considered.)

LA04/2023/3143/F - Part demolition of the existing school building and removal of 3 no. temporary classrooms on the Derryvolgie Ave campus and construction of a new single storey extension. Construction of a new single storey 8 class school building and off-road drop-off / collection lay-by on Windsor Ave campus including a new access onto Windsor Ave. Alterations to existing car parking, accesses and play areas and associated landscaping and site works. - St Bride's Primary School, Derryvolgie Avenue

The Principal Planning Officer outlined the application to the Committee and highlighted the following key issues for consideration:

- Principle of the proposal;
- Design and impact on the Conservation Area;
- Impact on Listed Buildings;
- Impact on amenity;
- Access and transport;
- Climate change; and
- Pre Application Community Consultation.

He explained that the application involved an extension of the existing Derryvolgie campus and a new build classroom situation on a tarmac area within the Windsor Avenue campus and that the proposal was situated within the existing school campus and made good use of the existing land.

He reported that no objections had been received from consultees and that there was an outstanding response from Shared Environmental Services, however, no objection was expected given a positive response from the Northern Ireland Environment Agency.

The Committee agreed to approve the application, subject to conditions and delegated authority to the Director of Planning and Building Control to finalise the wording of the conditions and to deal with any other issues that might arise, to include those raised in the further consultation response from Shared Environmental Services, provided the issues were not substantive.

(Councillor Whyte returned to the meeting.)

LA04/2023/3483/F - Proposed Michael Davitt Heritage & Community Centre, Reception, Toilets and associated Car Parking with Exhibition Signage to existing Trim Trail - Land North of Former Corpus Christi College, Accessed off Michael Davitts GAC Grounds, Via St Mary's Gardens

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

- Principle of the proposal;
- Design, massing and scale;
- Impact on amenity;
- Environmental protection;
- Climate change; and
- Pre-Application Community Consultation.

She stated that the proposed building was considered to integrate within the local context and the existing GAG, and was modest in scale and massing which ensured that it did not dominate the residential uses nearby.

She reported that there had been no objections from consultees or third parties and that a response was outstanding from Environmental Health following the submission of a Noise Impact Assessment and Generic Quantitative Risk Assessment.

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

The Committee agreed to approve the application, subject to conditions and delegated authority to the Director of Planning and Building Control to finalise the wording of the conditions and to deal with any other issues that might arise, including

those raised in the further consultation responses from Environmental Health, provided that the issues were not substantive.

LA04/2024/0168/F - Demolition of detached garage and erection of single storey rear/side extension - 26 Eastleigh Drive

The Principal Planning Officer outlined the application to the Committee and explained that, due to the minor nature of the proposal, no consultation had been required and that no third-party representations had been received.

She stated that, having regard to the development plan and other material considerations, the proposal had been considered acceptable and it was recommended that planning permission would be granted, subject to conditions.

The Committee agreed to approve the application, subject to conditions and delegated authority to the Director of Planning and Building Control to finalise the wording of the conditions and to deal with any other matters that might arise prior to issuing the decision, provided that they were not substantive.

Restricted Items

The information contained in the reports associated with the following item 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 Committee meeting during discussion on the following item as, due to their nature, there would be a disclosure of exempt information as described in Section 42(4) and Schedule 6 of the Local Government Act (Northern Ireland) 2014.

LDP SA Scoping Report

The Planning Manager provided the Committee with an update on the preparation of the Sustainability Appraisal of the draft Local Policies Plan 2035, incorporating Strategic Environmental Assessment Scoping Report, 2024.

The Committee noted the report.

Chairperson