

PLANNING COMMITTEE

Tuesday, 15th April, 2025

HYBRID MEETING OF THE PLANNING COMMITTEE

Members present: Councillor Carson (Chairperson);
Aldermen Lawlor, McCullough and Rodgers;
Councillors Abernethy, Anglin, Bell, Brennan,
T. Brooks, Doran, S. Douglas, Ferguson, Garrett,
Groogan, Hanvey, Magee, McCabe, McCann,
Murphy and Whyte.

In attendance: Ms. K. Bentley, Director of Planning and Building Control;
Mr. K. McDonnell, Solicitor (Regulatory and Planning);
Mr. E. Baker, Planning Manager (Development
Management),
Ms. C. Reville, Principal Planning Officer;
Ms. L. Walshe, Principal Planning Officer;
Mr. P. O'Reilly, Senior Planning Officer; and
Ms. C. Donnelly, Committee Services Officer.

Apologies

No apologies were reported.

Minutes

The minutes of the meeting of 18th March, 2025 were taken as read and signed as correct. It was reported that those minutes had been adopted by the Council at its meeting on 1st April, 2025.

Declarations of Interest

Councillor T. Brooks declared an interest in items 9b, LA04/2024/2131/F - Section 54 planning application to revise the wording of the planning condition numbers 13 and 15 (Relating access gradient and visibility splays) of planning approval LA04/2023/3778/F. 38-52 Lisburn Road, Malone Lower and 9c, LA04/2025/0305/F - Section 54 application to amend condition 8 of planning approval LA04/2023/3778/F relating to the submission of foul and surface water drainage details. - 38-52 Lisburn Road, Malone Lower in that she was an employee of Queen's University and left the meeting whilst the matters were under consideration.

Councillor Murphy declared an interest in item 9a, LA04/2024/1385/F - Amendment to planning permission Z/2013/0931/F to permit occupation for Class B1(a) office and/or Class B1(c) research and development. (amended description and information) - Olympic House, Titanic Quarter, 5 Queens Road, in that he was on the Board of the Belfast Harbour Commissioners.

Councillor Whyte declared an interest in relation to item 9b, LA04/2024/2131/F - Section 54 planning application to revise the wording of the planning condition numbers

13 and 15 (Relating access gradient and visibility splays) of planning approval LA04/2023/3778/F. 38-52 Lisburn Road, Malone Lower, in that his employer had previously worked with the agent.

Withdrawn Item

The Committee noted that the following item had been withdrawn from the agenda:

- LA04/2024/0267/F - Change of Use from Dwelling to 6no bed HMO(amended description) - 11 Friendly Way.

Committee Site Visits

Note of Committee Site Visits

The Committee noted the site visits.

Pre-emptive Committee Site Visits

The Committee agreed to undertake site visits to the following applications sites:

- LA04/2024/1592/F and LA04/2024/1595/LBC - Residential development comprising the demolition of no. 8 Marlborough Street, partial demolition of existing Marlborough House, and the refurbishment of existing Listed Building (Princes Court) (3 storeys), for the erection of 103 no. apartments (mix of 1-bed, 2-bed and 3 bed units) (7 storeys), with provision of private amenity, and internal and external communal amenity spaces; and associated site and infrastructure works. - Marlborough House, (no. 28-32 Victoria Street), and no. 8 Marlborough Street;
- LA04/2024/2044/F - Erection of 895 room Purpose Built Managed Student Accommodation (PBMSA) across 9-20 storey building blocks with communal facilities, internal and external communal amenity space including landscaped courtyard and roof terraces and ancillary accommodation. With additional use outside term time (no more than 50% of the rooms) as short-term let accommodation and (no more than 50% of the rooms) accommodation for use by further or higher education institutions - Lands at 39 Corporation Street;
- LA04/2024/1761/RM - Application for approval of reserved matters application for a medical facility in accordance with outline planning permission LA04/2020/0845/O, seeking approval of layout, scale, appearance and landscaping details. - Land forming Plot 9 of the Kings Hall development as approved by LA04/2020/0845/O;
- LA04/2024/2020/F - Extension to Kings Hall Plot 2 building to provide first floor link bridge between Plot 2 and Plot 9. - Land at Kings Hall and RUAS site, southeast of Dataworks building and east of Kings Hall;

- LA04/2024/2024/RM - 41no. retirement living apartments at Plot 6, parking and landscaping in accordance with outline planning permission LA04/2020/0845/O, seeking approval of layout, scale, appearance and landscaping details. - Royal Ulster Agricultural Society, the Kings Hall, 488-516 Lisburn Road; and
- LA04/2024/2026/RM - Multi Storey Car Park with ground floor units for local retail uses, restaurant and cafe uses leisure and gym facilities at Plot 8, new public realm and amenity open space including a central plaza in accordance with outline planning permission LA04/2020/0845/O, seeking approval of layout, scale, appearance and landscaping details. - Royal Ulster Agricultural Society the Kings Hall, 488-516 Lisburn Road

Planning Appeals Notified

The Committee noted the appeals decisions.

Planning Decisions Issued

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

Live Applications for Major Development

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

Committee Decisions that have yet to issue

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

Miscellaneous Reports

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.

Confirmation of Listed Buildings - 119 University Street, 121 University Street, 2 Malone Hill Park, 6 Malone Hill Park

The Committee noted the confirmation of Listed Buildings.

Planning Applications previously considered

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

The Planning Manager provided the Committee with an overview of the application and highlighted the following key areas for consideration:

- Principle of housing at the location;
- Affordable housing;
- Demolition of existing building;
- Housing density;
- Housing mix;
- Adaptable and accessible accommodation;
- Design and placemaking;
- Impact on heritage assets;
- Climate change;
- Residential quality and impact on amenity;
- Access and transport;
- Environmental protection;
- Flood risk and drainage;
- Waste-water infrastructure;
- Waste management;
- Natural heritage; and
- Section 76 Planning Agreement.

He referred the Committee to the applicant's justification for demolition of the existing building and the viability assessment which had been submitted that outlined various potential options to retain and convert the existing building to other uses, which made the case that retention of the existing building was not feasible.

He explained that, since the publication of the report, NI Water had submitted a response which advised that further engagement with the applicant was required in order to address network capacity issues and advised that, the issues raised by NI Water had been addressed within the report.

He informed the Committee that six further objections had been received and he summarised the issues which had been raised.

He reported that, having regard to the Development Plan and other material considerations, it was recommended that planning permission be granted, subject to

conditions and the agreed Section 76 planning agreement to secure a viability review of the scheme, prior to commencement.

The Chairperson welcomed Mr. E. Morgan, Agent, Mr. K. Campbell and Mr. J. Campbell, Applicants, and Mr. M. Donnelly, Quantity Surveyor, to the meeting.

Mr. Morgan explained that he was engaged by the applicants, a father and son team, in 2020 and that a PAD had been submitted to the Planning Service who had stated that the principle of development on the site was acceptable and subsequent to the advice, the applicants had purchased the site.

He stated that a design team had been appointed to explore development options for the site and that the initial brief had been to work with the existing structure.

He stated that, in an attempt to retain the building, the design team had exhausted many options, which included conversion to a single-family dwelling, subdivision into two, four and five residential apartments and consideration given to other uses, that included short term rented accommodation and office use, however, all had been deemed unviable.

He outlined some of the issues which had contributed to the aforementioned options having been deemed unviable.

Mr. Morgan explained that the building had previous approval for demolition and provision of 14 apartments and had been declared unsuitable for listed status as it was not located within a conservation area and how the proposed redevelopment would make best use of architectural salvage and derelict building materials such as red brick, stone cills and roof tiles for incorporation into the new building.

He stated that, without redevelopment, the property would remain vacant and unused and, given the increased demand for housing, the proposal would provide fourteen high quality, sustainable homes.

He stated that the planning process had been lengthy and costly process and that building costs had increased substantially which had affected the overall development viability. He asked the Committee to accept the recommendation to approve the application.

A number of Members raised questions with regard to the viability options that would retain the original building or façade,

A Member asked Mr. M. Doherty, Naylor Devlin, who was in attendance at the meeting, if he had seen an alternative option that would retain the building façade. Mr. Doherty said that he had not seen such an option.

The Planning Manager explained that the viability option information that had been received was high level and had not been scrutinised. He added that it would be unreasonable to refuse the application based on viability issues and reminded the Committee that the application site was not in a protected area.

Proposal 1

Moved by Councillor T. Brooks,
Seconded by Councillor Hanvey,

“The building at 18 Annadale Avenue, whilst not listed or in a conservation area, makes a positive contribution to its existing built environment.

Policy ENV2 states that development proposals should, where feasible, seek to avoid demolition and should consider how existing buildings or their main structures could be reused.

If demolished the embodied carbon in the existing building will be lost and the built heritage of Annadale Avenue will be chipped away further.

The committee therefore does not agree to the demolition of this building and refuses planning permission.”

Upon hearing the undernoted proposal from Councillor Groogan, Councillor T. Brooks withdrew her proposal.

Proposal 2

Moved by Councillor Groogan,
Seconded by Councillor Garrett, and

Resolved – “That consideration of the application is deferred to allow the applicant to provide further viability information regarding options to retain the original building.

New Planning Applications

LA04/2024/1385/F - Amendment to planning permission Z/2013/0931/F to permit occupation for Class B1(a) office and/or Class B1(c) research and development. (amended description and information) - Olympic House, Titanic Quarter, 5 Queens Road

The Principal Planning Officer explained that the application sought to amend permission Z/2013/0913/F to provide flexibility whereby the building could be occupied as either Class B1(a) or B1(c), or a combination of both.

She stated that the applicant was willing to enter into a Section 76 planning agreement to provide construction employability and skills in respect of the specific occupier fit-out of the building and specific restrictions on the occupancy of the building, in order to minimise the potential for impacts on the city centre.

She informed the Committee that the case officer report had omitted reference to a letter of support from the NI Chamber of Commerce and Industry which echoed many of the points made by the Belfast Chamber in its letter of support and stated that the application had the potential to make a substantial contribution to helping Belfast meet its demand for high-quality office space, supporting economic growth and attracting inward investment.

She referred the Committee to the following key issues for consideration:

- Principle of the proposed uses;
- Environmental impacts;
- Health impacts;
- Climate change;
- Traffic and access;
- Section 76 planning agreement; and
- Pre-Application Community Consultation.

She pointed out that, since the report had been published, an additional objection had been received from Gravis Planning which reinforced the previous grounds of objection and, in addition, raised issues with the methodology employed by Lisney in its report and that the policy did not recognise ESG credentials or different grades of office space. She explained that the concerns raised had been addressed within the report.

The Principal Planning Officer summarised the material considerations, consultation and assessment to the Committee. She reported that the proposal was in conflict with Policies EC3 and EC6 of the Plan Strategy as it had not been demonstrated that the level of proposed Class B1(a) floor space could not be accommodated in a city centre location and the sequential test had not been met.

She stated that it was the officers' view that there were overriding material considerations whereby there was an exceptional set of circumstances that outweighed the policy conflict.

She reported that it was recommended that the application be approved, subject to conditions and a Section 76 planning agreement.

The Chairperson welcomed Mr. M. Hanvey, Gravis Planning, to the meeting, who spoke in objection to the application.

Mr. Hanvey explained that the recommendation to approve the application at contradicted the objectives and planning policies of the Council's Local Development Plan (LDP) - Plan Strategy and wider regional planning policy and that this had been confirmed by the Council's Local Development Plan Team in its most recent consultation response.

He stated that the original application had been specific in relation to the split between floor area and for Use Class B1(a) and Use Class B1(c), with the majority of the floorspace being for Use Class B1(c) or 'Research and Development' purposes.

He stated that the current application would more than treble the amount of office floorspace that had originally been envisaged for Phase II of Titanic Quarter.

He added that the policy was clear, in that Class B1(a) uses would only be permitted in a major or strategic employment locations where it could not be accommodated in a city centre location and that it would otherwise result in the loss of a significant inward investment.

Mr. Hanvey stated that the Lisney report had omissions in its summary of available accommodation in the market, which included All State's building, Lanyon Plaza, The Soloist and Adelaide Exchange. He added that buildings such as 9 Lanyon Place and the Waterside Tower were marketed as Grade A office buildings.

He stated that the Council's Local Development Plan clearly stated that Grade A certification or BREEAM standards were not policy considerations and that market intervention to change or widen the use classification and Olympic House, to assist private sector developer where they had failed to achieve product market fit, was not the responsibility of the planning system.

He concluded by stating that the vitality and viability of Belfast city centre was a challenge for a variety of reasons and that the proposal would only exacerbate the challenges for retailers and service providers that were already closing in significant numbers. He asked the Committee to give his submission due consideration in the determination of the application.

The Chairperson welcomed Mr. S. McKee, Turley, Mr. J. Eyre, Titanic Qtr Ltd., Mr. B. Lavery, CBRE, and Mr. C. O'Hara, RPS Tetra Tech, to the meeting, speaking on behalf of the applicant.

Mr. McKee explained that Olympic House was a high-quality Grade A BREEAM Excellent and ESG compliant office building that had been fully constructed to shell and core standard and ready for occupation. He stated that it had the ability to support over 1360 jobs and represented a £40m investment in the city.

He reported that, despite active marketing prior to, during construction and post completion five years ago, there had been not tenancies secured, despite there having been a series of expressions of interest from prospective occupiers, and the building remained unoccupied.

He stated that CBRE, Lisney and Invest NI had confirmed that the demand for B1(c) accommodation was very limited and not expected to change in the short to mid-term. He explained that Lisney had stated that a very significant challenge for Belfast was that there was just 220,000 square foot of Grade A BREEAM Excellent accommodation available which was less than a one-year supply and that the lack of supply was compounded by the fact that no new speculative accommodation of that calibre was likely to come forward within the next three years and perhaps longer, due to market rents persisting at £25 per square foot.

Mr. McKee stated that CBRE and Lisney had also confirmed that other competing cities were carrying strong levels of unrestricted accommodation of the same calibre, ready for occupation and that Lisney had advised that the proposed amendments to the Olympic House permission would not negatively impact Belfast's existing city centre office market and instead, would highlight a greater set of concerns that could arise from a shortage of Grade A BREEAM excellent office space.

He concluded by stating that the Council's Planning Service had appropriately weighed the prevailing planning policy context and key material considerations and found consistent with its commercial advisors, Lisney, that there would not be significant adverse impact on the city centre and that the proposal was acceptable.

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

The Committee further agreed that, should the planning agreement not be completed by 31st May 2025, the application would be reported back to the Committee for reconsideration.

(The Committee agreed to consider the following two applications together.)

(Councillors T. Brooks and Whyte left the meeting for the following two items.)

LA04/2024/2131/F - Section 54 planning application to revise the wording of the planning condition numbers 13 and 15 (Relating access gradient and visibility splays) of planning approval LA04/2023/3778/F. 38-52 Lisburn Road, Malone Lower; and

LA04/2025/0305/F - Section 54 application to amend condition 8 of planning approval LA04/2023/3778/F relating to the submission of foul and surface water drainage details. - 38-52 Lisburn Road, Malone Lower

The Principal Planning Officer summarised the applications to amend conditions 8, 13 and 15 of LA04/2023/3778/F as follows:

Approved Condition 8

Notwithstanding the submitted details, no development shall commence on site (other than site clearance, site preparation, demolition and the formation of foundations and trenches) unless details of foul and surface water drainage, including a programme for implementation of these works, have been submitted to and approved in writing by the Council. The development shall not be carried out unless in accordance with the approved details, which shall be retained as such thereafter.

Proposed Amendment:

Notwithstanding the submitted details, ***no development shall be occupied*** on site unless details of foul and surface water drainage, including a programme for implementation of these works, have been submitted to and approved in writing by the Council. The development

shall not be carried out unless in accordance with the approved details, which shall be retained as such thereafter.

Approved Condition 13

The access gradients to the development hereby permitted shall not exceed 4% (1 in 25) over the first 10m outside the road boundary. Where the vehicular access crosses a footway or verge, the access gradient shall be between 4% (1 in 25) maximum and 2.5% (1 in 40) minimum and shall be formed so that there is no abrupt change of slope along the footway.

Proposed Amendment:

The access gradients to the development hereby permitted shall not exceed 4% (1 in 25) over the **first 10m outside the carriageway**. Where the vehicular access crosses a footway or verge, the access gradient shall be between 4% (1 in 25) maximum and 2.5% (1 in 40) minimum and shall be formed so that there is no abrupt change of slope along the footway

Approved Condition 15

No development shall commence on site (other than that required to fulfil this condition) unless the visibility splays have been provided in accordance with the approved plans. Within the visibility splays, there shall at no time be obstruction to visibility above 250mm as measured from ground level.

Proposed Amendment:

No development shall commence on site (other than that required to fulfil this condition **and including site clearance, site preparation, demolition and the formation of foundations and trenches**) unless the visibility splays have been provided in accordance with the approved plans. Within the visibility splays, there shall at no time be obstruction to visibility above 250mm as measured from ground level.

The Chairperson welcomed Mr. L. Talbot, JUNO Planning, to the meeting, speaking on behalf of the applicant.

Mr. Talbot explained that the proposed rewording of the conditions did not revise or contradict the approved plan and only served to ensure that the site works could continue in line with the project plan.

He pointed out that NI Water was content with the amended wording of the conditions.

The Committee granted planning permission to vary conditions 13 and 15 of planning approval LA04/2023/3778/F and delegated authority to the Director of Planning and Building Control to finalise the wording of the conditions and deal with any other issues that might arise, provided the issues were not substantive.

The Committee granted planning permission to vary condition 8 of planning approval LA04/2023/3778/F and delegated authority to the Director of Planning and Building Control to finalise the wording of the conditions and deal with any other issues that might arise, provided the issues were not substantive.

(Councillors T. Brooks and Whyte returned to the meeting.)

LA04/2024/0675/F - Change of Use of first and second floor to 39 No. apartments; extension to second floor for 6 No. apartments and erection of new third floor for 19 No. apartments (all social housing dwellings, 64 No. in total), and ancillary/associated works. Solar panels on roof (amended plans and description). - The Arches Centre 11-13 Bloomfield Avenue

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

- Principle of residential in the location;
- Housing density;
- Affordable housing;
- Housing mix;
- Adaptable and accessible accommodation;
- Design and placemaking;
- Public realm;
- Impact on heritage assets;
- Climate change;
- Residential quality and impact on amenity;
- Open space;
- Impact on trees;
- Access and transport;
- Health impacts;
- Environmental protection;
- Flood risk and drainage;
- Natural heritage;
- Section 76 planning agreement; and
- Pre-application Community Consultation.

He stated that since publication of the report, Environmental Health had provided a consultation response to indicate that it was content with the proposal, subject to conditions and that Building Control had raised concern of the waste management plan with regard to distance to bins.

He reported that NIHE was supportive of the social housing proposals and that no third party objections had been received.

He stated that, having regard to the Development Plan and other material considerations, it was recommended that planning permission be granted, subject to conditions and a Section 76 planning agreement.

The Chairperson welcomed Mr. C. Bryson, Gravis Planning, to the meeting, who attended on behalf of the applicant.

Mr. Bryson explained that he fully endorsed the application which represented a highly sustainable development of a locally important building and requested that the Committee approved the officers' recommendation to approve the application.

In response to a question from a Member with regard to the established retailer located on the ground floor of the application site and how the applicant would minimise impact on the existing business, Mr. Bryson explained that the applicant operated the businesses on the ground floor and that the scheme would not see any change to the ground floor operations and that engagement and consultation with retailers would be ongoing to minimise any disruption.

The Committee granted planning permission, subject to conditions and a Section 76 planning agreement and delegated authority to the Director of Planning and Building Control to resolved final consultation responses, finalise the wording of the conditions and Section 76 planning agreement and deal with any other issues that might arise, provided the issues were not substantive.

**LA04/2025/0239/F and LA04/2025/0240/DCA -
Renewal of LA04/2019/2651/F - Demolition of
existing garage, carport, porch and roof to
dwelling. Single storey extension to side
and rear. Porch extension to front, new roof
creating a new ridge level and associated
site works - 21a Cyprus Avenue**

The Committee granted planning permission and Conservation Area Consent, subject to conditions and delegated authority to the Director of Planning and Building Control to finalise the wording of the conditions and deal with any other issues that might arise, provided the issues were not substantive.

Chairperson