

# Planning Committee

Tuesday, 18th August, 2015

## MEETING OF PLANNING COMMITTEE

Members present: Councillor Garrett (Chairperson);  
Alderman McGimpsey;  
Councillors Armitage, Bunting  
Campbell, Heading, Hutchinson,  
Johnston, Magee, McAteer and Mullan.

In attendance: Mr. P. Williams, Director of Planning and Place;  
Mr. J. Walsh, Town Solicitor,  
Mr. C. McIlwaine, Area Planning Manager;  
Miss N. Largey, Divisional Solicitor; and  
Mr. B. Flynn, Democratic Services Officer.

### Apologies

Apologies were reported on behalf of Alderman Lydia Patterson, Alderman Ruth Patterson and Councillor McDonough-Brown.

### Declaration of Interest

Councillor Johnston referred to the 'Listing Buildings Consultation' agenda item and pointed out that the property situated at 2 to 4 Belmont Road was owned by the Ulster Unionist Party, of which both he and Aldermen McGimpsey were members.

### Routine Correspondence - Taxi Rank in Donegall Square

The Committee noted that, under the revised governance arrangements, correspondence received from Transport NI seeking the Council's views on transport matters would fall within the responsibility of the City Growth and Regeneration Committee.

It was agreed that the correspondence be referred to the City Growth and Regeneration Committee for comment.

### Area of Special Scientific Interest - Belvoir Area

The Committee noted the contents of a report, which had been compiled by the Northern Ireland Environment Agency, which outlined the rationale for designating specific areas of woodland, parkland and open space within the Belvoir Park Forest as an Area of Special Scientific Interest (ASSI). In addition, the report outlined the measures which would be introduced within the area to maintain and protect its unique flora, fauna and habitat.

### **Listing of Buildings - Consultation Exercise**

The Committee agreed, in response to a consultation exercise which was being undertaken by the Northern Ireland Environment Agency, to support the listing of the buildings at the following locations:

- Former bank at 413/417 Newtownards Road;
- Heyn Memorial Hall, 215 Holywood Road;
- 2-4 Belmont Road;
- Quarry House, 42 Quarry Road;
- 261a Belmont Road;
- Orangefield Baptist Church, North Road;
- Bloomfield Presbyterian Church, Beersbridge Road;
- Ballysillan Presbyterian Church;
- Holy Trinity Church, Ballysillan Road;
- Woodvale Presbyterian Church, Woodvale Road;
- St Patrick's Secondary School, 619 Antrim Road;
- Cross of Sacrifice, Dundonald Cemetery;
- Hamill Vault, St Josephs Churchyard, Hannahstown Hill;
- Woodvale Park Bandstand;
- Cross of Sacrifice, City Cemetery, Falls Road;
- Gate Lodge. Holy Family Primary School, Newington Avenue; and
- Pavilions 1 and 2, Stormont Estate, Massey Avenue

### **Purpose-Built Student Managed Accommodation**

The Committee considered the following report:

#### **“1.0 Purpose of Report**

- 1.1 This paper outlines the steps to be taken to provide the Council with appropriate tools to deal with planning applications for the provisions of Purpose Built Managed Student Accommodation (PBMSA). Whilst the inclusion of new policies within the future Local Development Plan is the preferred solution in the long-term (3-5 years), there is a pressing need for a short-term solution to deal with the current proliferation of planning applications for this type of development in the City Centre.
- 1.2 The proposed approach in the short-term constitutes an interim solution that builds upon the work already undertaken through the established Joint Team on Student Housing, most notably the 'Learning City' Framework Document which was published in March 2014 following public consultation. It will offer greater certainty to developers of PBMSA and provide reassurance to communities that existing residential amenity will be protected.

**2.0 Recommendations**

**2.1 In the short-term, agree to:**

- The preparation of technical, internal ‘guidelines’ based on existing policies to ensure a consistent approach when determining applications for PBMSA; and
- The preparation of a positive ‘Best Practice Guide’ aimed at prospective developers to encourage the development of good quality PBMSA in the right locations.

**2.2 In the medium-term (6-9 months), agree to the preparation of Supplementary Planning Guidance to address gaps in the existing policy framework.**

**2.3 Note that in the long-term (3-5 years) any policy deficiencies can be addressed within the new Local Development Plan.**

**3.0 Main report**

**3.1 Key Issues**

Members will be aware that the Council have been involved for a number of years in a Joint Team on Student Housing – a collaboration with DSD, DOE, NIHE and SIB formed to lead a strategic approach to providing quality, attractive, safe and secure student housing and purpose built student accommodation in the City. To date, a significant amount of work has been completed via the Joint Team, including the Holylands and Wider University Area Strategic Study (March 2012) and research into the Economic Impact of Higher Education Students on the Economy of Belfast (February 2014).

**3.2 This work has shown that students studying and living within cities make a significant contribution to local and regional economies. For Belfast, the re-location of the Ulster University to the north of the City Centre and growth in the international student market both present significant opportunities for the City. However, student housing provision needs to be carefully planned and appropriately managed to secure a positive integration with existing communities and to ensure that negative impacts associated with the concentration of student accommodation, such as anti-social behaviour, are mitigated against. Attractive, high quality, safe, secure, accessible and affordable Purpose Built Managed Student Accommodation (PBMSA) in the right**

locations is therefore a preferable alternative to ad hoc private rented housing within established neighbourhoods.

- 3.3 The Council commissioned consultants in late 2013 to review planning policies and other relevant strategies to develop an appropriate approach to assessing future proposals for PBMSA. The resulting Framework for Student Housing and Purpose Built Student Accommodation (published in March 2014 after public consultation) outlined a range of planning criteria that could be considered as requirements for PBMSA, including proximity to university campuses, design quality, management arrangements, impact on the surrounding area and need.
- 3.4 In the past 18-24 months, Belfast has experienced an influx of planning applications for PBMSA, predominantly in the city centre. Under the plan-led planning system, although the Framework document is a material consideration in determining such planning applications, it was not composed within the guidelines set out within the relevant planning framework and therefore can neither supersede existing planning policy nor have determining weight in planning decisions.
- 3.5 Policy HMO7 of the Houses in Multiple Occupation (HMO) Subject Plan for Belfast is the only existing planning policy relating specifically to PBMSA. However, this policy only applies to larger schemes (developments over a threshold of 50 units or 200 occupants) and is only applicable where an applicant overtly states that a planning application is to provide student accommodation. Furthermore, whilst the policy is able to require applicants to provide detail of management arrangements and the provision of amenity space, it does little to manage cumulative impact, does not consider any evidence of need and has little guidance in relation to maximising regeneration benefits.
- 3.6 With the absence of a formal criteria-based policy for PBMSA within the Local Development Plan, the policy mechanisms currently available to the Council are considered inadequate in terms of their ability to encourage the right type of development in suitable locations. Whilst the inclusion of new policies within the future Local Development Plan is the preferred solution in the long-term, there is a need in the light of the current proliferation of planning applications for immediate action.
- 3.7 In the short-term, it is therefore proposed that two documents are produced based on the support existing policies give to

the criteria-based policy approach outlined within the Framework Document. This would include:

- Preparation of technical, internal ‘Guidelines’ to ensure a consistent approach to applying existing policies and following procedural protocols. It will provide guidelines to development management officers on how to robustly approach current and future planning applications for student accommodation.
- A positive, ‘Best Practice Guide’ aimed at prospective developers to encourage the development of good quality, PBMSA in the right locations by explaining how existing policies support well-design and appropriately managed schemes. This would demonstrate how existing policies support the ‘criteria-based’ approach and would give developers greater certainty about the Council’s aspirations when preparing planning proposals.

3.8 Given that each of these documents are based on existing planning policies and the Council’s approach contained within the Framework Document, they could be produced relatively quickly and implemented without a need for further consultation. Whilst it is acknowledged that this approach is limited in that it will neither supersede existing policy nor have determining weight in planning decisions, it is proposed that the positive ‘Best Practice Guide’ would be beneficial in seeking to influence proposals before planning applications are submitted and would, alongside technical ‘guidelines’, ensure consistency in how policies are applied. This approach could also provide an immediate additional material consideration when processing current planning applications for PBMSA.

3.9 In the medium-term, Supplementary Planning Guidance (SPG) on PBMSA can be prepared to address gaps and strengthen the existing policy framework. Although an SPG can’t introduce new policy, can “supplement, elucidate and exemplify” policy documents and development plans” (PPS1, Para 43). This would build upon the short-term work outlined above and where relevant to a particular development proposal could be taken into account as a material consideration, with additional weight accorded by virtue of a period of public consultation. Allowing time for further research and consultation, it is unlikely SPG could be adopted before April 2016.

3.10 In the long-term, the criteria-based policy approach contained within the Framework Document should provide a foundation for future planning policies for PBMSA within the new Local

Development Plan. However, it is likely to take at least 3 years until this can be fully realised.

### **3.11 Financial & Resource Implications**

**There are no additional resource implications arising from the short-term Guide and internal Guideline documents. The Director is currently considering options for the establishment of a Development Plan Team to take forward future planning policy work.**

The Director clarified a range of issues which had been raised within the report. He explained that the three-staged approach, as proposed for the future consideration and management of Purpose-Built Student Managed Accommodation, would enable the Council to establish firm guiding principles to assist it in the creation of a viable framework to manage the issue effectively over a short, medium and long-term period.

The Committee welcomed the contents of the report, particularly since the Council would be establishing a viable strategy whereby the needs of residents, students and developers could be considered within an evolving process. The point was made that it would be fundamental for the Council, as the planning authority, to measure accurately the demand for student accommodation across the City to enable future planning applications of that nature to be considered within context.

The Committee adopted the recommendations as contained within the report.

### **Financial Report - Quarter 1 2015/2016**

The Committee noted the contents of a report which provided an overview of the financial position of both the Planning and Licensing Committees, as at the end of the first quarter of the financial year. It was noted further that, as at 30th June, there had been a net underspend of £219,000.

### **Place-Making Symposium for Councils**

The Committee authorised the attendance of any Member, who so wished, at a half-day 'Place Shaping Symposium', which would take place on 22nd October at Mossley Mill, Newtownabbey. It was noted that attendance at the event was free of charge.

### **Planning Committee - Continuing Development Programme**

The Committee endorsed the contents of a report which outlined a series of training sessions which had been arranged as part of the Members' Continuing Development Programme.

### **Appeal Decisions Notified**

No notifications had been received.

**Delegated Planning Decisions**

The Committee noted a list of decisions which had been issued under the Council's Delegated Scheme between 20th July and 7th August.

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

**Reconsidered Item**

**1. Z/2015/1518/F - 362 Woodstock Road - change of use for ground floor retail unit to become hot food takeaway**

The Committee was reminded that, at its meeting on 16th June, it had a deferred consideration of the above-mentioned application to enable the applicant to address a number of issues which had been raised by statutory consultees, specifically in respect of parking provision, noise and fumes.

The case officer reported that the Council had written to the applicant on 23rd June requesting that the further information be provided. She indicated that correspondence had been received from the applicant on 14th August, subsequent to the publication of the Committee papers. However, she pointed out that the information received had not addressed the specific issues raised by the Committee.

**The Committee refused the application for the reasons set out in the case officer's report.**

**Reconsidered Item**

**2. Z/2013/1482/F - St Thomas' Hall, 138a Lisburn Road - Demolition of existing building and erection of 17 apartments, associated amenity space and site works (revised scheme)**

(Councillor Bunting, who had not been in attendance on 30th July when the matter was deferred, took no part in the debate or the votes on the application.)

The Committee was reminded that, at its meeting on 30th July, it had deferred consideration of the application to enable a site visit to be undertaken. Specifically, that decision had been taken to allow the Committee to consider if the proposal, if permitted, would be out of character with the surrounding vicinity, or represent an overdevelopment of the site. It was reported that the site visit had taken place on Wednesday, 5th August.

Moved by Councillor Johnston,  
Seconded by Councillor Armitage,

That the Committee agrees to defer consideration of the application and requests that the recommendation to approve be re-examined to

consider if the proposal might be rejected on the grounds that it would be out of character with the local vicinity, be unacceptable in view of a lack of parking provision and, if permitted, constitute an over-development of the site.

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

**Accordingly, on a further vote by show of hands, the Committee adopted the recommendation to approve the application by six votes to two.**

Arising from discussion, the Committee agreed, given the recurring issues raised by Members, particularly those relating to Houses in Multiple Occupancy, car parking and hot food bars, that the Council should, prior to the completion of its Local Development Plan, seek to establish interim policies to assist the Committee to consider applications within revised context and guidelines.

**3. Z/2015/0180/F - Clarendon Park, Sports Facility, Somerdale Park - construction of '3G' sports pitch including fencing and floodlights (approval)**

The Committee considered the above-mentioned proposal which had been presented to the Committee for decision since the Council was the applicant.

**The Committee granted approval to the application, subject to the imposing of conditions as outlined within the case officer's report.**

**4. Z/2014/0601/F - 12-20 Donegall Road and 7-21 Bradbury Place**

The Committee considered an application for the demolition of an existing building to enable the erection of a five-storey building consisting of three commercial units, a laundry room, lift and external smoking area for use by an adjacent hotel; a 24 bedroom hotel on the first, second, third and fourth floors which will form an annex to the existing Benedict's Hotel complex.

**The Committee granted approval to the application, subject to the imposing of conditions as outlined within the case officer's report.**

**5. Z/2010/0245/F - 55-71 Ormeau Road - seven-storey development, 83 apartments with parking at ground and mezzanine level and retail units**

Moved by Councillor Johnston,  
Seconded by Alderman McGimpsey,

That the Committee defers consideration of the application to enable legal clarification to be provided on an issue which had been raised within the associated report.

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

**6. Z/2015/0021/A - Ormeau Road and Cromac Street - externally illuminated shop signs - (retrospective application)**



The Committee considered the above-mentioned proposal which had been presented to the Committee for decision since the Council was the applicant.

**The Committee granted approval to the application.**

**7. LA045/2015/0294/A - Newtownards Road - shop signs as part of the Renewing the Routes initiative**

The Committee considered the above-mentioned proposal, which had been presented since the Council was the applicant.

**The Committee granted approval to the application.**

Chairperson