

Planning Committee

Tuesday, 19th January, 2016

MEETING OF PLANNING COMMITTEE

- Members present: Councillor Garrett (Chairperson);
Aldermen L. Patterson and Stalford;
Councillors Armitage, Bunting, Campbell,
Heading, Hutchinson, Johnston, Magee,
McAteer and McDonough-Brown.
- 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 McGimpsey and Councillor Mullan.

Minutes

The minutes of the meeting of 15th and 17th December were taken as read and signed as correct. It was reported that those minutes had been adopted by the Council at its meeting on 5th January, 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.

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

Planning and Place - Revenue Estimates 2016/2017

(Mr. R. Cregan, Director of Finance and Resources, attended in connection with this item.)

The Committee considered the following report:

Revenue Estimates 2016/2017

- The purpose of this report is to provide an overview of the additional financing requirement for the Council for 2016/17 and to present the cash limit for the Planning Committee for

- 2016/1, as recommended by the Strategic Policy and Resources Committee at its meeting on the 18 December 2015; and
- To outline the next steps in the rate setting process leading to the setting of the district rate by Council at its meeting in February 2016.

2.0 Recommendations

2.1 The Committee is asked:

1. To agree a cash limit for the Planning Committee for 2016/17 of £1,673,308 and the individual service cash limits detailed in Table 2 below.

Planning Committee

- 3.4 A spending limit of £1,673,308 is recommended for the Planning Committee for 2016/17. This represents a decrease of £18,072 or 1.07% on the 2015/16 budget. The main budgetary intentions of the Committee for the next year are set out in Table 2 below.

Planning Estimate Analysis 2016/17

SERVICE	2016-17 (£)
Planning	889,281
Building Control	784,027
COMMITTEE NET EXPENDITURE	1,673,308

Services Position

3.5 PLANNING

Net expenditure for the service has increased by £102,592 or 13.04% of the 2015/16 budget. Additional Planning income of £227k is anticipated in 2016/17 driven by improving economic conditions. This will help offset additional costs required to support development of the Local Development Plan and increased costs associated with placing planning notices in various newspapers.

3.6 BUILDING CONTROL

A net budgeted decrease of £120,664 or 13.34% of the 2015/16 budget is planned for in 2016/17. Growth in income for

planning fees, inspection fees and Property Certificates amounting to £195k will be reduced by additional National Insurance Contributions of £78k.

The Committee adopted the recommendations.

Abandonment of Public Right of Way

The Committee noted the receipt of correspondence from the Department for Social Development, which related to the extinguishment of a Public Right of Way at Thorburn Road.

Planning Appeal Notified

The Committee noted the receipt of correspondence in respect of a planning appeal which had been submitted regarding the demolition of a pavilion, to enable its replacement with a building consisting of six apartments and associated site works, at Bladon Park, Malone Lower.

Decisions Issued Under Delegated Authority

The Committee noted a list of decisions which had been taken under delegated authority by the Director of Planning and Place and the Town Solicitor between 7th December and 11th January.

Departmental Performance Update

The Committee noted the contents of a report which gave an overview of the Department's performance during the third quarter of the financial year.

Formulation of Local Development Plan - Consultancy Advice

(Mr. K. Sutherland, Development Planning and Policy Manager, attended in connection with these items.)

Strategic Environmental Assessment

The Development Planning and Policy Manager outlined the principal aspects of a report which sought permission to commission consultancy support to assess and appraise the Local Development Plan. The hire of the consultants would enable the plan to be developed in accordance with the requirements associated with the Strategic Environmental Assessment and Sustainability Appraisal. He indicated that the specific work to be undertaken by the consultants would include:

- a scoping report to prepare an evidence base for the appraisal;
- an interim report which would assess any reasonable alternatives;
- against a framework for a preferred-options paper;
- an assessment of any alternatives and significant effects of the draft plan;
- an appraisal report to document the process and its findings;
- a consultation exercise with stakeholders on the draft plan;
- the creation of a statement of reasons for the adoption of the plan

- proposed monitoring measures; and
- the monitoring of the potential effects and the need for remedial action.

The Committee granted approval for the commissioning of consultancy support for the purposes outlined, up to a maximum cost of £30,000.

Future Population Growth in the City

The Committee considered also a report which sought permission to commission consultancy support to provide independent, expert advice to assist the Council to ascertain the projected population growth in the City, which would be necessary in the formulation of the Development Plan. The Development Planning and Policy Manager indicated that the remit of the consultants would include:

- an analysis of migration rates to be applied during the plan period;
- a clear articulation of how options might respond to evidence of social and economic needs;
- the deliverability in terms of market conditions, including past building rates, potential future rates and the provision of necessary infrastructure;
- the assessment of factors relating to land supply, constraints and sustainability;
- a review of strategic and cross-boundary issues; and
- the consideration of other relevant factors.

The Committee granted approval for the commissioning of consultancy support for the purposes outlined, up to a maximum cost of £30,000.

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

Z/2013/0169/F - 469-487 Crumlin Road - demolition/construction of bar, betting office, bank machine and 16 apartments

The Committee was reminded that, at its meeting on 15th December, it had agreed to defer consideration of the above-mentioned application, which sought permission for the demolition and re-construction of an existing bar and betting office, which would incorporate also a cash machine and 16 apartments, to enable a site visit to be undertaken.

The case officer reported that the site visit had taken place on 9th January, during which the proposal had been assessed within the context of surrounding buildings, namely the Holy Cross Church and former Holy Cross Boys' Primary School. In addition, the Committee had considered the location of the proposed apartments, specifically their proximity to the adjacent Crumlin Star Social Club, from both the Crumlin Road and Brompton Park.

The Divisional Planning Manager outlined the principal aspects of the proposal, in respect of which a recommendation to approve was presented to the Committee, and answered a range of Members' questions.

On a vote by show of hands, six Members voted in favour of adopting the recommendation to approve the application, with five voting against, and it was declared carried.

Z/2014/1627/F - 179 bedroom hotel/support accommodation at Hope Street

The Committee considered an application for a 179-bedroom hotel development, which would include support accommodation, administrative offices, a restaurant, staff facilities and associated plant buildings, in respect of which a recommendation to approve was presented. The Committee was advised that the site was currently used as a surface level car park, which was bounded by Lincoln Place, St. Andrew's Square and Hope Street.

The Committee granted approval, subject to the imposing of the conditions set out within the case officer's report.

LA04/2015/1152/F - Lancashire House - change of use from eight-storey office building to provide additional accommodation

The Committee received an overview of an application which sought full planning permission for the change of use of Lancashire House, Linenhall Street, to provide additional accommodation for the adjacent Ten Square Hotel, which would include a reception area at the ground floor, a function room at the first floor, meeting rooms on the second floor and 46 bedrooms.

The Committee granted approval, subject to the imposing of the conditions set out within the case officer's report.

Z/2015/0138/F - 81-107 York Street - replacement building for managed student accommodation

The case officer outlined the main aspects of an application which sought permission for the demolition of existing buildings to enable the development of a new building for managed student accommodation. It was reported that the new accommodation would include 590 ensuite double bedrooms, shared communal areas and kitchens, together with 92 studios, two retail units at ground floor level, two landscaped courtyards, a reception suite and communal areas, plant and storage areas, car parking and cycle provision. It was reported that, having taken into account all of the prevailing policies and material considerations, the proposal was considered acceptable and, accordingly, planning permission was recommended, subject to the conditions outlined within the report.

The Committee approved the application and, in accordance with Section 76 of the Planning Act (Northern Ireland) 2015, delegated power to the Director of Planning and Place, in conjunction with the Town Solicitor, to enter into discussions with the

applicant to explore the scope of any Planning Agreements which might be realised by way of developer contributions, and in respect of the requirement to exercise management control for occupancy by students only.

Z/2014/1657/F - site at 28-30 Great Patrick Street - 11-storey building comprising of retail unit at ground floor and 475 managed student accommodation.

The Committee considered an application for the erection of an 11-storey building, which would include a retail unit at ground floor level, a 475 bed managed student accommodation, associated reception/office facility, together with ancillary accommodation, including a landscaped courtyard, plant and storage areas, car parking and cycle provision.

The case officer reported that the consultees had offered no objections to the proposal and that no objections had been received from third parties. It was indicated that, having regard to the policy context and other material considerations, the proposal was considered acceptable and planning permission was recommended, subject to the conditions outlined within the report.

The Committee approved the application and, in accordance with Section 76 of the Planning Act (Northern Ireland) 2015, delegated power to the Director of Planning and Place, in conjunction with the Town Solicitor, to enter into discussions with the applicant to explore the scope of any Planning Agreements which might be realised by way of developer contribution, and in respect of the requirement to exercise management control for occupancy by students only.

Planning Agreements - Section 76

Arising from discussion in respect of the two previous applications, it was,

Moved by Alderman Stalford,
Seconded by Councillor McDonough-Brown and

Resolved – That a report be submitted to the Committee on a quarterly basis which would provide an overview of the benefits accrued by the Council as a result of it exercising its powers under Section 76 of the Planning Act (Northern Ireland) 2015, by entering into Planning Agreements with developers.

LA04/2015/0676/F - land bounded by Library Street, Stephen Street and Kent Street - demolition of existing warehouse and construction of managed purpose built student accommodation

The case officer outlined the principal aspects of an application for the demolition of an existing warehouse to enable the construction of purpose-built managed student accommodation at the above-mentioned location. It was reported that the accommodation would, if permitted, comprise of 78 apartments, containing 408 ensuite bedrooms with shared living rooms and kitchens. In addition, ten studio apartments would be incorporated, which would contain 36 self-contained studios on the ground and upper storeys; a landscaped central amenity space and a reception office at

ground level. It was noted that a basement area, containing parking spaces, 104 cycle spaces, changing area and showers, a gymnasium, games room and laundry area for the use of residents; together with ancillary plant rooms and storage facilities had been included within the proposal.

The Committee was advised that, after due consideration, a recommendation to refuse the application was being presented on the following grounds:

- the proposal was contrary to Strategic Planning Policy Statement for Northern Ireland and Policy QD 1 of Planning Policy Statement 7: Quality Residential Environments, in that, if permitted, it would result in unacceptable damage to the residential amenity of existing dwellings in Stephen Street through dominance, overshadowing and loss of light, given the proposed height, scale and mass of the building; and
- the proposal was contrary to Strategic Planning Policy Statement for Northern Ireland and Policy QD 1 of Planning Policy Statement 7: Quality Residential Environments', in that the proposal would, if permitted, result in unacceptable damage to the character of the area by introducing an unsympathetic built form in close proximity to established 2.5 storey residential properties.

The Committee received representations on behalf of the applicant from Ms. G. Jobling of JPE Planning, who outlined a range of objections to the recommendation to refuse the application. The Committee noted the information which had been provided by Ms. Jobling.

After discussion, it was

Moved by Councillor Magee,
Seconded by Councillor Heading and

Resolved - That the Committee agrees to adopt the recommendation to refuse the application for the reasons outlined within the associated report.

Z/2014/1669/F - 118-122 Royal Avenue - change of use of upper floors from retail, offices and storage to student accommodation

The Committee considered an application for the change of use of upper floors from retail, offices and storage space to student accommodation, which would include 21 bedrooms and alterations to elevations, including cladding, revised window positions, and a parapet wall to the front elevation. The case officer indicated that a recommendation to refuse the application had been presented to the Committee since the applicant had provided the Council with insufficient information and, specifically, for the following reasons:

- the proposal was contrary to the Strategic Planning Policy Statement for Northern Ireland, Policy QD1 of Planning Policy Statement 7 'Quality Residential Environments' and Belfast HMO Subject Plan, since inadequate information had been provided to demonstrate appropriate management arrangements for prospective residents; and that the amenity of prospective residents or neighbouring premises would not be prejudiced by noise or other disturbance, servicing and waste management arrangements; and
- the proposal was contrary to Planning Policy Statement 3: Access, Movement and Parking; Policy AMP 7 and Planning Policy Statement 7: Quality Residential Environments – 'Policy QD1', in that the applicant had failed to demonstrate adequate and appropriate provision for cycle parking as per the Department's parking standards, which would not promote the use of alternative modes of transport in accordance with sustainable transportation principles.

Moved by Councillor Campbell,
Seconded by Alderman Stalford and

Resolved – That the Committee agrees to refuse the application for the reasons outlined and delegates authority to the Director of Planning and Place to formulate a final list of refusal reasons on receipt of outstanding consultation responses to the Council's Health and Environmental Services Department and Transport NI.

LA04/2015/0092/O - Carrick Hill/Clifton Street/Trinity Street - phased demolition and construction of student housing units, car and bike-park, gymnasium and local retail units

The Committee considered an application which sought outline permission for the demolition of two existing buildings to enable the construction of purpose-built student accommodation to include a ground level car and bike-park, a gymnasium and retail units. The case officer indicated that the main issues which had been pertinent to the case had been:

- the acceptability of the accommodation at the location;
- the acceptability of the ground floor retail use;
- the impact on setting of adjacent listed buildings;
- the impact on the character of area;
- the impact on existing roads infrastructure; and
- the impact on residential amenity.

The case officer advised the Committee that, having taken into account all of the existing policies and other material considerations, a recommendation to refuse the application was being presented, specifically for the following reasons:

- the proposal was contrary to the Strategic Planning Policy Statement for Northern Ireland, Policy QD1 of Planning Policy Statement 7, i.e., 'Quality Residential Environments', in that it would, if permitted, cause unacceptable damage to the character of the area due to its uncharacteristic and inappropriate height, scale and mass;
- the proposal was contrary to the Strategic Planning Policy Statement for Northern Ireland and Policy BH11 of 'Planning Policy Statement 6: Planning, Archaeology and the Built Heritage', in that it would, if permitted, have an adverse impact on, and harm the setting of, a number of listed buildings due to its height, scale and massing and would not respect the character and setting of the listed buildings;
- the proposal was contrary to the Strategic Planning Policy Statement for Northern Ireland and Policy HMO7 of 'Houses in Multiple Occupation – Subject Plan for Belfast City Council Area 2015', in that the site was located within a primarily residential area and the proposal would not result in a form of development which would promote appropriate student accommodation and protect the amenity of residential areas;
- the proposal was contrary to the Strategic Planning Policy Statement for Northern Ireland, Article 3 of the Planning (General Development Procedure) Order (Northern Ireland) 2015 and Policy QD1 of Planning Policy Statement 7 – 'Quality Residential Environments', in that insufficient information had been submitted to demonstrate that the proposal would not have a significant impact on the amenity of neighbouring residential premises by way of noise and disturbance;
- the proposal was contrary to the Strategic Planning Policy Statement for Northern Ireland, and Article 3 of the Planning (General Development Procedure) Order (Northern Ireland) 2015, in that insufficient and inadequate information had been submitted to demonstrate that the site was suitable for the proposed residential end use; and
- the proposal was contrary to the Strategic Planning Policy Statement for Northern Ireland, Article 3 of the Planning (General Development Procedure) Order (Northern Ireland) 2015, and Planning Policy Statement 3 – 'Access, Movement and Parking', in that it had failed to demonstrate how it would not prejudice road safety or inconvenience the flow of traffic; that there was adequate car parking to serve the proposed development, or that the measures proposed to promote alternative modes of transport would be sufficient.

The Committee refused the application for the reasons outlined.

LA04/2015/1273/F - 394 Woodstock Road - change of use from a hair salon to a hot food takeaway

The case officer outlined the main aspects of a proposal which sought permission for the change of use of a hair salon to a hot food takeaway at 394 Woodstock Road. It was reported that the proposal had been assessed against the relevant guidelines and that a recommendation to approve was presented to the Committee.

The Committee granted approval, subject to the imposing of the conditions set out within the case officer's report.

Z/2014/1053/F - 3 Milner Street - 48 apartments

The Committee considered an application for full planning permission for the construction of 48 apartments, in eight separate blocks, with associated parking and communal amenity space. It was reported that the site lay within an area identified within the permitted development limits as established within the Belfast Metropolitan Area Plan.

The Committee granted approval, subject to the imposing of the conditions set out within the case officer's report.

LA04/2015/1516/F - 147 Templemore Avenue - Change of use from dwelling to HMO

The case officer outlined the principal aspects of a proposal which sought permission for the change of use of a three-storey mid-terrace townhouse from a single occupancy dwelling to a house of multiple occupation (HMO).

The Committee granted approval, subject to the imposing of the conditions set out within the case officer's report.

Council-linked Applications

LA04/2015/1261/F - 5 Chesterfield Park - two-storey side/rear extension

The Committee considered an application which, in accordance with the Scheme of Delegation, had been presented to the Committee since the applicant was a member of Council staff.

The Committee granted approval, subject to the imposing of the conditions set out within the case officer's report.

LA04/2015/1539/F - lands including Rosemary and Lombard Street - interim environmental improvement works

The Committee considered an application for the undertaking of interim environmental improvement works, which would replace or enhance the existing public land in Belfast city centre. It was reported that the work would include the replacement of existing paving with high-quality concrete paving, the enhancement of the existing asphalt with a decorative aggregate surface top dressing, the positioning of new street furniture, replacement trees and enhanced drainage. The Committee was advised that the proposed work would be carried out in accordance with the Belfast Streets Ahead public realm masterplan and its associated design guidelines.

It was noted that the application, in accordance with the Scheme of Delegation, had been presented to the Committee since the Council was the applicant.

The Committee granted approval, subject to the imposing of the conditions set out within the case officer's report.

LA04/2015/0144/RM - relocation of office buildings and associated parking at Boucher Road

The Members were provided with an overview of an application which sought permission for the relocation of office buildings and associated car parking for an existing construction company from its current Boucher Road location to Boucher Place.

It was noted that the application, in accordance with the Scheme of Delegation, had been presented to the Committee since the Council was the owner of the land.

The Committee granted approval, subject to the imposing of the conditions set out within the case officer's report.

LA04/2015/1095/ - first floor enclosed link to connect the Cecil Ward Building with new development at Adelaide Street

The Committee received an overview of a proposal which sought permission for a first floor enclosed link, which would connect the Cecil Ward Building to the Council's new office development at 9-21 Adelaide Street. It was reported that the development, if permitted, given that it was relatively small-scale in nature, would have minimal visual impact and would not affect adversely the character of the Linen Conservation Area.

The Committee granted approval, subject to the imposing of the conditions set out within the case officer's report.

Applications for Ice Cream Units within Council Parks

The Committee considered eleven applications for the operation of mobile ice cream units within various parks in the City. It was noted that the applications, in accordance with the Scheme of Delegation, had been presented to the Committee since the Council was the applicant. The case officer reported that the proposals were considered acceptable and unlikely to impact on the character of the parks.

The Committee granted approval to the following eleven applications, subject to the imposing of the conditions set out within the case officer's report:

1. LA04/2015/1186/F - Musgrave Park
2. LA04/2015/1186/F - Cherryvale Playing Fields
3. LA04/2015/1188/F - Ormeau Park
4. LA04/2015/1189/F - Drumglass Park
5. LA04/2015/1190/F - Sir Thomas and Lady Dixon Park
6. LA04/2015/1282/F - Waterworks Parks
7. LA04/2015/1284/F - Cavehill Country Park
8. LA04/2015/1285/F - Dunville Park
9. LA04/2015/1286/F - Woodvale Park
10. LA04/2015/1287/F - Falls Park
11. LA04/2015/1291/F - Grove Playing Fields

Chairman