

Planning Committee

Tuesday, 16th August, 2016

MEETING OF PLANNING COMMITTEE

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

In attendance: Mr. P. Williams, Director of Planning and Place;
Ms. N. Largey, Divisional Solicitor;
Mr. S. McCrory, Democratic Services Manager; and
Miss. E. McGoldrick, Democratic Services Officer.

Apologies

Apologies were reported on behalf of Councillors Garrett and Reynolds.

Declarations of Interest

No declarations of interest were reported.

Committee Site Visits - 3rd August 2016

Pursuant to its decisions at the meeting of 26th July, it was noted that the Committee had undertaken a site visit on 3rd August in respect of the following applications:

- LA04/2015/1271/F - 3 storey dwelling on site adjacent to 14 Rosetta Parade; and
- LA04/2015/0597/F - 4 storey block of 11 apartments at 161 Glen Road.

It was also noted that, during the visit to the site adjacent to 14 Rosetta Parade, Dr. G. Lavery had provided access to the rear of the property at 3 St. Johns Avenue so that Members could view the site from that aspect but did not enter into discussion with the Members present regarding the application.

Planning Appeals Notified

The Committee noted the receipt of correspondence in respect of a number of planning appeals which had been submitted to the Planning Appeals Commission, together with the outcomes of a range of hearings which had been considered by the Commission.

Planning Decisions Issued

The Committee noted a list of decisions which had been taken under delegated authority by the Director of Planning and Place, and all other planning decisions which had been issued by the Planning Department between 18th July and 9th August.

Departmental Performance Report (Oral Update)

The Director provided an overview of the Department's performance to date:

Planning Applications

- In July, 157 applications had been validated. (169 in June); and
- Figures were very similar to numbers received last July (173) but overall numbers of applications received this year had increased by 22% (567 last year compared to 729 this year).

Planning Decisions

- 223 decisions had been issued in July (139 in June);
- There had been a 60% increase month on month and almost twice as many as this time last year;
- 98% approval rate;
- 204 (93%) decisions had been issued under delegated authority; and
- With the help of temporary staff the Department had been able to focus on getting straightforward applications processed quickly.

No. of applications in system by length of time

- At end of July, 1118 live applications were in the system (1160 in June);
- 62% of applications had been in the system for less than 6 months;
- A legacy meeting with the Chairperson and Vice Chairperson had been held on 3rd August; and
- Less than 85 legacy applications outstanding.

Performance against statutory Targets

- The statutory target for processing major development planning applications from the date valid to decision issued or withdrawal date was within an average of 30 weeks. Between 1st April, 2015 and 31st March, 2016 the average processing time to decide major applications in Council was 54.4 weeks;
- The statutory target for processing local development planning applications from the date valid to decision issued or withdrawal date was an average of 15 weeks. Between 1st April, 2015 and 31st March, 2016 the average processing time to decide local applications was 19.2 weeks;
- A key focus for Planning Service had been to eliminate the backlog of legacy applications (i.e. those received in the Department of the Environment (DoE) prior to the transfer of planning to local government, some of which had been received a

number of years ago). Issuing decisions on legacy applications had adversely affected achieving statutory targets; and

- The new major and local applications received since 1st April, 2015, from the start of the new Council term, have had average processing times within target (i.e. 29.1 weeks for major applications and 14.6 weeks for local applications).

The Committee noted the contents of the report and noted that, in future the Performance Report would be submitted in writing.

Corporate Risk Management Process and Risk Register

(Mr A. Harrison, Head of Audit, Governance and Risk Services, attended in connection with this item)

The Head of Audit, Governance and Risk Services advised the Committee that the Chief Officers had recently undertaken a comprehensive review to identify and assess the main risks which existed in preventing the Council from realising its various objectives. He advised the Members that the Corporate Management Team (CMT) had since agreed key actions which needed to be taken in order to manage those risks to an acceptable level and that they had been captured in the Council's Corporate Risk Register.

He highlighted that the risk which was of particular relevance to the Planning Committee was 'Failure to deliver the Local Development Plan Programme in line with legislative timeframes.', and advised the Members that an update report on how that risk was being managed would be brought to the Committee in December 2016/January 2017.

The Committee was advised that the enhanced process ensured that the Members were informed of the key corporate risks and that they were assured that those risks were being managed.

The Committee noted the report and the proposed process for risk reporting.

Finance Report - Quarter 1 2016/17 Update

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 £323,307.

(Councillor Carson had left the room whilst the item was under consideration)

Planning Advertisements - Restricted Item

The Committee was reminded that the Strategic Policy and Resources Committee, at its meeting on 24th June, had agreed seven work streams to deliver the target £2m savings required for 2017 - 2018 to minimise the burden on the ratepayer of

any uncontrollable cost increase and one of these work streams, which had an efficiency target of £150k, was to review advertising options for planning applications.

The Director of Planning and Place outlined the various options for advertising planning applications and highlighted that there was an amendment to Option 2 outlined in the report, suggesting that a tender process for the advertisement of a full planning advert in one newspaper.

After discussion, the Committee agreed, in principle, to review the advertising options for planning applications to deliver the efficiency target saving of £150K.

The Committee also deferred consideration of the options outlined in the report until the next meeting, to allow further clarification on the options available, draft criteria of a tendering process, and information on alternative ways of advertising planning applications.

(Councillor Carson returned to the Committee table at this point)

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)

Reconsidered Item - LA04/2015/0617/O - Residential development comprising 42 apartments at 1-5 Gaffikin Street

(Alderman McGimpsey and Councillors Bunting and Carson took no part in the discussion or decision-making on this application since they had not been in attendance at the meeting on 26th July when it had originally been considered).

The Committee was reminded that, at its meeting on 26th July, it had deferred consideration of an application for 42 apartments with vehicular access proposed from Blondin Street. That decision had been taken to enable clarification of the issues raised by the Committee and for appropriate advice to be provided on potential reasons for refusal.

The case officer advised that a possible reason for refusal had been outlined in the report, however, having regard to the development plan, relevant planning policies, and other material considerations, it was still considered that the development was acceptable.

Proposal

Moved by Councillor Armitage,
Seconded by Councillor Magee,

That the Committee agrees to adopt the recommendation to approve the application, subject to the imposing of the conditions set out in the case officer's report.

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

Reconsidered Item - LA04/2015/1271/F - 3- storey dwelling on site adjacent to 14 Rosetta Parade

(Alderman McGimpsey and Councillor Bunting took no part in the discussion or decision-making on this application since they had not been in attendance at the meeting on 26th July when it had originally been considered).

The Committee was reminded that, at its meeting on 26th July, it had deferred consideration of an application for a three storey dwelling and that decision had been taken to enable the Committee to undertake a site visit in order to acquaint Members with the site and to assess the issues which had been raised in respect of the alleged dominance.

The Chairperson advised that a request had been received from Mr. G. Smyth, representing ClydeShanks, on behalf of the objectors, for a second deputation in exceptional circumstances, and that the Committee had decided to reject that request.

The case officer advised that, since the last meeting, a further four representations had been received, as outlined in the addendum report.

He also informed that Committee that, after the agenda had been published, additional information had been received from Dr. and Mrs Lavery rebutting a letter dated 1st August from Donaldson Planning in which they suggested incorrect statements had been outlined, issues regarding the impact and loss of amenity and direction of windows, and concerns about dominance and loss of light. He advised that two emails from Margaret Ritchie MP, on behalf of the applicant, had also been received, regarding the previous planning approval on the site, and suggesting that this type of development was normal practice in South Belfast.

The case officer outlined the principal aspects of the proposal and explained that, after assessment, it had been recommended for refusal on the grounds that the proposal was contrary to criterion (h) of policy QD 1 of Planning Policy Statement 7 (Addendum) – Safeguarding the Character of Established Residential Areas – in that the development would cause an adverse effect on neighbouring properties in terms of unacceptable dominance and loss of light.

During discussion, the Director advised that the Council could interpret policy in its own way, and highlighted the details of the consent which had been granted in 2008.

Proposal

Moved by Councillor Hutchinson,
Seconded by Councillor Hussey,

That the Committee agrees to approve the application (with the standard condition as outlined in the 2008 application) on the grounds that there has been two previous applications approved on the site.

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

Further Proposal

Moved by Councillor Armitage,
Seconded by Councillor Mullan,

That the Committee agrees to adopt the recommendation to refuse the application, as set out in the case officer's report.

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

Reconsidered Item - LA04/2015/0597/F - 4 Storey block of 11 apartments at 161 Glen Road

(Alderman McGimpsey and Councillor Bunting took no part in the discussion or decision-making on this application since they had not been in attendance at the meeting on 26th July when it had originally been considered).

The Committee was reminded that, at its meeting on 26th July, it had deferred consideration of an application for 11 apartments with parking, landscaping, associated site works and access arrangements. That decision had been taken to enable the Committee to undertake a site visit in order to acquaint Members with the site and to assess the issues which had been raised regarding the impact on neighbouring properties.

The case officer outlined the contents of the report and after discussion, the Committee granted approval to the application, subject to the imposing of the conditions set out in the case officer's report.

LA04/2016/0087/F - Change of use of first and second floors only from offices to residential dwellings consisting of 7 apartments at 255-257 Upper Newtownards Road

(Councillor Carson had left the room whilst the item was under consideration)

The Committee was informed that the application sought permission for the change of use from existing offices to residential development consisting of 5 one bed units and 2 two bed units on the first and second floors only, with the ground floor use to remain unchanged.

The case officer advised that the proposed development was for residential units on the two floors above a hot food restaurant and an estate agency. She outlined the principal aspects of the proposal and explained that, after assessment, it had been recommended for refusal on the following grounds, that:

- The proposal was contrary to the Strategic Planning Policy Statement and Policy QD 1 of Planning Policy Statement 7 in that it would, if permitted, result in demonstrable harm to the living environment of prospective residents by reason of conflict with adjacent land use in that the applicant had failed to demonstrate the proposal would be impacted to an unacceptable degree of noise and odours from the commercial activity on the ground floor; and
- The proposal was contrary to Policy QD1 of Planning Policy Statement 7 in that it would, if permitted, result in an unacceptable living environment causing harm to the living conditions of prospective residents due to poor outlook, insufficient private amenity space and unacceptable access arrangements for all apartments. The proposed development would therefore fail to create a quality residential environment.

Mr. J. Caithness, Architect, who acted on behalf of the applicant, challenged a number of issues which had been raised in the case officer report including odour control and noise mitigation already put in place by the restaurant, the terminology used in the case officer's report being subject to opinion and questioned the use of Development Control Advice Note (DCAN) 4. He explained the potential outlook of the proposed apartments, the local amenity space, access points and refuse disposal arrangements and highlighted that there were other similar building arrangements in the area.

Proposal

Moved by Councillor Armitage,
Seconded by Councillor Mullan,

That the Committee agrees to adopt the recommendation to refuse the application, as set out in the case officer's report.

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

(Councillor Carson returned to the Committee table at this point)

LA04/2016/0683/f - Hotel extension (four Storey) to provide 60 bedrooms and associated parking , University Street.

The Committee was apprised of the principal aspects of an application which sought permission for an extension (four storey) to an existing hotel to provide 60 new bedrooms (net increase of 57 bedrooms, 3 existing bedrooms to be replaced) and the provision of associated parking (amended scheme) at the Holiday Inn Express, 106 University Street.

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

LA04/2016/0559/F - Construction of 4 office blocks - Block A 10 storeys, Block B 14 Storeys, Block C and Block D 3 Storeys plus 4 retail units, plant and car parking with external plaza and associated landscaping - Site at the junction of Stewart Street/East Bridge Street and West of Central Station East Bridge Street

The Chairperson advised that the next application on the agenda sought full planning permission for the construction of 4 separate blocks of office development – Block A -10 storeys, Block B - 14 storeys, Block C and Block D - 3 storeys. The proposal also included 4 retail units, plant and car parking at lower ground floor level with an external plaza and associated landscaping.

Before presentation of the application commenced, the following proposal was put to the Committee:

Proposal

Moved by Councillor McAteer,
Seconded by Councillor Magee,

That the Committee, given the issues which had been outlined in the case officers written report regarding the height, scale, mass and its potential impact on neighbouring properties, agrees to defer consideration of the application to enable a site visit to be undertaken to acquaint itself with the location, to include Stewart Street and Friendly Street, and the proposal at first hand.

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

The Committee also noted, as the application had not been presented, that Members' present at the next meeting, would be able to take part in the debate and vote on this item.

(Meeting adjourned for 5 minutes at this point)

LA04/2015/0726/F - Demolition of the existing Estates Department building, Sterile Fluids building, sub-station and associated portakabins to facilitate construction of the new Non-Clinical Support building and associated infrastructure at Royal Victoria Hospital 274 Grosvenor Road

(Councillor Carson had left the room whilst the item was under consideration)

The Committee was informed that the application sought permission for the demolition of the existing Estates Department building, Sterile Fluids building, sub-station and associated portakabins to facilitate construction of the new Non-Clinical Support building and associated infrastructure.

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

**LA04/2015/0266/F - Indoor training facility including changing and fitness facilities, flood lit synthetic hockey pitch and two 5-a-side football pitches, fencing, parking and landscaping - Newforge Country Club; and
Z/2014/1768/F - Clubhouse and tiered seating area, new 3G surface to pitch including floodlights, dugouts, fencing, security tower, turnstiles, stands, toilet blocks and associated ground works at Newforge Lane**

The Committee agreed to deal with the aforementioned items together.

The case officer outlined the principal aspects of both applications for an Indoor training facility including changing and fitness facilities, flood lit synthetic hockey pitch and two 5-a-side football pitches, fencing, parking and landscaping at Newforge Country Club and a clubhouse and tiered seating area, new 3G surface to pitch to including floodlights, dugouts, fencing, security tower, turnstiles, stands, toilet blocks and associated ground works at Newforge Lane.

After discussion, the Committee granted approval to both of the applications, subject to the imposing of the conditions set out in the case officer's reports.

LA04/2016/0558/F - Change of use from retail to gymnasium, alteration to external fabric of the building and provision of cycle storage - Hi Park Centre High Street

The Committee was informed that the application sought permission for the change of use from retail to a gymnasium, alteration to the external fabric of the building and provision of cycle storage.

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

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

LA04/2015/0195/F -Relocation of existing Shankill Surgery and construction of 1 medical surgery, 52 apartments and 4 ground floor commercial units with realignment of public road, associated parking and loss of open space on lands between Shankill Parade and North Boundary Street, Shankill Road

The Committee considered an application for the relocation of the existing Shankill Surgery and construction of 1 medical surgery, 52 apartments and 4 ground floor commercial units with realignment of public road (to the front of 1-3 Boundary Walk, associated parking and loss of open space).

The Committee approved the application subject to the imposing of the conditions set out in the case officer's report 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, if so, to enter into such an Agreement on behalf of the Council.

LA04/2015/0163/F -Replacement main stand, basement parking ,offices, hospitality suites and replacement clubhouse and new vehicular access at Cliftonville Football Club Cliftonville Road

The case officer outlined the principal aspects of an application for the replacement of a main stand with seating for 1128 at Cliftonville Football Club, basement parking with 2 upper levels, offices, hospitality suites and proposed adjoining new replacement clubhouse and new vehicular access including the relocation of a floodlighting column.

After discussion, the Committee granted approval to the application, subject to the imposing of the conditions set out in the case officer's report and delegated power to the Director of Planning and Place for the final wording of the conditions.

Z/2010/0968/F -mixed use regeneration scheme including 10 terraced social housing dwellings, 18 apartments, crèche, youth club, retail units and offices – The Wolfhill Centre, 148 Ligoniel Road

The Committee was informed that the application sought permission for a mixed use regeneration scheme including 10 terraced social housing dwellings, 18 apartments, crèche, youth club, retail units and offices.

The case officer advised that the site was located within the settlement limits of Belfast and was on a mix of land zonings as defined in the Belfast Metropolitan Area Plan (BMAP).

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

LA04/2015/0920/F - 4 Storey 'Boutique Travel Hotel' and ground floor restaurant at 38-42 Bank Street

The Committee was apprised of the principal aspects of an application which sought permission for a 4 Storey new build 'Boutique Travel Hotel' (17 bedrooms) and ground floor restaurant. The case officer advised that the site was located at Bank Street and was a hard surfaced car park with a 2m high wall along the site frontage, with buildings forming the site boundaries on all remaining sides. She highlighted that the area was commercial in character and use, with a listed restaurant/public house and retail shop immediately adjacent and retail uses were also located immediately to the rear of the site.

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

Z/2014/1490/F - Demolition of existing retail units and erection of 6 x 2 bedroom apartments with 8 on site car parking spaces at 454-458 Donegall Road

(Councillor Armitage had left the room whilst the item was under consideration)

The case officer outlined the principal aspects of an application for the demolition of existing retail units and the erection of 6 two bedroom apartments with 8 on site car parking spaces.

He highlighted that this was a legacy application and that it had been referred to Committee at the request of Councillor Beattie.

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

(Councillor Armitage returned to the Committee table at this point)

LA04/2016/0668/F - Change of use from amusement arcade to hot food take away and flue, single storey at 21 High Gate Terrace

The Committee was informed that the application sought permission for a change of use from a vacant amusement arcade to a hot food bar.

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

LA04/2016/0943/F - Changing pavilion and fencing at Sally Gardens Lane, Bell Steele Road, Dunmurry

The Committee considered an application for the erection of a changing pavilion with perimeter fencing and the relocation of a gate at Sally Gardens Lane.

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

LA04/2015/1367/F - Drive Thru Restaurant and odour abatement system at 35 Boucher Road

The case officer outlined the principal aspects of an application for the erection of a Drive-Thru Restaurant including a proprietary odour abatement system, Drive-Thru lane, car parking and associated service yard.

He advised that the site was located within Belfast's development limits as designated in the Belfast Metropolitan Area Plan (BMAP) 2015.

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

LA04/2016/0772/F - 2 x Houses in Multiple Occupation at 177 and 179 Templemore Avenue

The Committee was informed that the application sought permission for change of use, internal re-configuration and external alterations to 2 existing residential properties to provide 2 houses in Multiple Occupation comprising of 6 bedrooms each.

The Committee was informed that the site lay within a HMO Development Node designation HMO 04/05 Castlereagh Street / Templemore Avenue.

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

LA04/2016/1231/F - Single storey side extension at 1 Heathlodge Mews

The Committee considered an application for a single storey side extension to a semi-detached dwelling.

It was noted that the application, 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 to the application, subject to the imposing of the conditions set out in the case officer's report.

LA04/2016/1283/A - Adverts at Andersonstown Leisure Centre

The Committee considered an application which sought advertising consent for a 10m x 3m PVC banner which would be attached directly to the front of the Leisure Centre building, to the left side of the front entrance.

The case officer advised that, it was considered that due to its size and scale on the host building, the proposal was acceptable on a temporary basis and recommended that Consent to Display was granted, subject to a time limit of two years.

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.

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

Chairperson