

# Planning Committee

Tuesday, 17th January, 2017

## MEETING OF PLANNING COMMITTEE

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

In attendance: Mr. P. Williams, Director of Planning and Place;  
Mr. E. Baker, Development Engagement Manager;  
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 and Councillors Bunting, Carson and Jones.

### Minutes

The minutes of the meeting of 13th 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 3rd January, subject to the omission of those matters in respect of which the Council had delegated its powers to the Committee.

### Declarations of Interest

Regarding item 11. r) LA04/2016/2430/F - Installation of Mew Island Optic within transparent structure Victoria Wharf Titanic Quarter, Councillor Armitage declared an interest, in so far as he had had brought the proposal to the East Area Working Group Committee for consideration.

Councillor Garrett declared an interest regarding item 11.q) LA04/2016/1362/F - Construction of a sensory garden to include; play equipment, safety surfacing, hard standings, tree and shrub planting, with a 2.4 high paladin fence at land leading to 115 Blacks Road, in that he had assisted in the funding application.

In respect of item 11.b) LA04/2015/1102/F - Sub division of a dwelling to form a pair of semi-detached houses (retrospective) at 42 Strathmore Park South, Councillor Magee declared an interest, in that he had met with the applicant but had referred them to another Councillor, and he had not formed any opinion on the matter, prior to the meeting.

### **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, together with all other planning decisions which had been issued by the Planning Department between 6th December and 9th January.

### **Departmental Performance Update**

The Development Engagement Manager provided the following information on the Department's performance to date:

#### *Planning Applications*

- 121 applications had been validated in December, 2016; and
- Overall numbers of applications validated this year had increased by 19% (1,279 up to 31st December, 2015 compared to 1,564 up to 31st December, 2016).

#### *Planning Decisions*

- 129 decisions had been issued in December, 2016.
- 95% approval rate;
- 89% decisions had been issued under delegated authority; and
- the number of decisions issued to date had increased by 36% over the same period in 2015. (1,066 up to 31st December, 2015 compared to 1,574 up to 31st December, 2016).

#### *No. of applications in system by length of time*

- 1,062 live applications were in the system at end of December, 2016;
- 63% of applications were in the system for less than 6 months; and
- Less than 38 legacy applications were outstanding (reduced from 780 at transfer in April, 2015).

#### *Performance against statutory targets (figures available up to 30th November)*

- 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. Up to 30th November, 2016 the average processing time to decide major applications was 65.2 weeks. This, however, included legacy applications and those Major applications which had been delayed whilst a Section 76 agreement had been put in place;
- The Development Engagement Manager pointed out that Department for Infrastructure are in the process of reviewing the statutory targets;

- 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. Up to 30th November, 2016, the average processing time to decide local applications was 14.6 weeks; and
- The statutory target was that 70% of all enforcement cases are progressed to target conclusion within 39 weeks of receipt of complaint. Between 1st April and 30th November, 2016, 76.6% of enforcement cases had been concluded within 39 weeks.

Noted.

### **Local Development Plan Risk Management**

The Committee considered the following report:

#### **“1.0 Purpose of Report or Summary of main Issues**

- 1.1 The purpose of this report is to provide Members with an update on the progress being made to manage the corporate risk that is of direct relevance to the Planning Committee.

#### **2.0 Recommendation**

- 2.1 That the Committee notes the arrangements in place to manage this risk and the progress being made to implement controls / measures to reduce the level of risk further and the proposed six monthly process for reporting.

#### **3.0 Main report**

##### **3.1 The new corporate risk management process**

- 3.1.1 Members will recall that the corporate risk register and related processes were subject to a fundamental review in 15-16. This included a review and re-score of all the corporate risks, including target risk scores. For each corporate risk a ‘Risk information form’ was produced, detailing relevant controls, proposed actions (including timescales) and responsible officers. It was also agreed that management would begin to report to the relevant committees on the progress being made to manage these key risks.

### **3.2 Managing Corporate Risks to an Acceptable Level**

**3.2.1 CMT has reviewed and, where appropriate, has updated the assessment of the corporate risks, the results of which are plotted on to the corporate risk map. The corporate risk map shows the progress that is being made to manage the corporate risks down to an acceptable level.**

**3.2.2 The risk of particular relevance to the Planning Committee is as follows:**

**‘Fail to deliver the Local Development Plan Programme in line with legislative timeframes.’**

**3.2.3 Progress in managing this risk is set out below.**

### **3.3 Risk assessment**

**3.3.1 Following detailed review, this corporate risk has now been assessed in terms of ‘impact’ and ‘likelihood’ (using the Council’s risk scoring system) as follows:**

- Impact – 4 (major)**
- Likelihood – 4 (likely)**

**3.3.2 This represents a small change or improvement in the overall risk matrix assessment rating from current Severe to High which reflects some of the progress being made in through the measures identified in paragraph 3.3 below. The establishment of the governance structures and the ongoing work to secure additional resources has underpinned the improvement in the rating although the risk still remains High.**

**3.3.3 This assessment reflects that the Plan can be subject to challenge from a number of sources at a number of stages during the course of consultation. There are high expectations regarding the delivery of the LDP and there are also timing issues regarding the enquiry processes and procedures. There are a number of other factors that may impact on the council’s ability to deliver the plan, including the resourcing and scheduling of Inquiry dates and availability of key statutory partners to support to the development of the plan. The delivery of the plan is important to support the Belfast Agenda, however, it is noteworthy that the Belfast Metropolitan Area Plan, developed by the department, was recently adopted but could be subject to further legal challenge.**

**3.4 Current measures in place to manage the risk**

**3.4.1** In order to mitigate the risk the council has appointed a Development Planning and Policy Manager and committed to providing the resources to ensure the Local Development Plan can be delivered in accordance with legislative timeframes as agreed with the Department for Infrastructure. A Local Development Plan steering group has also been established to ensure that the LDP is linked to the emerging Community Plan and developed in consultation with the key statutory consultees.

**3.4.2** In addition, a project management team has been established to ensure all consultees are engaged in the plan development processes. The project management team will ensure the screening and scoping for the Countryside, Equality and Sustainability assessments, including the Strategic Environmental Assessment.

**3.4.3** Other key controls to manage this risk include:

- Internal performance management monitoring and process review process comprising of quarterly reporting via Corvu Regular and reporting to Planning & SP&R Committees;
- A business plan linked to the agreed timetable setting out key dates and targets for the 16/17 period; and
- The approval and adoption of the Plan Timetable and Statement of Community Involvement.

**3.5 Areas for further action**

**3.5.1** A number of additional actions are scheduled: These include:

- The finalisation and publication of the draft Preferred Options Paper;
- Complete resourcing for the team to take forward the Plan;
- Continued Integration with the work for the Community Plan;
- Completion of the Sustainability and Equality scoping exercises;
- A consultation exercise in relation to the Preferred Options Paper; and
- Effective engagement with other local authorities via regional working groups to supplement the statutory consultations

**3.6 Council performance**

**3.6.1 The Policy Options paper (POP), setting out the key plan issues and the preferred options available to address them was signed off by council on 1 December 2016 and will be launched for consultation in January 2017. A range of joint engagement events with the Belfast Agenda are planned and we have written to the key consultees with a draft of the preferred options in advance of the consultation. The planned consultation will target local community groups and under-represented (Section 75) groups providing them with information on the POP and inviting them to respond within 12 weeks consultation.**

**3.7 Assurance**

**3.7.1 Regular review and progress reports on the plan development will be provided to Committee. In line with the adopted SCI there will milestones checks to ensure compliance with our statutory responsibilities and monitoring obligations including an internal review against progress following the publication of the POP. The Department for Infrastructure/Planning Appeals Commission will also monitor progress. Progress will inform financial reporting and forecasting for in year and medium term financial forecasting.**

**3.7.2 There has been ongoing engagement with the Department for Infrastructure in relation to the overall timetable and it has been agreed that the timetable for the plan will be reviewed on an annual basis in the context of the wider processes / procedures for all the emerging plans. This will require a formal review of the timetable and take account of the experience to date with the Preferred Options Paper and associated consultations.**

**3.8 Progress Updates to Committee**

**3.8.1 In order to ensure that members have an understanding of the corporate risks that relate to their committees and have clear information on how they are being managed, we propose that committee is provided with progress update reports on a six monthly basis, unless of course reports are required more urgently.**

**4.0 Financial & Resource Implications**

None.

**5.0 Equality or Good Relations Implications**

None.”

The Committee noted the contents of the report.

**Consultation response on the Review of Permitted  
Development Rights for Mineral Exploration**

The Committee was reminded that the former Department of the Environment had issued a ‘Call for Evidence’ to inform the future approach to Permitted Development Rights for Mineral Exploration, as set out in Part 16 of the schedule to the Planning (General Permitted Development) Order (Northern Ireland) 2015. The Council had issued a formal reply to the consultation in April, 2016 outlining a number of recommendations to be incorporated into any subsequent policy review.

Subsequently, the Minister for Infrastructure, on 6th June, 2016, responded to a motion calling for the protection of Woodburn Forest, and announced that he intended to remove permitted development rights for petroleum (oil and gas) exploration.

It was reported that this public consultation sought comments on the proposed removal of permitted development rights for petroleum exploration from Class A of Part 16 of the Schedule of the Planning (General Permitted Development) Order (Northern Ireland) 2015 (GPDO), in particular:

- Petroleum exploration - Option 1 sought to remove permitted development rights for the drilling of boreholes for petroleum exploration including the drilling of boreholes preparatory to petroleum exploration. Option 2 afforded permitted development rights for the drilling of boreholes preparatory to petroleum exploration only; and
- Minor amendments in respect of permitted development rights for all mineral exploration.

The recommended response was set out in Appendix A (copy available on the Council’s website). The summary of the draft response was as follows:

- Council agrees with the removal of the permitted development rights for the drilling of boreholes for petroleum exploration from Class A of Part 16 of the GPDO. This would ensure that any future proposals must be subject to a planning application, which would enable councils to fully assess any potential adverse

impact on local communities, landscape quality, built and natural heritage, and the water environment.

- Regarding the two options tabled by Department for Infrastructure, Council considers the latter to be the most appropriate. It still affords permitted development rights for the drilling of boreholes for preparatory exploration such as the carrying out groundwater monitoring, seismic monitoring and the location and appraising the conditions of mines. Both the Department for the Economy and the British Geological Society support this option and it was considered that such preparatory drilling for potential petroleum exploration would normally be no more intrusive than that for non-energy minerals, which would continue to be allowed under the permitted development rules. This would bring Northern Ireland into line with England, Scotland and Wales.
- The introduction of a height restriction of 15 metres for any structure assembled or provided to Part 16 of the Schedule of the GPDO was welcome. Modern rigs used for the drilling of the boreholes typically range between 10 and 15 metres in height. This amendment would bring Northern Ireland into line with England, which recently changed the height restriction from 12 metres to 15 metres in April, 2016.
- The extension of the time period from 21 to 28 days was considered an appropriate measure and it would allow councils more time to fully assess whether permitted development rights, under Part 16 of the Schedule to the GPDO, should be removed or restricted.
- The review also proposed a technical amendment to introduce a 'relevant period' within Part 16 of the GPDO. This provided greater clarity regarding the timeframes where a direction had or hadn't been issued under Article 7 of the GPDO and was welcomed by Council.
- In summary, the proposed amendments to the legislation are welcomed. However, Council considers if Permitted Development was to be retained, there needs to be clear guidance in relation to the information requirements to enable planning authorities to effectively consider proposals.

The Committee agreed that the response, as outlined in Appendix A (copy available on the Council's website), be issued to the Department for Infrastructure on behalf of the Council.



**Transport NI - York Street Interchange Notice of Intention to Proceed**

The Committee noted the receipt of correspondence from the Department for Infrastructure, which related to the Notice to Proceed with the project at York Street Interchange.

**Transport NI -The Dalton Street, Belfast (Stopping Up) Order NI 2017**

The Committee noted the receipt of correspondence from the Department for Infrastructure, which related to the notice for a Stopping-Up Order at Dalton Street.

**Extinguishment of Public Rights of Way - Benmore Drive**

The Committee noted the receipt of correspondence from the Department for Communities, which related to the extinguishment of a Public Rights of Way at Benmore Drive.

**Extinguishment of Public Rights of Way - Beechpark Street**

The Committee noted the receipt of correspondence from the Department for Communities, which related to the proposed extinguishment of a Public Rights of Way at Beechpark Street and Beechnut Place.

**Miscellaneous Items**

**Listed Buildings**

The Committee was advised that correspondence had been received from the Northern Ireland Environment Agency (NIEA) seeking the Council's views in respect of proposals which had been formulated for the listing of a number of buildings in Belfast.

The Committee was reminded that Article 80 (3) of the Planning Act (NI) 2011 required the Agency to consult with the Council before placing any building on the statutory list of buildings of special architectural or historic interest.

The Committee noted the contents of the report and supported the proposed listings of the following building by the Department for Communities:

- Parochial House, St Peter's Cathedral, St Peter's Cathedral, St Peter's Square, Belfast, BT12 4BU.

**Development Management Improvement Plan**

The Development Engagement Manager summarised a report regarding the Development Management Improvement Plan for 2016-2018. He advised that the purpose of the Improvement Plan was to identify and set actions against various areas of the service that needed to be enhanced to improve the customer experience.

He reminded the Committee that the Improvement Plan had already been considered by the Strategic Policy and Resources Committee and the Audit Panel, and had been updated (in terms of a progress report) for the Planning Committee.

He provided an overview of the actions and progress of the Improvement Plan which had been divided into the following areas:

1. Processing planning applications;
2. Enforcement;
3. Corporate working;
4. ICT Solutions;
5. Member engagement;
6. Staff engagement; and
7. Customer engagement.

He highlighted a number of key issues for the Improvement Plan to improve the efficiency of the service and enable the Council to make better use of its resources which included:

- processing planning applications;
- performance management;
- charging for Pre-Application Discussions;
- Planning Performance Agreements;
- Developer Contributions Framework;
- enforcement;
- review of NI Direct for call-handling;
- replacement of the Planning Portal;
- Customer Charter; and
- improvements to the planning website

He pointed out that the procurement of new software to replace the existing Planning Portal would have financial consequences which would need to be managed at a corporate and service level.

After discussion, the Committee noted the Development Management Improvement Plan as set out in Appendix 1 (copy available on the Council's Website).

### **Changes to the Scheme of Delegation**

The Development Engagement Manager reminded the Committee that a Workshop had taken place on 15th December, 2016 to discuss the potential changes to the Scheme of Delegation.

He outlined the contents of the report regarding the proposed changes to the powers delegated to the Director of Planning and Place in the Council's Scheme of Delegation.

After discussion, the Committee agreed to defer consideration of the report for one month, so that the Committee could provide further feedback on the draft Scheme

of Delegation as set out in Appendix 3 (copy available on Modern.gov). It was noted that Members of the Planning Committee would send any comments to the Development Engagement Manager over the next two weeks.

The Committee also agreed to include the following points in the amended draft for consideration:

- 3.9.1 – Advising all Members within the DEA of any planning application request for referral to the Committee and the outcome of the request;
- 3.9.1 – The ability to trigger planning application referrals to Committee at any stage of the process;
- 3.9.2(a)i – Current housing scheme limits to remain (any developments over 4 dwellings to be referred to Committee); and
- Possibilities of how to deal with, or remove from the Committee agenda, those applications that fall outside of the Scheme of Delegation (such as employee applications, Council interests, etc.) but are not deemed to be controversial.

The Committee noted that a Special Meeting of the Planning Committee might be required to consider the amended draft and that the final draft would be submitted to the Strategic Policy and Resources Committee for consideration.

### **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)**

#### **LA04/2015/1102/F - Sub division of a dwelling to form a pair of semi-detached houses (retrospective) at 42 Strathmore Park South**

The case officer outlined the main aspects of the application and explained that, after assessment, it had been recommended for refusal on the grounds that:

- the proposal was contrary to Policy QD 1 of Planning Policy Statement 7: Quality Residential Environments in that it would, if permitted, result in unacceptable damage to the local character and environmental quality, by reason of overdevelopment of the site which does not respect the context of the surrounding area and would set an undesirable precedent; and
- the proposal was contrary to Policy LC1 of the Addendum to Planning Policy Statement 7: Safeguarding the Character of Established Areas in that the proposed development was not in keeping with the overall character and environmental quality of the established residential area.

The Committee received representation from Mrs. A. Stewart, applicant, and Mr. A. Acheson, agent, on behalf of the applicant. They outlined a range of objections to

the recommendation for refusal, which included that there were no objections to the proposal, and the character of Strathmore Park South. Mr. Acheson advised that they were encouraged by the policy statements outlined in the case officer report, as it referenced balanced communities and housing choice, the reuse of existing buildings, and the processes of change being important. He also suggested that the conversion was affordable, attractive, sustainable, and flexible and car parking was available to the front of the property. Mrs. Stewart highlighted the need for the sub division of the property. They suggested that a site visit would help inform the Committee further.

The Deputy Lord Mayor, Cllr Campbell, also outlined her support for the application. She suggested that the proposed application was not detrimental to the character of the area and that there was not an increase in the footprint of the site. She concluded that the area was mixed housing, and that the hard-standing area to the front of the property should not be a consideration as a neighbouring development had already set this precedent.

After discussion, given the issues which had been raised regarding the character of the area, car parking, and the size of the proposal, the Committee agreed to defer consideration of the application to enable a site visit to be undertaken to allow the Committee to acquaint itself with the location and the proposal at first hand.

The Committee agreed also that appropriate conditions be included within the report for consideration by the Committee in February, so that the option to grant approval to the proposal could be considered.

(Councillor Lyons entered the meeting at this point)

**(Reconsidered Item) LA04/2015/0529/F - Construction of a drive-thru restaurant along with car parking, access and general site works at 233-263 Shore Road**

(Alderman McGimpsey and Councillors Hutchinson and Lyons took no part in the discussion or decision-making of the application since they had not been in attendance at the meeting on 13th December when it had originally been considered).

(Before the meeting, the Chairperson informed the Committee that a second request to speak had been received from the applicant citing exceptional circumstances. He advised that the group had already made a presentation at the Committee Meeting on 13th December. The Committee agreed to receive the second deputation based on the issue of the zoning of the land for housing in the Belfast Metropolitan Area Plan (BMAP)).

The Committee was reminded that, at its meeting on 13th December, given the issues which had been raised regarding the zoning of the land and residential amenity, it had agreed to defer consideration of the application so that the amended plans which had been received could be assessed regarding residential amenity and for a reconsidered potential recommendation for an approval, in spite of it being zoned for housing in BMAP, to be provided for consideration.

The case officer informed the Committee that, after the agenda had been published, additional information had been received from the agent regarding the zoning of the land for housing in BMAP, flexibility on zoned sites, the Planning Appeals Commission's designation of the site, Surveyor's confirmation of construction costs outstripping the end value, planning history of the site, BMAP's ability to meet housing needs, and the established character and uses of the Shore Road. He advised that the correspondence outlined a range of issues, such as the current site being an eyesore, the site formed a small portion of the housing zone and would not prejudice the remainder of the site and the proposed drive-thru restaurant would be a subordinate use of the site. It was reported that the agent had also submitted plans to address the concerns regarding the use of the restaurant and car park and the applicant would accept a planning condition restricting hours of use of the restaurant and car park from 6am to midnight.

The case officer also highlighted that further correspondence had been received from the applicant clarifying the Planning history of the site. It explained that the purpose of planning approval under Z/2009/0015/F, was to modify part of the layout of the previous approval under Z/2003/2855/F, reducing the number of houses within the northern area of the site from 10 to 5. The reason stated for this amendment was that the Northern Ireland Transport Holding Company had vested an area of the land and therefore reduced the developable area of the site. This resulted in a reduction from the previously approved layout from 53 to 48 units.

The case officer outlined the response of the Planning Department to the aforementioned issues raised, as outlined in the Late Items Report Pack.

The case officer advised that if Members were minded to approve the application, it was recommended that delegated authority be given to the Director of Planning and Place to finalise planning conditions. He pointed out that the draft conditions were outlined in the report, however, the recommendation remained that the application should be refused.

The Committee received representations from Ms. D. Smith, representing McDonald's and Mr. R. O'Toole, acting on behalf of the applicant. Mr. O'Toole outlined a range of objections to the recommended refusal which related to the expired permission for housing, retail being consistent with the previous use of the site, and housing developments being unobtainable. He suggested that the current site was an eyesore and that the fencing would remain should the development be refused. He suggested that the impact of the proposal on BMAP would be minimal, the proposal was for only a small percentage of the site, and the application had the potential for job creation and investment in the area. In addition, Ms. Smith explained her objections to the recommendation and suggested that there was a keen commitment to invest in the area. She advised that the proposed restaurant was sustainable, would provide new employment to the area and employees would have access to a range of training and qualifications. She suggested that the company would work hard to keep the site litter free.

After discussion, given the issues which had been raised regarding the viability of housing on the site, the Committee agreed to defer consideration of the application to

enable the applicant to provide a viability analysis or robust evidence to demonstrate that marketing of the site for housing had been undertaken. The Committee also agreed that a site visit be undertaken to allow the Committee to acquaint itself with the location and the proposal at first hand.

The Committee noted also that further context be added to the report regarding an overview of housing demand in North Belfast and the City.

**LA04/2015/1310/F Construction of seven houses and two apartments with associated car parking and landscaping at 263-287 Beersbridge Road**

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

The case officer apprised the Committee of the proposal and highlighted that the site was located on land zoned for social housing in BMAP, and adjacent to Avoniel Local Landscape Policy Area (BT 087).

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

The Committee noted also that the quality of the location maps in the case officer's report needed to be larger and of better quality.

**LA04/2016/1213/RM - Demolition of existing buildings and erection of 11 storey building comprising of 3 ground floor retail units, 307 studios for use as purpose built managed student accommodation with associated communal and amenity facilities, including gym and all associated site and access works at 48-52 York Street**

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

The case officer outlined the proposed reserved matters planning application.

She advised that the site was located within the Belfast City Centre as designated in the Belfast Metropolitan Area Plan and within the Laganside and Docks Character Area (CC015).

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 City 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. The Committee agreed also to delegate power to the Director of Planning and Place for the final wording of the conditions.

(Councillor Hussey returned to the Committee table at this point.)

**LA04/2016/2460/F - Non-compliance with condition 2 of planning permission Z/2013/1267/F which refers to submission of a construction management strategy Bombardier Aerospace, Wing Manufacturing and Assembly Facility, Airport Road West**

The Committee considered the proposed application at the main assembly building for the aircraft manufacturing company, which was accessed from Airport Road West.

It was reported that the application sought permission for non-compliance with the requirements of condition 2 of planning application ref: Z/2013/1267/F which was for 'Alterations to the roof for the installation of roof mounted photovoltaic panels'. This was approved on 12th December, 2013. The condition to be removed related to a safety strategy that had to be in place prior to commencement of construction, given the proximity of the site to the Belfast City Airport.

The case officer highlighted that as the development had now been completed and the airport had no objection.

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

**LA04/2016/2430/F - Installation of Mew Island Optic within transparent structure Victoria Wharf Titanic Quarter**

(Councillor Armitage, who had declared an interest in this application, withdrew from the table whilst it was under discussion and took no part in the debate or decision-making process.)

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

The case officer outlined the proposed installation of an optic light and associated housing and supporting structures on lands at Victoria Wharf, Titanic Quarter.

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

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

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

**LA04/2015/1149/F - 8 detached dwellings and garages (change of house type to that previously approved under Z/2012/1256/RM) on land adjacent to Queens University Belfast Playing Fields**

The Committee considered a proposal for amendments to include changes to house types to that previously approved under Z/2012/1256/RM with associated vehicular access, car parking and landscaping.

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

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

**LA04/2016/0899/F - Part internal demolition, conversion from 3 flats to 6 flats including internal alterations, 3 storey rear extension and rear dormer at 113 Eglantine Avenue**

The Committee was apprised of the principal aspects of the application.

The Development Plan (BMAP) identified the site as within the development limits of Belfast and within the Malone Conservation Area.

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

**(Meeting adjourned for 10 minutes at this point)**

**LA04/2015/1536/F - 6 apartments at 81, 83 and 85 Channing Street**

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

The Committee considered the proposed application for the demolition of 3 dwellings and the construction of 6 apartments.

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

**LA04/2016/1790/F - 7 flats at 87 Malone Avenue/6 Eglantine Place**

The case officer outlined an application which sought the demolition of the existing property and the erection of a new building comprising of 7 flats, using salvaged brick to reform the front and main gable facades, to match the approval Z/2013/0497/F (with minor amendments).

The application site was located within the Malone Conservation Area (Sub Area B: Eglantine/Wellesley/Wellington). The case officer advised that the site had been granted planning permission (Z/2007/0803/F) in 2007 for the conversion from five flats to nine including a side/rear three storey extension and alterations.



The case officer pointed out that there was an error, under paragraph 3.1, in the report which should read *“In 2014, planning permission was approved for the conversion from five flats to **seven** including demolition of the rear extension, and the construction of a two/three storey extension (Z/2013/0497/F).”*

During discussion, Members’ raised issues regarding the properties that had been demolished without authorisation. The case officer advised that this offense was being investigated under the enforcement scheme, however, this application proposed to remedy the breach and reinstate the façade using salvage brick.

Other issues raised by Members’ included the impact of the demolition on the conservation area, the design changes from the previous approval, the impact of the proposal on the adjoining building, loss of light, size of rooms, and the amenity space.

The Director highlighted that there was extant planning permission on the site and that building works had commenced.

The Committee, given the issues that had been raised regarding the pre-decision notice and the implementation of the current consent, agreed to defer consideration of the report, so that legal advice could be outlined on the demolition of the façade and the potential consequences to the extant planning permission, at the next committee.

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

**LA04/2015/1561/F - 3G pitch with flood-lighting, hurling wall, boundary fence with netting, reconstruction of terracing, 2 new dug-outs and resurfacing of existing carpark at St. Pauls GAC, 98 Shaws Road**

The Committee considered the proposed application.

The case officer informed the Committee that, after the agenda had been published, a request from Environmental Health had been received regarding further information on the Hurling wall structure and floodlight conditions regarding noise mitigation measures for the Hurling Wall and conditions surrounding the hours of operation.

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 within the case officer’s report and agreed also to delegate power to the Director of Planning and Place for the final wording of the conditions.

**LA04/2016/1942/RM - Right hand turn junction to provide access from Boucher Road to Olympia Sports Village**

The Committee was apprised of the principal aspects of the application.

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 within the case officer's report.

**LA04/2016/2372/F - Prefabricated double classroom unit at Christ The Redeemer Primary School, Lagmore Drive**

The case officer outlined the proposed application.

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 scheme.

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

**LA04/2016/1943/F Modular community building at Christ The Redeemer Church, Lagmore Drive**

(Alderman McGimpsey had left the room whilst the item was under consideration)

The Committee considered the application for a modular community building with associated hard and soft landscaping within the grounds of Christ the Redeemer Church.

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 scheme.

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

**LA04/2016/2448/F - Temporary site access to serve construction of 3G training pitch Gort Na Mona GAC, Upper Springfield Road**

The Committee was apprised of the principal aspects of the application.

It was reported that temporary access was proposed from the Monagh By-pass which was a protected route and the site was unzoned in the Belfast Metropolitan Area Plan 2015.

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 scheme.

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

**LA04/2016/0828/F - Demolition of existing property and replacement with dwelling and detached garage at 27 Newforge Lane**

It was reported 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 case officer pointed out that there was an omission, under paragraph 13.0 - Representations from Elected members, in the report which should read "*office meeting arranged and attended by Councillor Boyle.*"

The case officer explained that, after assessment, the application had been recommended for refusal on the grounds, that:

- 1) The proposal was contrary to Policies BH10 and BH14 of the Department's Planning Policy Statement 6: Planning, Archaeology and the Built Heritage and the Design Guide for the Malone Conservation Area in that the dwelling made a positive material contribution to the character and appearance of the Malone Conservation Area, and no exceptional reason had been demonstrated which, in the judgement of the Council, justified its demolition;
- 2) The proposal was contrary to Policy BH12 of the Department's Planning Policy Statement 6: Planning, Archaeology and the Built Heritage and Design Guide for the Malone Conservation Area in that if permitted it would harm the character and appearance of the Malone Conservation Area through inappropriate scale, massing, design and detailing; and
- 3) The proposal was contrary to Policy BH12 of the Department's Planning Policy Statement 6: Planning, Archaeology and Policy QD1 of PPS 7 in that if permitted it would harm the character and appearance of the Malone Conservation Area through loss of mature vegetation.

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

**LA04/2016/2477/F - Change of use from butcher shop to hot food bar with rear roof odour extraction flue at 47 Castlereagh Road**

The case officer outlined an application which sought a change of use from retail to a hot food outlet selling hot and cold food and drinks.

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

**LA04/2016/1362/F Construction of a sensory garden to include; play equipment, safety surfacing, hard standings, tree and shrub planting, with a 2.4 high paladin fence at land leading to 115 Blacks Road**

(Councillor Garrett, who had declared an interest in this application, withdrew from the table whilst it was under discussion and took no part in the debate or decision-making process.)

The Committee considered the application which sought permission to provide a new sensory garden/play facility and associated fencing.

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 to the application, subject to the imposing of the conditions set out within the case officer's report.

Chairperson