

# Planning Committee

Tuesday, 13th March, 2018

## MEETING OF PLANNING COMMITTEE

- Members present: Councillor Lyons (Chairperson);  
Alderman McGimpsey;  
Councillors Armitage, Carson, Dorrian,  
Garrett, Hussey, Johnston, Magee,  
McAteer, McDonough-Brown and Mullan.
- In attendance: Mr. K. Sutherland, Development Planning and Policy  
Manager;  
Ms. N. Largey, Divisional Solicitor;  
Mr. S. McCrory, Democratic Services Manager; and  
Ms. E. McGoldrick, Democratic Services Officer.

### **Apologies**

Apologies were reported on behalf of Councillors Bunting and Hutchinson.

### **Minutes**

The minutes of the meeting of 13th February 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 March, 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 7.g) LA04/2017/1787/F - Amendments to site entrance to Olympia Drive on lands at Olympia Leisure Centre, Councillor Mullan declared an interest, in so far as a family member had been involved with the original application in relation to the development.

### **Committee Site Visits**

Pursuant to its decision of 13th February, it was noted that the Committee had undertaken the following site visits:

- 21st February - in respect of planning application LA04/2017/2126/F - Redevelopment including the construction of a new six storey building on the existing surface level car park and part change of use to create a mixed use development comprising retail units, restaurants and cafes, residential units, offices, church and related community floor space, new streets and public realm works. Demolition of 53 Royal Avenue and 27-31 Rosemary Street and restoration of Central Halls (37-39 Rosemary Street), Masonic Hall (15 Rosemary Street), 43/43a Rosemary Street and retention of 30-34 North Street. Lands bound by North Street Royal Avenue Rosemary Street and

building south of Lower Garfield Street located approximately 400m west of Laganside bus station 300m northeast of City Hall and 1km northwest of Central Train Station; and

- 7th March - in respect of planning application LA04/2017/1394/F - Supported accommodation for older people comprising 32 apartments in total on land East of Harberton Park to the south of 25 Harberton Park and LA04/2017/1505/F - 15 residential apartments at 1 - 3 Eia Street.

### **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 Notified**

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 February and 5th March, 2018.

### **Departmental Performance Update**

The Development Planning and Policy Manager tabled a report in relation to the departmental planning performance. He highlighted that the figures outlined were internally sourced and not official statistics from the Department for Infrastructure, and therefore, might be subject to change once the official statistics were subsequently released.

In the circulated report, he provided a breakdown of the monthly performance up to 28th February, 2018 as follows:

#### *Planning Applications*

- 199 applications had been validated in February, 2018;
- 179 applications had been validated in January, 2018; and
- 2299 applications had been validated since 1st April, 2017.

#### *Planning Decisions*

- 167 decisions had been issued in February, 2018;
- 124 decisions had been issued in January, 2018;
- 92% approval rate; and
- 98% decisions had been issued under delegated authority.

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

- 961 live applications were in the system at end of February, 2018;
- 949 live applications were in the system at end of January, 2018;
- and

- 5 legacy applications were outstanding.

The Development Planning and Policy Manager highlighted that there were 26 live major planning applications, seven of which had been approved by the Committee but were awaiting the execution of Section 76 agreements. He advised that 13 applications were currently within the 30-week target for processing applications and would be brought to the Committee for consideration in the future.

He pointed out that, in relation to Local Applications, the latest available figures from the Department for Infrastructure, up to 28th February, 2018, indicated that the average processing time was 15.4 weeks, with 49% of applications being processed within the 15 week target. He highlighted that overall numbers of Local Application decisions issued were outperforming the number of applications which had been received. The situation which would be monitored to ensure the department remained on target to consistently achieve the statutory targets by the end of quarter 1 in 2018/2019.

He informed the Committee that, up to 28th February, 2018, the latest figures available from Department for Infrastructure showed that 72% of enforcement cases had been concluded within the target of 39 weeks, 2% above the statutory target.

He reminded the Committee that the quarterly meetings of the Planning Committee to focus solely on performance, would commence on Thursday, 19th April.

Noted.

### **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 properties 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.

It was reported that the second survey of all of Northern Ireland's building stock was currently underway, to update and improve on the first list of buildings of special architectural or historic interest which began in 1974 and was due to be completed in 2016.

It was reported that, since the agenda had been published, the NIEA had withdrawn the proposal for the David Keir Building, Stranmillis Road, Queen's University.

After discussion, the Committee agreed with the Agency's proposals to list the following properties:

- Post Box, Agincourt Avenue, near corner of Rugby Road;

- Post Box, Windsor Park (facing Windsor CT);
- Post Box, outside No.20 Derryvolgie Avenue;
- Post Box, outside No.73 Ulsterville Avenue;
- Post Box, Knock Eden Park, Rosetta;
- Post Box, outside 124 Haypark Avenue;
- Post Box, Sunnyside St near junction with Rushfield Ave;
- Post Box, outside No.2 Lockview Road;
- Post Box, outside 49 Balmoral Avenue;
- Post Box, Upper Malone Road, opposite Malone Meadows;
- Post Box, Malone Road, opposite Deramore Drive;
- Post Box, Bristow Park;
- Post Box, Maryville Park;
- Post Box, Osborne Gardens;
- Post Box, Lisburn Road, near Cranmore Gardens;
- Post Box, outside 712 Lisburn Road;
- Post Box, Malone Park Central;
- Post Box, Lisburn Road outside King's Hall;
- Post Box, Myrtlefield Park;
- Parliamentary Boundary Post, outside 1D Church Road;
- Parliamentary Boundary Posts, in the garden of 49 Queensbury Park;
- Parliamentary Boundary Post, outside 97 Knockbreda Road;
- Parliamentary Boundary Post, Lagan towpath;
- Boundary Post, Meadows Park – Lagan Meadows;
- Boundary Post, nearby Newforge Lane carpark;
- Boundary Post, near Shaws Bridge; and
- Boundary Post, outside 450 Ormeau Road.

### **Local Development Plan Update**

The Committee was provided with an update on the engagement which had been planned in relation to the draft Plan Strategy, prior to consideration by Committee.

The Committee was reminded that the Local Development Plan would comprise of two development plan documents:

- The Plan Strategy - the strategic policy framework for the plan area which encompassed a range of topics. It would set out the ambitious vision for Belfast as well as the proposed strategic policies required to deliver that vision; and
- The Local Policies Plan - the next stage which would set detailed policies and site specific proposals concerning the development and use of land in Belfast. It would consist of the local policies, including the site specific proposals, designations and land use zonings essential to deliver the Council's vision, objectives and strategic policies, as set out in the wider Plan Strategy.

Once adopted, the complete LDP would supersede the current development plan and Planning Policy Statements produced by the Department.

It was reported that a workshop had been held with the Planning Committee on 12th January 2018, to present a summary of the working version of the draft Plan Strategy policies for consideration and a further workshop on 15th February for all Members. Party Briefings had also been scheduled in March for the draft Plan Strategy discussion. Members were advised that the draft Plan Strategy would be submitted to the Committee for consideration in April, 2018, with the view to publish the Plan Strategy for public consultation (12 week public consultation, followed by 8 week consultation on any representations).

The Committee noted the contents of the report and the draft Plan Strategy policy summary.

### **Northern Ireland Local Government Association (NILGA) Training Plan**

The Development Planning and Policy Manager advised that NILGA sought two Planning Committee members to participate in the NILGA's 2018 Pilot Local Planning Programme.

The Committee approved the attendance of the Chair and Deputy Chair of Planning Committee, or their nominees, to participate in the full programme.

### **Restricted Item**

### **The Information contained in the following report is restricted in accordance with Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014**

Resolved – That the Committee agrees to exclude the members of the Press and public from the Committee meeting during discussion of this item as, due to the nature of the item, there would be a disclosure of exempt information as described in Section 42 (4) and Schedule 6 of the Local Government Act (Northern Ireland) 2014.

### **Judicial Review - Stephen Street**

The Divisional Solicitor provided an overview of the outcome of a judicial review which had taken place in respect of a decision by the Planning Appeals Commission to grant planning permission for purpose built managed student accommodation on a site bounded by Library Street, Stephen Street and Kent Street. She highlighted that a copy of the Judgement which had been delivered by the Court on 23rd February was attached as Appendix 1 of the report.

After discussion, the Committee noted the contents of the report and agreed that an update be provided at a future meeting to include key learning on the issue.

**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)**

**LA04/2017/2412/LBC - Erection of accessible ramps, partial replacement of steps, new railings to Korean War Memorial and associated works, Cenotaph, Gardens of Remembrance, City Hall**

The Case officer outlined the application for Listed Building Consent.

The Committee received representation from Councillor Craig. He outlined his support for the proposal and the benefits it would bring for attendees at the annual remembrance ceremonies. He welcomed the maintenance and addition of accessible ramps, replacement of steps, and new railings for the memorial structures.

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

**LA04/2017/0112/F - Change of use of nursing home into 12 apartments and construction of 9 apartments including 3 storey rear extension, associated alterations and site works at 5 - 7 Connsbrook Avenue**

The case officer provided an overview of the application for the change of use and extension of the existing nursing home to form 21 apartments (13 two bedroom and 8 one bedroom) with associated alterations to the elevations which included recladding and rendering and other associated site works.

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

**Reconsidered Item - LA04/2017/1394/F - Supported accommodation for older people comprising 32 apartments in total on land East of Harberton Park to the south of 25 Harberton Park**

The Committee was reminded that, at its meeting on 13th February, given the issues which had been raised regarding parking, height of the building and proximity to the broader King's Hall development, it had 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 Chairperson informed the Committee that a second request to speak had been received on behalf of the applicant, citing exceptional circumstances. He advised that the agent, on behalf of the applicant, had already made a presentation at the Committee meeting on 13th February. The Committee having considered the cited

exceptional circumstances, agreed not to receive the deputation, however, noted that the agent was in attendance if the Committee required any points of clarification.

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.

**Reconsidered Item - LA04/2017/1505/F - 15 residential apartments at 1 - 3 Eia Street**

The Committee was reminded that, at its meeting on 13th February, given the issues which had been raised by the objector's, it had 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 Chairperson informed the Committee that a second request to speak had been received on behalf of the applicant, citing exceptional circumstances. He advised that the agent, on behalf of the applicant, had already made a presentation at the Committee meeting on 13th February. The Committee having considered the cited exceptional circumstances, agreed not to receive the deputation, however, noted that the agent was in attendance if the Committee required any points of clarification.

The case officer reminded the Committee that there was an extant planning approval for 'Demolition of existing 2 storey commercial warehouse building and construction of a 4-storey apartment building consisting of 16 apartments', previously granted in April, 2013 under planning reference Z/2009/1771/F.

During discussion, Members raised concerns in relation to the proposed amenity space and need for family homes in the area.

The case officer advised that, on balance, the amenity space had been considered acceptable.

The recommendation to approve the application was put to the Committee when three Members voted in favour and four against and it was declared lost.

**Proposal**

Moved by Councillor Lyons, and  
Seconded by Councillor Armitage,

Resolved – that the Committee agrees to defer consideration of the application to enable it to be reconsidered by officers and potential reasons for refusal to be outlined for consideration in an amended report at the next meeting.

**LA04/2016/0564/F - Additional waste types, and the installation of a metal shredder and associated conveyor belt systems at Avenue Recycling, 1 Advantage Way, Ballygomartin Road; and**  
**LA04/2016/0563/F - Variation of conditions 3 and 7 of planning permission Z/2005/2312/F to allow for external unloading, transfer and storage of waste and increase to opening hours, additional 2 hours per day**

The Committee agreed to consider the aforementioned applications together.

The case officer advised that planning application LA04/2016/0564/F sought full planning permission for the acceptance of additional waste types at the site including a broader range of metal, glass and plastic wastes, construction and demolition waste, textiles, bulky wastes and street cleaning residues and the construction of noise barrier walls.

She advised that application LA04/2016/0563/F sought planning permission for the variation of conditions 3 and 7 of planning permission Z/2005/2312/F to allow for the external unloading, transfer and storage of solid waste and an increase to the opening hours for an additional 2 hours per day, from Monday to Saturday.

During discussion, Members raised concerns in relation to the increase in opening hours, the type of waste to be processed, potential noise disturbance, licenses required and the enforcement of the planning conditions.

**LA04/2016/0564/F**

The Committee, given the issues which have been raised, 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.

**LA04/2016/0563/F**

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**LA04/2017/2802/A - Proposed mesh banner signage (19.1m X 9.84m) – temporary for 2 years, former Belfast Telegraph Printworks, 124 - 132 Royal Avenue, Belfast**

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

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 development.

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



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

**LA04/2017/1787/F - Amendments to site entrance to Olympia Drive on lands at Olympia Leisure Centre**

(Councillor Mullan, 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 Magee had left the room whilst the item was under consideration)

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 was the applicant.

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.

Chairperson