

Planning Committee

Tuesday, 12th March, 2019

MEETING OF PLANNING COMMITTEE

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

In attendance: Mr. A. Thatcher, Director of Planning and
Building Control;
Ms. N. Largey, Divisional Solicitor;
Mr. S. McCrory, Democratic Services Manager; and
Mrs. L. McLornan, Democratic Services Officer.

Apologies

Apologies for inability to attend were reported from Councillors Carson, Lyons and Nicholl.

Minutes

The minutes of the meeting of 19th 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 4th March, 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 recorded.

Financial Reporting - Quarter 3, 2018/2019

The Committee noted the Quarter 3 financial position for the Planning Committee, which was a net underspend of £236,000, with the forecast year end position remaining an underspend of £236,000.

The Committee was advised that the main reasons for the underspend related to planning fees received having exceeded the anticipated level, and underspends across expenditure budgets in Building Control. The Members noted that the underspend position for the Committee had been offset by underachievement of Building Control income by £166,000.

The Committee noted the update which had been provided and the associated financial reporting pack.

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 the delegated authority of the Director of Planning and Building Control, together with all other planning decisions which had been issued by the Planning Department between 12th February and 4th March, 2019.

Extinguishment of Right of Way

The Committee noted the receipt of correspondence from the Housing Executive in the Late Items Pack, in relation to the extinguishment of a Public Right of Way at Stirling Road, Belfast, Order No1 2019.

Miscellaneous Items

Planning Portal Update

The Committee considered the undernoted report:

“1.0 Purpose of Report or Summary of main Issues

1.1 To update Members of the Planning Committee on how the Northern Ireland Planning Portal should be replaced.

2.0 Recommendations

2.1 That Members of the Planning Committee note the following:

i. That Belfast City Council are to remain part of the DfI-led regional project i.e. to replace the Northern Ireland Planning Portal with another shared regional IT system

Subject to the following qualification:

- that BCC must take a lead role in the project, including representation on the Project Governance Board and providing staff resources to the core project team;**
- that the capital cost to Local Government is split evenly between the 11 councils; and operating**

- costs to be determined in the context of the contract awarded (as agreed by SOLACE);
- that the regional project demonstrates clear and robust progress, including commitment from the other councils by April 2019; and
 - BCC is part of the first wave of councils to implement the new IT system.
- ii. That the Strategic Policy and Recourses Committee agrees the additional funding to support implementation of the project as part of the Council's capital contribution. This would include 2 x Grade PO4 posts for a temporary period of 3 years.

3.0 Main report

Background

- 3.1 The Northern Ireland Planning Portal (NIPP) provides the public website interface which citizens use to find information and comment on planning applications. It also provides back-office software that the Council's planning service uses to process planning applications as well as supporting the administration of regional property certificates.
- 3.2 The NIPP was implemented by the former Department of Environment in 2010 as a central IT solution and was inherited by the 11 councils as a shared system in 2015 on the transfer of planning powers to local government. The NIPP is provided by a third-party supplier, DXC. The contract for the Planning Portal is managed by the Department for Infrastructure (DfI) and is due to expire at the end of March 2019. DfI is currently negotiating a contract modification to ensure continued technical support for the NIPP beyond March 2019 until the end of 2020. At the same time, it is leading a regional project that is examining the options for its eventual replacement. The need to replace the Planning Portal by 2019/20 is a critical service risk.

The need to replace the Northern Ireland Planning Portal

- 3.3 The current NIPP is far from fit for purpose and is a significant impediment to the Council delivering an excellent planning service. The NIPP was introduced in 2010 as a hybrid solution based on a COTS product that has been heavily customised for Northern Ireland purposes. This has meant that the COTS element has not followed the natural upgrade path and is several years behind the latest version.

3.4 Deficiencies of the NIPP include:

- inability to receive and process online planning application submissions (England has had this capability since 2002);
- limited opportunity for customers to find information and self-serve;
- inability for the Council to customise standard customer letter templates or report templates;
- substandard functionality including poor case management and GIS;
- drives inefficient processes with limited flexibility for process improvement;
- inadequate performance reporting and monitoring; and
- poor access to data and inadequate integration with other Council systems.

Regional project

Background

- 3.6** Since 2016, local government has been participating in the DfI-led regional project that is examining the options to replace the NIPP. The Council agreed to participate and contribute to the cost of the regional project. Unfortunately, the project has been delayed whilst the Councils agreed the minimum requirements upon which the Draft Outline Business Case was built, and to agree the funding model, and how much contribution from the Department v Local Government.

Outline Business Case

- 3.7** DfI published a revised Outline Business Case (OBC) in January 2019. The recommendation is to replace the NIPP with another shared regional system remains and it proposes to fast-track the process with implementation by 2022. The Department's proposals (as agreed with Local Councils) set out in the OBC are:
- that the NIPP is replaced with a single regional IT system shared between the 11 councils and DfI;
 - that the IT system will be a "Commercial Off The Shelf" (COTS) product to meet the requirements of the regionally agreed Minimum Viable Product;
 - the new system will allow some local configuration to meet individual council needs (e.g. reports, templates, searching etc.); and

- that procurement will follow the Competitive Procedure with Negotiation.

Funding Model

- 3.8 The revised OBC states that the estimated cost of the project is £26.7m over 11 years of i.e. from 2019/20. This would include £15.1m capital and £11.6m resources. These costs remain estimates at this stage and actual costs will be determined through a competitive procurement process. Final costs and timescales will be captured in the “Final Business Case” following confirmation of the preferred supplier.
- 3.9 SOLACE have agreed to a finding model where 45% of the costs would be funded by Dfl, with the remainder to be funded by Local Government, which if divided equally would be £1.34m per council over 11 years (or average of £122k pa). SOLACE have agreed to an even split of capital costs between the 11 councils with operating costs to be determined in the context of the contract awarded.
- 3.10 A report to cover the capital costs of the programme will be going to SP&R for consideration on 22 March 2019.

Proposed timetable

- 3.11 The estimated timeline for delivery of the regional project is set out below. The Council would need to be in the first wave of implementation, therefore, circa January 2022.

Phase	Start no later than (beginning of)	Estimated duration	Complete no later than (end of)
Mobilisation	January 2019	6 months	June 2019
Procurement	January 2019	12 months	December 2019
Design	January 2020	18 months	June 2021
Build	July 2020	18 months	December 2021
Implement	January 2022	6 months	June 2022

Option of BCC procuring its own standalone IT system

- 3.12 An alternative to BCC agreeing to the Department’s regional solution is for it to procure its own standalone IT system. Officers have undertaken market research to establish the availability and cost of planning IT solutions in the market place. This has included research on planning IT systems used in the UK and Irish local authorities; discussions with UK councils on IT and surrounding processes; study visits; and

discussions and demonstrations from potential suppliers. This research has concluded that there is no impediment to the market place providing a suitable and fit for purpose planning IT solution for the Council.

Data migration

- 3.13 The Council's planning service has not previously recommended procurement of its own standalone IT system is due to the complexities and unknown costs of data migration. The NIPP is provided by a third party, DXC, on behalf of the Department, and obtaining access to this is likely to inflate the costs of data migration and limit the Council's ability to migrate to its preferred supplier. This is a major risk if the Council were to choose to procure its own standalone system.

Costs

- 3.14 Based on market research, the estimated cost to BCC of procuring its own standalone system is approximately £1.36m over 11 years, compared with £1.34m for the regional solution.
- 3.15 Dfl has previously confirmed that it will not provide any assistance or make any financial contribution to any council who goes it alone.

Regional solution vs BCC standalone

- 3.16 Officers consider that, on balance, the Council should support the Dfl-led regional project. Whilst the need to replace the NIPP from an operational point of view is pressing, a BCC standalone solution would likely only be implemented 12 months sooner. The costs of both options are likely to be similar, although there is a greater costs risk around data migration if BCC were to go alone. The BCC standalone option would also require significantly greater up-front capital investment and staff resourcing.
- 3.17 The regional option provides greater capacity to deliver and there would be a significantly reduced level of risk overall. BCC procuring a standalone IT system would likely result in political fallout with the Department and other 11 councils as it would be a serious setback to the regional project. It would also likely impinge on NI customers who would have to use two different public website interfaces, which is far from ideal in terms of consistency across the region.

3.18 As such the Council proposes to support the DfI-led regional solution subject to the following:

- BCC must take a lead role in the project e.g. in the areas of procurement, finalisation of the specification, design, build, implementation and Governance. This will include representation on the Project Governance Board and providing staff resources to the core project team;
- the full Minimum Viable Produce is required (not a “MVP-light option). This would deliver all of the functionality that would enable critical service improvements, particularly online submission functionality;
- the cost to local government is split evenly between the 11 councils in terms of capital for the product, and operating costs to be determined in the context of the contract awarded;
- the regional project demonstrates clear and robust progress, including commitment from the other councils, by no later than April 2019; and
- BCC is part of the first wave of councils to implement the new IT system.

3.19 Financial & Resource Implications

The Council will need to make financial provision for replacing the NIPP. The cost of the regional project is £1.34m over 11 years (average of £122k pa), starting 2019/20.

3.20 In addition, funding is required to backfill x2 FTE PO4 project posts to support the project (£106,750, 2018/19 costs), as part of the Council’s capital contribution. This resource is crucial as it will enable BCC to take a lead role in the implementation of the project and mean that the new IT system best meets the Council’s needs. The Department has confirmed that the greater staff resource it contributes to the project, the less cash contribution it will need to make.

3.21 Equality or Good Relations Implications/Rural Needs Assessment

No adverse impacts identified.”

The Committee adopted the recommendations.

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)

LA04/2018/0059/F - Demolition of 2 storey rear return, external steps and single storey outbuilding of former Parochial House, demolition of existing vestry entrance porch, external steps, single storey boiler house and part of internal wall to tower and relocation of internal spiral staircase of former Holy Rosary Church on lands at 348-350 Ormeau Road. Erection of 3 storey and single storey rear and 2 storey side extensions and associated works. Change of use to 18 bed hotel and licensed restaurant.

Before presentation of the application commenced, 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 proposals at first hand.

The Committee noted that there was an error within the case officer's report which wrongly referenced Councillor Armitage as having raised concerns with the scheme. The case officer pointed out that Councillors Long and McDonough-Brown had expressed concerns on behalf of local residents.

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

LA04/2018/2157/F - new children's hospital and associated infrastructure incorporating the demolition of Bostock House on the Royal Group of Hospitals site, 274 Grosvenor Road

The case officer provided the Committee with the principal aspects of the application for a new children's hospital and associated infrastructure, which incorporated the demolition of Bostock House.

He drew the Committee's attention to the Late Items reports pack, where a consultation response had been received from Environmental Health, which offered further conditions, relating to noise mitigation, vibration management and a further risk assessment post-demolition of Bostock House. He outlined the response of the Planning Department to the aforementioned issues raised.

The Committee was further advised of the consultation response from Shared Environmental Services, as included in the Late Items pack, which expressed no objections.

The Committee received representation from Councillor Beattie. He stated that, while he was not against the proposals for a new children's hospital, he had concerns regarding the impact that the development would have on the surrounding streets. He advised the Committee that there was already a very high number of cars parking in the surrounding residential streets instead of within the hospital complex. He explained that the Department for Infrastructure (Dfi) had carried out a Traffic Survey of the area in 2018, which showed that the parking spaces on the surrounding streets of the Royal Group of Hospitals site were 100% occupied. He emphasised to the Members that the survey had been carried out on a day when St. Mary's University was closed and that the majority of its students also drove to the site. He stated that the Dfi was currently considering a residents' parking scheme for the streets adjacent to the Hospital site. He asked that the Committee considered deferring consideration of the proposals in order to undertake a visit to the site.

The Committee was advised that Mr. L. Walsh, Department for Infrastructure (Dfi), was in attendance, as one of the statutory consultees, and that Ms. U. Somerville, AECOM, and Ms. E. Greenlees, Transport Consultant, were also in attendance to answer Members' questions.

Ms. Greenlees advised the Committee that, in light of comments from Dfi Roads, the Belfast Health and Social Care Trust had outlined its commitment to developing a site specific Travel Plan for the Royal Group of Hospitals site. She explained that AECOM had worked with the Trust to create the draft Travel Plan for the site. The case officer explained that copies of the recently published draft Travel Plan would be circulated to the Members of the Committee.

A Member stated that it was essential, given that the application was for a children's hospital, that parents could park at the hospital while visiting their sick children and that parents were unlikely to cycle or travel by bus to do so.

A further Member suggested that there should be incentives to encourage more staff to park on the site, such as reduced rates, to reduce the amount of staff cars that were parked on the surrounding residential streets for entire days or nights.

In response to Members' questions, Mr. Walsh confirmed that 70% of the 2700 parking spaces on site were for staff. He explained that the Department's view was that to add more parking spaces to the site would only make the situation worse. He outlined that the draft Travel Plan for the site had been drawn up in accordance with Planning Policy and the Programme for Government. He explained that, over the 6 years in which the new hospital would be built, one of the aims would be to encourage a reduction in car use by staff, and to incentivise more staff to use sustainable methods of transport.

In response to a number of further comments from Members, Mr. Walsh advised the Committee that, while it was not possible for all staff to use public transport or other sustainable methods, it was important to try and change the mind-set of those staff members who chose to drive to their place of work when they had access to other options.

Ms. Somerville stated that the Glider service, which operated along the Falls Road, was an example of how sustainable transport had evolved since the Pre-Application Discussion had begun.

Proposal

Moved by Councillor Canavan,
Seconded by Councillor Campbell and

Resolved - That the Committee agrees 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 proposals at first hand and further agrees that:

- during the site visit, the Committee would also visit the surrounding residential streets;
- the site visit would take place during hospital visiting hours;
- a briefing for Members would be arranged to discuss the travel Plan for the site;
- a travel consultant from Dfl would attend the briefing and site visit; and
- the Draft Framework Travel Plan would be circulated to Members of the Committee.

LA04/2017/2780/F - 7 storey residential development comprising 38 apartments on lands between 55-71 Ormeau Road and 163-169 Donegall Pass

The Committee was provided with an overview of the proposal for the erection of 38 apartments over 7 storeys, to include car parking, amenity space and associated site works.

The Members were advised that the proposal had been assessed against, and was compliant with, SPPS, BUAP, Draft BMAP, PPS3, PPS6, PPS7, PPS15, Creating Places and Parking Standards.

He explained that the scale and massing of the proposals had been reduced from the original plans.

The case officer outlined to the Committee that no objections had been received from consultees, but that 2 objections had been received as a result of neighbour notification/advertisement in the press. He explained the issues which they had raised, and advised that they had been addressed within his report.

The Committee granted approval to the application, subject to the imposing of the conditions set out within the case officer's report and delegated power to the Director of Planning and Building Control for the final wording of the conditions.

LA04/2018/0408/F - Demolition of existing building and construction of new 3/4 storey apartment block containing 23 apartments at Porters Annex, Apsley Street

The Committee was apprised of the proposal for the demolition and reconstruction of a new 3/4 storey apartment block at Porters Annex.

The case officer highlighted to the Committee that no objections or representations had been received from consultees, but that one objection had been received from the Education Authority who managed a nearby Youth Club. He explained that the issues raised were addressed within the main report.

The case officer explained that the proposal was considered to comply with the SPPS, BUAP, Draft BMAP, PPS3, PPS6, PPS7, PPS15, Creating Places and Parking Standards.

He provided the Committee with the site history, where application LA04/2017/0468/F, for the demolition and reconstruction of a 4 storey apartment block comprising 20 apartments, was refused in April 2017. The decision was subject to appeal with the Planning Appeals Commission and was dismissed in December, 2017. The reasons for refusal were outlined to the Committee.

In response to a Member's question regarding the differences between the previous application which was refused, and the current application, the case officer explained to the Committee that there were significant differences between the designs, in terms of scale and massing.

The Committee granted approval to the application, subject to the imposing of the conditions set out within the case officer's report and delegated power to the Director of Planning and Building Control for the final wording of the conditions.

LA04/2017/2302/F and LA04/2017/2300/DCA - Extension to seventh floor to accommodate hotel gym, Scottish Amicable House, 11 Donegall Square South

The Committee was apprised of the principal aspects of the application, which sought permission for an extension to the seventh floor.

The case officer advised the Committee that an objection had been received from one of the statutory consultees, namely, the HED (Historic Environment Division's) Historic Buildings. The view of the HED was that the proposal would detrimentally impact the setting of the adjacent listed buildings by competing with the prominence of the listed building by adding an additional level of accommodation above the roof plane. On this basis, the HED expressed a view that the proposal was contrary to Policy BH11 of PPS6.

The case officer explained to the Committee that it was considered that the set back of the mansard roof would assist in effectively screening the additional height to the front of the building. The mansard roof would also slope away from the chimneys of

the adjacent listed Scottish Mutual Building, and, in officers' opinion, would not adversely affect the setting of the listed building.

He stated that the proposals had been assessed against, and were deemed to comply with, SPPS, BUAP, Draft BMAP, PPS3, PPS6 and Linen Conservation Area design guide. The Committee was advised that, having regard to the policy context and material considerations within the report, the proposal was considered acceptable and it was recommended for approval.

The Committee was reminded that, as a statutory consultee had objected to the proposal, if it was minded to agree with the case officer's recommendation to approve the application and to grant consent, it would be subject to notification to the Department for Infrastructure (Dfi).

The Committee granted approval to the application, subject to the imposing of the conditions set out within the case officer's report and delegated power to the Director of Planning and Building Control for the final wording of the conditions, subject to notification to the Department for Infrastructure.

LA04/2018/0620/F - residential development of 39 dwellings, comprising 9 detached and 30 semi-detached dwellings, garages, car parking, public open spaces, landscaping, and associated site works on lands to the south of Blackdam Court, east of Thornberry Hill and approx. 115m north west of Mill Valley Way

The case officer outlined the details of the proposal to the Committee.

She explained that the key issues in the assessment of the proposal included height, scale, massing, layout and design, provision of parking and access, and provision of open space, amongst others.

She advised the Members that the principle of development was considered acceptable at the location and that the proposed height, scale, massing and design of the proposed dwellings were considered acceptable and in keeping with adjacent dwellings.

The Committee was advised that one objection had been received, citing concerns regarding biodiversity and natural heritage, and were addressed within the report. The case officer advised the Members that NIEA Natural heritage had been consulted and had raised no objections.

The case officer outlined that Environmental Health, NIEA – Land, Soil and Air and Water Management Unit, Share Environmental Services, Transport NI and Rivers Agency had been consulted and had offered no objections to the proposals, subject to conditions.

The Committee granted approval to the application, subject to the imposing of the conditions set out within the case officer's report and delegated power to the Director of Planning and Building Control for the final wording of the conditions.

LA04/2018/2679/F - External alterations and reduction in the office footprint from the previously approved (extant permission) under planning references Z/2011/0358/O and LA04/2015/0144/RM on site between Boucher Place and Blackstaff River

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

The case officer advised the Committee that the site was within land which was controlled by the Council.

She pointed out that the principle of an office building on the site had been established under outline Planning Permission Z/2011/0358/O, and that the detail was subsequently approved under LA04/2015/0144/RM.

She highlighted to the Committee that the applicant had obtained a Certificate of Lawful Development for operations undertaken to date.

The Committee was advised that, since the approval of the original outline consent, in May 2012, a new policy context was in place, where the SPPS had adopted a "town centre first" approach for future retailing and other main town centre uses. The case officer explained the sequential test for the location of new offices and advised the Members that the sequential test had not been met in this case. She explained, however, that it must be balanced against the previous permission which had been implemented on site and presented a legitimate fall-back position.

She advised the Committee that it was therefore considered acceptable for amendments to an implemented consent to reduce the footprint and to alter the external façade.

The case officer advised the Members that DfI Roads, Environmental Health, NIEA, NI Water and Rivers Agency had no objections to the application, subject to relevant conditions.

The Committee granted approval to the application, subject to the imposing of the conditions set out within the case officer's report and delegated power to the Director of Planning and Building Control for the final wording of the conditions.

LA04/2018/0832/F - Mixed use development comprising 2 retail units, 1 café unit, 23 apartments, access, parking, amenity space, landscaping and site works on Lands at 155 171-177 Lisburn Road and 16 Ashley Avenue

The Committee was provided with details of the proposals for the demolition of a bank building and the erection of a mixed use development.

The Committee was advised that the site was located within the development limits for Belfast in both the Belfast Urban Area Plan 2001 (BUAP) and in the draft Belfast Metropolitan Plan 2015 (BMAP). She pointed out that the site was unzoned white land in the BUAP 2001 and zoned for housing and on an Arterial Route in draft BMAP 2015.

The Members were advised that a third party representation had been received which conflicted with the case officer's recommendation to approve the application. The case officer explained that the concerns related to car parking and she outlined to the Committee that the issues had been covered within her report. She also advised the Members that, in respect of the impact of the proposed development on parking and traffic, DfI Roads was content.

The Members were advised that, in relation to the impact of the proposal on nearby listed buildings, Historic Environment Division had expressed no concerns and that Environmental Health had also expressed no concerns in relation to the potential for noise, nuisance and disturbance.

The Committee granted approval to the application, subject to the imposing of the conditions set out within the case officer's report and delegated power to the Director of Planning and Building Control for the final wording of the conditions.

Chairperson