

Town Planning Committee

Thursday, 6th March, 2014

MEETING OF TOWN PLANNING COMMITTEE

Members present: Councillor Hanna (Chairman);
The High Sheriff, Councillor L. Patterson;
Aldermen McCoubrey and Rodgers; and Councillors Austin,
Curran, Haire, Hendron, Hutchinson, McCabe, McCarthy
and Mullan.

Also attended: Councillor Spence.

In attendance: Mr. B. Flynn, Democratic Services Section; and
Ms. K. Mills) Divisional
Ms. U. McDonald) Planning Office.

Apologies

Apologies were reported on behalf of Aldermen Campbell and R. Patterson and Councillors Garrett and Newton.

Minutes

The minutes of the meetings of 6th and 20th 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 3rd March, subject to the omission of those matters in respect of which the Council had delegated its powers to the Committee.

Declarations of Interest

Councillor Haire declared an interest in relation to item 2, George Best Belfast City Airport – Planning Agreement Modification, insofar as he was a member of the Belfast City Airport Forum.

New Member

The Chairman, on behalf of the Committee, welcomed to the meeting Councillor McCabe, who had replaced Councillor M. E. Campbell.

George Best Belfast City Airport – Planning Agreement Modification

(Mrs. S. Wylie, Director of Health and Environmental Services, and Mrs. S. Toland, Head of Environmental Health, attended in connection with this item.)

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The Director of Health and Environmental Services submitted, for the Committee's consideration, the undernoted report:

“1 Relevant Background Information.

- 1.1 George Best Belfast City Airport (GBBCA) is located on the southern shore of Belfast Lough adjacent to the A2 Sydenham By-Pass and is a key strategic gateway to the province. The 121 hectare site is situated on reclaimed lands within the Harbour Estate. The site is owned by the Belfast Harbour Commissioners and is leased to GBBCA.**
- 1.2 GBBCA is an asset owned by the EISER Infrastructure Fund. It is a regional airport serving a range of destinations, mainly in Great Britain and Ireland with some European destinations. In 2013, it catered for around 2.54 million passengers, representing approximately 30% of the air traffic to and from Northern Ireland.**
- 1.3 The Airport is a significant local employer and it is estimated that there are around 1,250 full time equivalent staff working across a range of services and facilities, with over a third of these resident within Belfast itself.**
- 1.4 In March 2012, GBBCA submitted a request to the Department of the Environment (DoE) to vary the terms of its 1997 Planning Agreement established under Article 40(A) of the Planning (NI) Order 1991 and modified in 2008. The Airport requested that the seats for sale restriction be removed and replaced with a noise control contour and noise control measures. Members considered this application and a previous response was forwarded to the Department in June 2012.**
- 1.5 Following completion of a public consultation exercise, the Department requested additional information in relation to noise, habitats and traffic. A revised proposal has now been received. This report summarises the key aspects of the revised proposal and officers have prepared a draft response for Members to consider. This is attached as Appendix 1 to this report. The revised proposal from the Airport updates and supersedes previous documents.**
- 1.6 GBBCA is the only airport in UK with a departing 'seats for sale' restriction employed as a means of regulating noise.**
- 1.7 Noise contours are like geographic contour lines on a map, however, instead of height, they indicate areas that are**

exposed to specified noise levels over a given time period. In the case of airports, noise contours are typically denoted by the Equivalent Continuous Level (Leq) over the 16-hour daytime period from 07:00 until 23:00. An equivalent continuous level (Leq) of 57dB(A) over the 16-hour daytime period has been identified by the Department for Transport, as the level at which the onset of significant community annoyance is likely; 2003 White Paper 'The Future of Air Transport', chapter 3 - Environmental Impacts.

- 1.8** Increasingly, Planning Authorities across the United Kingdom are moving towards conditions that relate directly to noise exposure, such as noise contour limits, combined with sophisticated ways of monitoring compliance with these limits. Contours can incentivise airports to improve noise management practices so as to allow more passengers to use an airport without increasing the noise burden upon the local community, but only if they are set at an appropriate size.
- 1.9** A local Public Inquiry (PI) is scheduled to take place in order to consider consultation responses. The council will be given an opportunity to participate in this process. Following the PI, a report will be produced for the Minister who will then determine the application, taking account of the information presented by the different parties.
- 1.10** The Minister's stated objective for this process is 'the introduction of an effective noise management system at the Airport which achieves the correct balance between the socio-economic benefits of airport expansion with the need to protect the environment and quality of life for the surrounding community'.
- 1.11** The Council's previous consultation response to the 2012 request highlighted concerns over the size of the proposed noise contour and the potential number of residents that would be affected under the various growth scenarios suggested at that time. The council's response concluded that a smaller contour would better deliver the balance that the Minister is seeking. However, this response is now superseded by the new proposals.
- 1.12** The Minister (DOE) will make the final decision on this application following consideration of the findings of the PI, however as this is a planning agreement between the two parties, the applicant if they do not agree with the Minister's decision, could continue to operate within the

provisions of the current agreement with the existing 2 million departing 'seats for sale' cap remaining in place.

2 **Key Issues.**

2.1 The previous information submitted by the applicant included growth forecasts for the Airport up until 2020, together with scenarios for low, medium and high growth. By way of response, the Council stated that more information was needed on how these three forecast scenarios were developed and which scenario was most likely to prevail. This information has now been supplied through the Planning Service.

2.2 The current submission presents a growth scenario based on the potential for the Airport with the 2 million departing 'seats for sale' restriction removed. It is a forecast of demand that takes account of GBBCA's ambition, targets and assessment of the market but, as with any business looking ahead; it cannot be regarded as either inevitable or definitive. The applicant however considers it to be reasonable in the context of perceived growth at other airports and a strategy for 'clawing back' additional business from Dublin Airport.

2.3 The submission also presents a 'fall back' growth scenario calculated on the basis that the planning agreement is not modified as requested and that the existing 'seats for sale' restriction remains in place.

2.4 **Air Traffic Forecasts.**

The applicant has projected that air passenger traffic will grow by 2.94% over the period 2013 – 2025 with the 'seats for sale' restriction removed. This assessment is comprised of an accepted projection for annualised growth in air passenger traffic for Northern Ireland of 2.1% with the remaining 0.84% (above the projected rate) arising from a combination of: increased flight frequencies to existing destinations; the introduction of new routes to Amsterdam, Frankfurt, Barcelona; increases in flights to leisure destinations and provision for the anticipated 'claw back' of passengers from Dublin Airport.

2.5 The applicant forecasts that this will equate to annual passenger numbers of around 3.72 million by 2025 with a corresponding 47,904 air traffic movements per annum. By way of comparison, the applicant has predicted that should the 'seats for sale' cap remain in place, then the cap will be reached in 2022, with some 2.05 million departing seats for

sale and an associated 38,436 air traffic movements. This latter forecast is based on the 'Seats for Sale' restriction having an immediate impact on growth and investment decision reducing the overall annualised rate to 1.43% for 2013 to 2022, with no further growth thereafter.

2.6 Economic Impacts

If GBBCA is successful in having the 'seats for sale' restriction removed, and achieves the target growth rate of 2.94% per annum between 2013 and 2025, the Airport estimates that it will have created around 270 additional jobs by 2025.

GBBCA estimates the Gross Value Added (GVA) per job to be around £38,760 per full time equivalent employee and therefore the total additional value to the economy by 2025, should the variation to the planning agreement be granted, to be around £13.2 million. This estimate includes both direct and induced factors. The Council's consultant has confirmed that the applicant has followed a standard approach to estimating the economic impact of the proposed changes to the planning conditions.

2.7 Noise contour data.

The following table summarises data published by GBBCA and indicates the size of the noise contour and the likely population affected based on the Airport Annual Reports for 2013 and the growth forecast scenarios. It should also be noted that the revised noise contour sizes are improvements to the previous forecasts submitted in 2012.

Year of assessment	57dBLa _{eq} , 16h Contour area (Km ²)	Population
2010	6.1	12,500
2013	4.4	7, 200
2025 with SFS	6.5	14,600
2025 No SFS	7.5	18,100

2.8 The draft response states that the Council is supportive of the Airport's ambition for growth and recognises the benefits that expansion will bring to both the city and the region. It is considered that the size of the noise control contour and the conditions contained in any new Article 40 agreement are crucial to ensuring that these benefits are realised whilst providing protection to local communities that will be impacted upon by the Airport's operations. The Council also recognises that GBBCA wishes to achieve this balance. The data provided indicates however, that the removal of the 'seats for sale restriction' will increase the number of people exposed to aviation noise.

- 2.9 It is important that airports are incentivised to implement continuous improvement in noise management practices required in order to achieve balance between growth and the need to protect the environment and quality of life for the surrounding community. The noise contour size needs to be considered alongside best practice noise management systems and the ambitions to support sustainable economic growth
- 1.10 The draft response therefore reflects support for the Airport's growth aspirations. In addition, it recommends that the PI should examine the Airport's expansion proposals giving consideration to the noise management proposals submitted by the Airport, including the control contour size and any other appropriate measures that may achieve the right balance between the socio-economic benefits of airport expansion with the need to provide reasonable protection to the surrounding community (an outcome that both the applicant and Minister have stated they are seeking).
- 2.11 The consultation period closes on Monday the 3rd March, the Council has therefore advised the Planning Department that our response will be late and forwarded after committee has considered the response but will be subject to full council approval following the April Council meeting.
- 3 Resource Implications.
- 3.1 The services of an Aviation Acoustic Consultant and Aviation Economist continue to provide additional advice. The cost has been included within revenue estimates.
- 4 Equality and Good Relations Considerations
- 4.1 None.
- 5 Recommendations
- 5.1 Members are invited to
- Consider the content of this report and to endorse the attached draft consultation response and agree to forward to the Department of the Environment following committee, advising that it will be subject to full Council approval in April.
 - Agree that the council continues to seek specialist advice."

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Appendix 1 - Draft council response for consideration by Committee

Strategic Planning Division (Headquarters)
Department of the Environment
Millennium House
17 – 25 Great Victoria Street
Belfast.
BT2 7BN

Re: George Best Belfast City Airport Planning Agreement Modification Process.

Dear Sir

As a consultee, Belfast City Council has reviewed the content of the George Best Belfast City Airport 'Request and Related Documents' in support of the Airport's request to vary the terms of its Planning Agreement with the Department of the Environment of 22 January 1997, as modified in 2008, pursuant to Article 40A(1)(a) of the Planning (Northern Ireland) Order 1991 and would submit the following comments by way of representation response.

Belfast City Council is supportive of George Best Belfast City Airport's aspirations for passenger growth and is cognisant of the benefits that such an expansion will bring in terms of both local employment and added value to the local economy.

The Council also appreciates the need to ensure effective noise management arrangements are in place to ensure that noise levels experienced by exposed communities are kept to lowest levels that can reasonably be managed.

Therefore the Council considers that the size of the noise control contour and the management conditions contained in any new Article 40 agreement are crucial to ensuring that the abovementioned benefits are realised whilst providing reasonable protection to local residents impacted by the Airport's operations. The council also recognises that George Best Belfast City Airport wishes to achieve this balance. The council also welcomes that the airport will continue to commission independent annual reports, through the Department for Regional Development (Air and Sea Ports branch) on its performance against set noise management criteria.

It is important that airports are incentivised to implement continuous improvement in noise management practices required in order to achieve the desired balance. This is the case with some United Kingdom airports which continue to achieve sustainable economic growth whilst at the same time have been able to reduce their noise contours as aircraft become quieter and good noise management practices enhance operations.

For these reasons, Belfast City Council requests that the forthcoming inquiry should examine the Airport's expansion proposals giving consideration to the noise management proposals submitted, including the control contour size and any other appropriate measures that may achieve the right balance between the socio-economic benefits of airport expansion with the need to provide reasonable protection to the

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surrounding community (an outcome that both the applicant and Minister have stated they are seeking).

Should you have any queries regarding these comments, in the first instance please contact Stephen Leonard, Environmental Health Manager (Environmental Protection and Public Health & Housing Unit) on 028 9032 0202 ext 3312.

Yours sincerely

Councillor Claire Hanna
Chairman
Town Planning Committee

The Committee endorsed the aforementioned response to the Department of the Environment.

Routine Correspondence

It was reported that correspondence had been received from various statutory bodies, agencies and other organisations in respect of the undernoted:

Notification from the Roads Service of:

- the Statutory Rule and associated maps in relation to the M1/Trunk Road T3 and M1-M2 Link (Amendment) Order (Northern Ireland) 2014;
- the removal of a disabled parking bay at 6 Ravenhill Parade;
- the provision of accessible blue badge parking bays at:
 - 101 Tildarg Street; and
 - 22 Wheatfield Crescent;
- the proposed abandonment at Templemore Avenue.

Notification from the Northern Ireland Housing Executive of:

- the extinguishment of public rights of way on portions of footway and roadway to the front of 172 to 178 and 190 to 202 Ballysillan Avenue; portions of footway to the rear of 69 to 71, 77 and 172 to 178 Ballysillan Avenue; and the footway to the side of 196 Ballysillan Avenue;
- the formal notice in relation to the making of a Vesting Order for Moltke Street; and
- the operative date for a Vesting Order at Loughview Terrace and other lands.

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Copies of the letters, maps and orders relating to the above-mentioned matters were made available at the meeting for the information of the Members.

The Committee noted the information which had been provided.

Request for Deputations

The Members were informed that a request had been received from the West Belfast Area Working Group for the Committee to receive deputations from the Fold Housing Group and the Finaghy Road North/Blacks Road Residents at a future meeting to discuss in further detail the application related to the mixed use development at the former Visteon site.

The Committee agreed to receive the deputations as outlined.

Meeting of the Committee during May, 2014

The Committee noted that the Strategic Policy and Resources Committee, at its meeting on 21st February, had, given that the Local Government Elections were due to take place on 22nd May, agreed that all Committee meetings in May should be cancelled to allow Members to concentrate on the forthcoming European Parliament and Local Council Elections.

The Committee agreed not to hold any meetings in May and that authority be delegated to the Chief Executive, in consultation with the Party Leaders and the Chairmen of the Strategic Policy and Resources and the Town Planning Committees, to take any urgent decisions, as was routinely set in place during the recess month of July each year.

Planning Application Z/2013/0637/F
Fascia Sign for Arc Café, Orangefield
Presbyterian Church, 464 Castlereagh Road

It was reported that correspondence had been received from the Area Planning Office in relation to the above-mentioned matter which had indicated that, having considered all the relevant factors, the Planning Service remained of the opinion that the application in respect of the proposed erection of four fascia signs on an existing glazed panel between the ground and first floors was unacceptable and that a decision to refuse would be issued within the near future.

Noted.

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Historic Buildings Lists

**76 South Parade, including garage, outbuilding and gate
78 South Parade, including garage and walling**

The Committee was advised that notification had been received from the Department of the Environment, in exercise of the powers conferred on it by Article 42 of the Planning (Northern Ireland) Order, 1991, and of every other power enabling it in that behalf, in respect of the inclusion of the above-mentioned buildings within that organisation's list of buildings of special architectural or historic interest.

The Committee noted the information which had been provided.

New Planning Applications

The Committee noted a list of new planning applications which had been received by the Planning Service from 24th January until 21st February.

Appeal Decisions Notified

The Committee noted the outcome of a planning appeal in respect of a mixed use regeneration scheme at land at the existing Department of Regional Development surface car park at Frederick Street.

**Streamlined Planning Applications –
Decisions Issued**

A list of decisions which had been issued by the Planning Service between 13th February and 26th February in respect of streamlined planning applications was noted by the Committee.

Deferred Items Still Under Consideration

A list of deferred items, which were still under consideration by the Planning Office, was noted by the Committee.

Reconsidered Items – Application Withdrawn

At the request of the Planning Service, the undernoted reconsidered item was withdrawn:

<u>Site and Applicant</u>	<u>Proposal</u>	<u>Divisional Planning Manager's Opinion</u>
Lands east of 60 Quarry Road, Mrs. M. E. Patterson	The proposed minor re-siting and change to house type design of an existing approved dwelling on a farm.	Refusal

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**THE COMMITTEE DEALT WITH THE FOLLOWING ITEMS IN PURSUANCE
OF THE POWERS DELEGATED TO IT BY THE COUNCIL**

Reconsidered Items

The Committee considered further the undernoted planning applications and adopted the recommendations of the Divisional Planning Manager thereon:

<u>Site and Applicant</u>	<u>Proposal</u>	<u>Divisional Planning Manager's Opinion</u>
37 Stormont Park, Mr. W. Atchinson	The demolition of an existing garage and the construction of a new garage with a study above.	Approval
16 Malone Court, Mr. and Mrs. S. Lowery	A 2 storey extension to the rear of the existing dwelling, a single storey extension to the existing detached garage and a pitched roof to replace the existing flat roofed porch.	Approval
33 Massey Avenue, Assembly Coffee Limited	Non-compliance with planning conditions 2 and 3 of Z/2011/0481/F.	Refusal
2 and 4 Foxglove Street, Mr. D. Anderson	A proposed housing development comprising of 3 apartments with garages, storage and enclosed turning facilities	Refusal

Schedule of Planning Applications

The Committee considered the schedule of planning applications which had been submitted by the Divisional Planning Manager in respect of the Council area and agreed to adopt the recommendations contained therein with the exception of those referred to below:

<u>Site and Applicant</u>	<u>Proposal</u>	<u>Divisional Planning Manager's Opinion</u>
Land to the rear of 26 to 30 Belmont Avenue, Mr. S. McCusker	The erection of one, detached dwelling. [Deferred at the request of the Committee to enable an office meeting to be held: Criteria 4]	Approval

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<u>Site and Applicant</u>	<u>Proposal</u>	<u>Divisional Planning Manager's Opinion</u>
Lands at the junction of Belmont Road and Pirrie Road, adjacent to 275 Belmont Road, Henderson Property Group	A proposed neighbourhood shop with petrol filling station facilities, automatic telling machine, forecourt canopy and carparking. [Deferred at the request of the Committee to enable an office meeting to be held: Criteria 5.]	Refusal

Chairman