

Planning Committee

Tuesday, 12th December, 2023

HYBRID MEETING OF THE PLANNING COMMITTEE

Members present: Councillor Garrett (Chairperson);
Aldermen Lawlor, McCullough and Rodgers;
Councillors Anglin, Bell, Bradley, Brooks,
Carson, Doherty, P. Donnelly, S. Douglas
Doran, Ferguson, Groogan, Hanvey, Maskey,
McCann, Nic Bhranair and Whyte.

In attendance: Ms. K. Bentley, Director of Planning and Building Control;
Ms. N. Largey, City Solicitor;
Mr. K. McDonnell, Solicitor (Regulatory and Planning)
Mr. E. Baker, Planning Manager (Development Management);
Ms. C. Reville, Principal Planning Officer;
Mr. M. McErlean, Senior Planning Officer;
Ms. L. Walshe, Senior Planning Officer; and
Ms. C. Donnelly, Democratic Services Officer.

Apologies

No apologies for inability to attend were reported.

Minutes

The minutes of the meeting of 14th November, 2023 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 December, 2023, subject to the omission of those matters in respect of which the Council had delegated its powers to the Committee.

Declarations of Interest

Councillor T. Brooks declared an interest in relation to item 8a on the agenda, LA04/2023/292/F - Redevelopment of existing surface car park for the erection of new purpose built, managed student accommodation scheme comprising of 354no. units with shared amenity spaces, ancillary accommodation, on street car parking and landscaping, site bounded by Glenalpin Street, Wellwood Street and Norwood Street, in that she owned a property adjacent to the application site and stated that she would leave the meeting while the item was being considered.

Councillor Whyte declared an interest in relation to item 10j on the agenda, LA04/2023/3832/F- Section 54 application to vary condition No. 4 of LA04/2013/434/F (as amended in PAC decision 2016/A0033) to vary trigger point for provision of community centre. Amended text for this condition: In accordance with the Phasing Plan agreed under Condition 3 and on the occupation of the first residential unit, the Council shall be notified, and no later than six years from that date the Community Centre and associated infrastructure, marked on stamped

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approved drawing no. 2E, dated 28.08.2015 shall be completed and a report submitted to the Council to verify this, Blacks Gate Development (Former Visteon Factory) Blacks Road, in that the applicant was a client which he had undertaken work for.

Withdrawn Items

The Committee noted that item 9c on the agenda, under the heading LA04/2022/2103/F - Proposed change of use and redevelopment of the existing waste management facility and adjoining plant hire business to create a new waste disposal installation for the incineration of healthcare and hazardous waste streams and associated works. - 1 and 2 Duncrue Pass, had been withdrawn.

Committee Site Visits

Note of Committee Site Visits

The Committee noted the Committee site visits and agreed to defer the undernoted applications in order that the Committee could undertake a site visit:

- LA04/2023/2668/F - Demolition of existing buildings and the erection of an affordable housing development comprising of 71No. units with a mix of apartments and townhouses, including an ancillary community hub and offices, car parking, landscaping and all associated site and access works - Lands bound by Pilot Street, Short Street, the rear of nos. 11-29 Garmoyle Street and, the rear of Nos. 63 and 65a Dock Street and No. 123 Corporation Street;
- LA04/2023/2388/F - Residential development comprising 256no. units, public realm, and associated access and site works. - Lands immediately North of Cross Harbour Bridge, East of Donegall Quay and South of AC Marriott Hotel, City Quays; and
- LA04/2022/0097/F - Proposed three and a half storey residential development comprising of 18no. units (3no. wheelchair apartments and 15no. Category 1) and associated access, bin storage, boundary treatments, bike stands, car parking and site and landscaping works (Amended Drawings) - 22-30 Hopefield Avenue.

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Request for Briefing and Site Visit - LA04/2020/2607/F - Residential development for the erection of 33 no dwellings (including 5 no affordable units) including public open space, equipped children's play area and associated development as enabling works to deliver the refurbishment of 3 no listed pavilions within the Belvoir Park Hospital complex. Former Belvoir Park Hospital Site Hospital Road, Belfast

The Committee acceded to the request.

Request for Site Visit - LA04/2022/1219/F - Demolition of existing building and erection of 11 storey building (May Street/Victoria Street) and 4 storey building (Gloucester Street) comprising 77 apartments with communal areas, ground floor retail services (A2) unit, cycle and car parking, and vehicular access via Gloucester Street - 177-183 Victoria Street 66-72 May Street and 4-8 Gloucester Street

The Committee acceded to the request.

Provision/Removal of Accessible Parking Bays

The Committee noted the provision of accessible parking bays at the following locations:

- Cliftonville Circus;
- 28 Ava Crescent;
- 236 Duncairn Gardens; and
- 17 Cooke Street.

Proposed Speed Limit Reduction

The Committee noted the speed limit reduction for Ballygowan Road.

Appeals

The Committee noted the appeals decisions.

Planning Decisions Issued

The Committee noted the planning decisions issued in November, 2023.

The Committee further noted that the Department for Infrastructure had determined that, under the terms of Section 88 of the Planning Act (Northern Ireland) 2011, application LA04/2021/1318/DCA was required to be referred to it for determination. The Department also

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required the referral of application LA04/2021/1317/7, under the terms of Section 29 of the Act.

Miscellaneous Reports

Delegation of Applications with NIW Objections

The Committee agreed to delegate to the Director of Planning and Building Control those Local planning applications to which NI Water has objected set out in the report.

Planning Service Updated Improvement Plan

The Committee considered the undernoted report:

“1.0 Purpose of Report or Summary of Main Issues

To report on the Planning Service’s updated Improvement Plan. The report includes current challenges for the Planning Service and how these are being addressed. The report also includes an update on the ‘lean redesign experimentation’, previously reported to the Committee in [April 2023](#).

2.0 Recommendation

2.1 The report is for notation.

3.0 Main Report

Background

3.1 The Planning Service first published its Improvement Plan in 2018, following an independent review in 2017. Central to the recommendations of the independent review was the implementation of ‘10 Operating Principles’, aimed at front-loading the planning application process and providing a more efficient, effective and customer-focused service. This also included the publication of an *Application Checklist*, which sets out the minimum information requirements for applications when they are submitted. Belfast remains the only Planning Authority in NI which publishes such comprehensive guidance, and the Department for Infrastructure (‘Department’) has recognised the important role it has played in improving the application process, committing to introduce legislation to make such checklists mandatory as they are in GB.

3.2 Since 2018, the Planning Service has regularly updated its Improvement Plan and periodically reported it to the Committee.

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Following a recent period of significant strategic change, including the implementation of the new Planning Portal in December 2022 and adoption of the Belfast Local Development Plan: Plan Strategy, the Improvement Plan has been reviewed and further updated. For the next period, its key priorities are to reduce the number of live planning applications in the system and further improve the operational effectiveness of the Development Management ('DM') service.

Current challenges

3.3 The Planning Service has experienced significant challenge over the past 12 months or so, including:

- **Implementation of the new Planning Portal in December 2022;**
- **Adoption of the Belfast Local Development Plan: Plan Strategy in May 2023;**
- **Staff turnover and long-term absence;**
- **Ongoing difficulties with the statutory consultation process and limitations of the NI planning system generally; and**
- **Continued high number of live applications, originating from the COVID-19 pandemic and contributed by the above factors.**

Implementation of the new Planning Portal

3.4 The new regional Planning Portal went live in December 2022. It took around 3 months for the new system to become stable, impacting on the throughput of applications and performance.

3.5 Belfast City Council has responsibility for the contract management of the new Planning Portal ('Intelligent Client Function') and is taking a lead role in continuous improvement of the system. The new team has settled in well and has received positive feedback from the partner Planning Authorities.

3.6 A key benefit of the new system is the ability to submit online applications with 83% of applications to the Council made online since go live in December 2022.

Belfast LDP: Plan Strategy 2035

3.7 The Plan Strategy was adopted in May of this year. It will continue to take time for the new Plan Strategy to completely bed in as officers, agents, applicants and developers build confidence in understanding and applying its new policies. There continues to be focus on staff training and development, particularly around new

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policy areas such as affordable housing, housing mix, mitigation and management of climate change, and SuDS.

Statutory consultation process and issues with the NI planning system

- 3.8 Applications of any tangible scale and significance require input from central government departments through the statutory consultation process. Statutory consultee performance remains patchy, with some consultees taking many weeks if not several months to provide a substantive response. There are particular issues with response times and support from DfI Roads, DfI Rivers and DAERA. This often results in delays and uncertainty to the application process.**
- 3.9 The Planning Service continues to play a prominent role in pushing for significant reform of the regional NI planning system and advancing the regional improvement programme.**

Backlog of live applications

- 3.10 Prior to COVID-19, the Planning Service had around 850 live applications. This grew to around 1,250 applications during the pandemic, increasing individual caseloads to unsustainable levels. Whilst the number of live cases was reduced to below 1,000 by November 2022, the issues around implementation of the new Planning Portal, adoption of the Plan Strategy and staff turnover have contributed to an increase to the current 1,100 live cases. There is currently a significant drive to reduce the number of live applications to more sustainable levels.**

Performance

- 3.11 The Planning Service is subject to three statutory indicators. These are set out in the table below along with last year's performance, current performance and peak performance since transfer of planning powers to the Council in 2015.**

Description	Target	Peak	2022/23	Current
Major applications	30 weeks (average processing time)	31.0 weeks (2021/22)	57.2 weeks	66.0 weeks
Local applications	15 weeks (average processing time)	14.0 weeks (2019/20)	19.8 weeks	19.6 weeks
Enforcement cases	70% cases concluded	93.2% (2019/20)	N/A	90.6%

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	within 39 weeks			
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- 3.12 Under performance of these statutory indicators is a result of a range of contributing factors, including those set out previously, some of which are outside the control of the Council. Work is ongoing at a regional level to improve the NI planning system as a whole and to develop a new Regional Performance Framework. This framework will support the council reporting on quantitative and qualitative performance in a more detailed way, helping to identify areas for improvement at regional level. The Planning Service is also developing a new local performance framework to support further improvement.
- 3.13 In relation to Major application performance, the Section 76 planning agreement process remains a key issue. Planning and Legal Services continue to work closely together to improve the process, including the implementation of model planning agreements and customer guidance. Planned improvements in this area could have a significant positive impact on Major application performance.
- 3.14 The enforcement service continues to exceed its statutory targets.
- Improvement**
- 3.15 Following this period of significant strategic change, the specific focus now is on reducing the number of live applications and improving the operational effectiveness of the DM service. This will be built around a focus on 'People', 'Policy' and 'Process' as set out in the updated Planning Service Improvement Plan.
- 3.16 Central to this improvement will be the empowerment of staff, building individual and team confidence. The objective is to support corporately aligned and autonomous decision-making by individuals at all levels within the Planning Service. This is vital to the delivery of the service as it not sustainable for decision-making to be funnelled through a small number of more senior officers.
- 3.17 In these regards, the Improvement Plan aligns with the Council's new People Strategy, providing an environment in which staff can demonstrate the organisational values of 'integrity', 'responsibility', 'creativity' and 'problem solving'.
- 3.18 Key actions in the updated Improvement Plan include the following:
- Streamlining operational processes including the wider roll out of the new lean experimentation approach to applications;
 - Simplifying the PAD process to make it quicker and more responsive;

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- Staff training and development;
- Reviewing the current 10 Operating Principles;
- Making more effective use of the new Planning Portal;
- Improving the Section 76 planning agreement process; and
- Continuing to influence positive change and improvement to the NI planning system

3.19 It is expected that there will be tangible improvement to performance over the coming months with performance continuing to be monitored monthly.

Reorganisation of the DM team

3.20 In June 2023, the DM teams were reorganised to provide a more suitable staffing structure to support these changes. Since transfer of planning to the Council in 2015, the Planning Service had operated two DM teams – a small ‘Majors’ team that processed Major applications (about 1% of all applications) and a much larger ‘Locals’ team that processed the remainder (99%). This model was no longer considered fit for purpose and so the DM service has been reorganised into two geographical area teams covering North and East; and South and West respectively.

3.21 There are several benefits of this new structure, notably:

- More equitable roles, particularly at Senior Planning Officer level, with responsibility for sign off of decisions spread across a greater number of Senior Officers to avoid blockages;
- Greater flexibility in moving work between the two teams to respond to spikes in applications, PADs and other work; and
- Crucially, providing better support for cases officers and widening their experience and development. The new structure means that work on Major and strategic applications can be supported by more junior officers within the sub-teams so as to widen experience and provide a broader ‘team approach’ to project work.

3.22 Each area team is managed by a Principal Planning Officer under the overall management of the Planning Manager (Development Management).

Lean redesign experimentation

3.23 In December 2022, the Planning Service first reported to the Committee on the innovative experimentation that it has been undertaking following lean systems redesign principles. Since August 2022, a small project team within the Planning Service has

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experimented with 291 applications, determining 173 of these with an approval rate of 98% (94% normal approval rate).

3.24 Table 1 below shows previous and current lean performance with a comparison against current Planning Service performance as a whole.

Performance measure	November 2022	November 2023	All Local applications
Valid to decision	5 weeks	11 weeks	19.6 weeks
Receipt to decision	7 weeks	11 weeks	(Not measured)

Table 1: Previous and current lean experimentation performance

3.24 The lean experimentation has been impacted by the same challenges affecting the wider DM service as set out earlier in this report, including issues around implementation of the new Planning Portal. Therefore, application decisions have been removed from Table 1 for the period from 18 November 2022 to 31 March 2023 during which the Planning Portal was bedding in. These challenges have also prevented the project team expanding beyond two case officers. Nevertheless, the project team has experimented with around 300 applications, amassing significant learning.

3.25 The key learning points from the experimentation to date have been:

- **Assessment of applications on ‘Day 1’ allows the project team to make decisions much more quickly;**
- **Prompt, direct customer contact builds relationships and saves time;**
- **Significant scope to reduce hand-overs and inefficiencies;**
- **Experimental methodology best relates to relatively straightforward applications, although since the summer the project team has been experimenting with large scale Local and Major applications;**
- **As a by-product, the project team has identified areas where amendments to legislation could make huge differences overall. The Department has accepted that this lean methodology should be applied to the NI planning system overall; and**
- **Case officers have more variety in their work, making it more enjoyable and supporting their development.**

3.26 Some areas of learning have already been applied to the rest of the DM service to improve overall efficiency and effectiveness of the wider team. Moving forward, it is planned to roll out the new lean way of working to the whole DM service, initially at Assistant

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Planning Officer level, which undertakes over half of the overall casework, as proportionately this will have the greater benefit on delivery of the Planning Service in the shortest space of time.

4.0 Financial and Resource Implications

4.1 There are no financial or resource implications associated with this report.

5.0 Equality or Good Relations Implications / Rural Needs Assessment

5.1 There are no equality or good relations / rural needs implications associated with this report.”

Noted.

Appeal for Non-Determination

LA04/2023/2922/F - Redevelopment of existing surface car park for the erection of new purpose built, managed student accommodation scheme comprising of 354no. units with shared amenity spaces, ancillary accommodation, on street car parking and landscaping - Site bounded by Glenalpin Street, Wellwood Street and Norwood Street

The Senior Planning Officer provided the Committee with an overview of the proposal and highlighted the following key issues for the assessment of the application:

- Principle of development;
- Scale, Massing and Design;
- Climate change;
- Open Space Provision;
- Impact on Built Heritage;
- Traffic and Parking;
- Impact on Amenity;
- Contamination;
- Impact on Air Quality;
- Noise;
- Drainage and Flooding;
- Waste water infrastructure;
- Waste Management;
- Developer Contributions/Section 76 Agreement; and
- Pre-application Community Consultation.

He pointed out that DfI Roads had raised concerns due to the absence of disabled parking and explained that the zero-parking scheme was consistent with previously approved city centre purpose built managed student accommodation schemes which had also provided

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no in-curtilage parking, subject to robust Travel Plans and that two disabled parking spaces had been proposed in a lay-by on Norwood Street.

He referred the Committee to the addendum report that stated: *'The appeal was submitted within a timely manner (i.e. after 2 months from the application valid date and within 4 months of when the decision should have been made, i.e. by 18th February 2024)'* and he pointed out that the date for submission should be taken as 13th November, 2023 as the 16 week target for determination of a major application, 13th July, 2023 plus four calendar months.

He reported that no other consultees had offered any objection and that 166 representations in objection to the proposal had been received along with a 271 signature petition and he outlined the officer responses to the concerns which had been raised in the representations.

He stated that, having regard to the development plan and other material considerations, the proposal was considered unacceptable as the site was located within an established residential area and, as such, was contrary to Policy HOU12 of the Plan Strategy. He added that there had been no completed Section 76 planning agreement in place to secure the management plan and employability and skills plan necessary to make the development acceptable.

The Committee agreed that the Council's position at the appeal should be that planning permission be refused and that the appeal be dismissed.

Planning Applications previously considered

LA04/2022/0118/F - Erection of 46No.apartment units over three storeys, with associated car parking site and landscaping works and the alteration of an existing vehicular access. (amended plans received 21-9-23) - 146 Parkgate Avenue

The Planning Manager explained that the application had been approved by the Committee at its meeting in October, 2023 and that, in subsequent discussions with the applicant, it had become apparent that the applicant did not own all of the lands to the west and south-west which had been proposed as open space in the application.

He stated that the applicant could therefore only provide a reduced area of open space in association with the proposed development and referred the Committee to an amended site location plan that outlined lands within the applicant's ownership and an amended site layout.

He explained that the lands adjacent to the site which had been confirmed as being in the applicant's control, 1050sqm, had been proposed as open space, which equated to 32% of the application site and well above the minimum 10% requirement.

The Committee agreed to approve the application, subject to conditions and a Section 76 planning agreement and delegated authority to the Director of Planning and Building

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Control to finalise the wording of the conditions and the Section 76 planning agreement and to deal with any other matters that might arise prior to the decision being issued, provided that they were not substantive.

LA04/2022/1203/F - Relocation of 5 No. allotments approved under LA04/2020/0042/F. Introduction of an additional No. 8 allotments, a sensory garden and support hub building for day care of young adults (Amended application site boundary, proposal description and drawings) - Glenriver Lands adjacent to 78 Cloona Park

The Planning Manager explained that consideration of the application had been deferred by the Committee at its meetings in October and November, 2023 in order that the Committee could undertake site visits to the proposed location.

He provided the Committee with an overview of the application and highlighted the following key issues:

- Principle of development;
- Impact on the character and appearance of the area;
- Compatibility with adjacent uses;
- Impact on Built heritage;
- Access and parking;
- Drainage;
- Waste-water infrastructure;
- Contamination;
- Noise, odour and other environmental impacts;
- Climate change; and
- Natural heritage.

He stated that the site was located within the Colin Glen (Lisburn) Urban Landscape Wedge and had been zoned for landscape, amenity or recreation use in the BUAP 2001 and that the majority of the site had previous approval for allotments and ancillary storage/changing facility/kitchenette.

He reported that there were no objections from statutory consultees, however, 435 objections had been received from local residents, including two petitions, which highlighted the following concerns with regard to the proposal:

- Nature and scale of the development;
- Importance of the Urban Landscape Wedge;
- Loss of Open Space;
- Impact on the environment;
- Impact on amenity (noise);

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- Measurements in the Contamination Assessment;
- Traffic and Road Safety;
- Access should be from Stewartstown Road instead; and
- Anti-social behaviour.

The Planning Manager explained that the applicant was a private healthcare group which intended to use the site as a support hub for the care of vulnerable young adults and that the building would support the therapeutic aspect of the allotments, especially in poor weather.

He reported that the applicant had stated it had experience of operating a similar facility for people with learning difficulties and autism at Kilcreggan, Magherafelt and that the proposal would be a significant community benefit for west Belfast.

He stated that the proposal was in conflict with landscape policies, however, the overall landscape impact was not considered to be significant and that the redevelopment would bring substantial community benefits that decisively outweigh the loss of the open space

He explained that the use of the building would be restricted by a condition to day care facilities for vulnerable young adults, Monday to Friday from 9.00 a.m. to 5.30 p.m. and occasionally on weekends for special events, He added that the proposal would be supported by three to four members of staff, with 10 to 15 vulnerable adults visiting the premises each day, transported by minibus and, occasionally, by parents and/or carers.

He reported that, on balance, it was recommended that the Committee approve the application.

The Chairperson welcomed Ms. C. McIlver to the meeting, who was attending in representation of the applicant, Conway Healthcare Group.

Ms. McIlver explained that Conway Healthcare Group fully appreciated that the application was complex and had received a high level of objection from local residents but that the magnitude of community benefits outweighed any policy objection or local opposition.

She highlighted the applicant's strong fallback option, the principle of developing an allotment facility with accompanying structures at the proposal site, with access via Cloona Park had been established two years previously and remained live for another three years and would be implemented irrespective of the outcome of the application.

She explained that there was a need for a specially designed support building and that, without suitable shelter, service users and staff would be unable to attend the outdoor facility in bad weather.

She stated that the mobile containers which had been previously approved would only provide basic facilities and were not large enough to allow users to congregate inside, socialise, eat lunch and develop friendships. She added that, whilst the support building was larger than the mobile structures previously approved, the proposed built form was relatively modest, with the primary use of the site given over to outdoor usable space in the form of allotments, vegetable patches and sensory gardens.

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She stated that the majority of local opposition was regarding access to the proposal via Cloona Park and that the access arrangement has been approved by DfI Roads under the previous application and would not unacceptably affect amenities and land/buildings that ought to be protected in the public interest. She added that third party concerns were not determining in the application and should not warrant blocking the development of a valuable community facility in a small section of underused, overgrown, inaccessible open space.

She concluded by stating that Conway Healthcare Group would deliver and operate the proposed outdoors allotment facility that local families would greatly benefit from and that there was a reasonable argument that policy objections could be outweighed by the community benefits and locational advantage of reusing and repurposing vacant grassland.

The Chairperson thanked Ms. McIlver for her representation and welcomed Mr. P. McGeough, Mr. S. Keenan and Mr. B. Moane from Cloona Park/Helens Wood Residents Association, who were attending the meeting in objection to the application.

Mr. McGeough stated that he was in agreement with the assertions in the report that the application did not comply with the relevant planning policies, SPPS 6.200 and 6.201, LC1 and LC1D which sought to protect and where appropriate, restore or improve the quality and the amenity of the landscape.

He explained that the application sought to develop a building and carpark on existing open space that was an Urban Landscape Wedge and that it had not been clearly established that the proposal would bring a substantial community benefit that would outweigh landscape impact or the loss of open space.

He stated that, in terms of open space policy, consideration may be made to balancing other community gains with the loss of open space, however, no such provisions were included in the policy for Urban Landscape Wedges and was contradictory to planning policy as confirmed in Mark Whittaker's (Plans and Policy Team) consultation response.

He reported that the function of the landscape wedge was to provide a visual and physical break between areas of built development and, therefore, any significant development within the Wedge would wholly undermine its fundamental function. He added that the Urban Landscape Wedge aimed to act as a buffer landscape which sought to prevent the merging of different city communities and provide valuable open space for the people of the urban area and had a significant role in helping to define and retain the identities and character of the component parts of the Suffolk, Cloona and Helens Wood urban areas.

He concluded by stating that the recommendation for approval contradicted the advice and guidance from the Council's Landscape and Development Team and its Plans and Policy Unit and that the proposal did not demonstrate the community benefits of losing a valuable open space and developing an Urban Landscape Wedge, identified and depicted as a Community Greenway in the BUAP 2001, dBMAP 2015 (ML23) and LDP 2035.

He stated that Cloona Park/Helens Wood Residents Association considered that the proposal, on balance, was totally unacceptable and urged the Committee to reject the proposal.

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The Chairperson thanked the representatives from Cloona Park/Helens Wood Residents Association for their deputation.

Several Members raised concern with regard to the access and egress of construction traffic related to the proposal and asserted that site access from Stewartstown Road should be considered as a condition of the application.

The Committee agreed to approve the application, subject to conditions and delegated authority to the Director of Planning and Building Control to finalise the wording of the conditions and deal with any other matters which might arise prior to issuing the decision, provided that they were not substantive.

LA04/2020/2285/O - Two storey detached dwelling with garden and associated parking - Land adjacent to 39 and 40 Stirling Road

The Principal Planning Officer provided the Committee with an overview of the application and highlighted the following key issues considered in the assessment of the proposed development:

- Principle of development;
- Impact on Amenity;
- Impact on Character and Appearance;
- Flood Risk; and
- Access and parking.

She explained that 11 representations had been received, that included 10 letters of objection and one letter of support, and that the main issues which had been raised referred to road safety, the loss of a turning head, impact and character of the area and the neighbour notification process.

She stated that, having regard to the development plan and other material considerations, the proposed development was considered acceptable and that it was recommended that planning permission would be granted, subject to conditions.

The Committee approved the application, subject to conditions, and delegated authority to the Director of Planning and Building Control to finalise the wording of the conditions and to deal with any other matters that might arise prior to issuing the decision, provided that they were not substantive.

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New Planning Applications

**LA04/2021/2687/F - Residential development
for 87 no. apartments (1 no. and 2 no. bedroom)
of which 18no. units are affordable housing,
internal car park, landscaped gardens/ terraces
and all associated site works (amended description
and plans). - 3 Milner Street**

The Senior Planning Officer provided the Committee with an overview of the application and highlighted the following key issues:

- Principle of development;
- Design, scale, layout and impact upon the character and appearance of the area;
- Impact on Amenity;
- Affordable Housing and Housing Mix;
- Accessible and Adaptable Accommodation;
- Climate Change;
- Drainage;
- Traffic, Movement and Parking;
- Waste-water Infrastructure;
- Health Impact;
- Ecology;
- Contamination, Air Quality, Noise and other environmental impacts;
- Pre-application Community Consultation; and
- Developer Contributions/Section 76 Agreement.

She stated that the only consultee to offer an objection to the application was NI Electricity and that the issues raised had been addressed. She added that five additional representations had been received following the publication of the Committee report, that cited issues with parking, underprovision of social housing and a desire to see low rise social housing, rather than apartments and that all issues had been raised in previously received representations and had been addressed in the report.

She reported that, having regard to the development plan and other material considerations, the proposal was considered, on balance, to be acceptable and that it was recommended that planning permission was granted.

The Committee granted planning permission, subject to conditions and a Section 76 planning agreement and delegated authority to the Director of Planning and Building Control to finalise the wording of the conditions, Section 76 planning agreement and the response from NIE.

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**LA04/2023/3030/F - Erection of 201-bed
Purpose Built Managed Student Accommodation
scheme and retail unit (11-storey) (amended
description and plans). - 41-49 Dublin Road and
3-5 Ventry Street**

The Senior Planning Officer outlined the application to the Committee and explained the following key issues that were relevant to consideration of the application:

- Principle of development;
- Scale, Massing and Design;
- Open Space Provision;
- Impact on Built Heritage;
- Traffic and Parking;
- Impact on Amenity;
- Climate Change;
- Health Impact;
- Contamination;
- Air Quality;
- Noise;
- Drainage and Flooding;
- Wastewater infrastructure;
- Waste Management;
- Ecology;
- Developer Contributions/Section 76 Agreement; and
- Pre-application Community Consultation.

She reported that no consultees had offered any objection to the proposal and that the applicant had confirmed that it would provide cycle parking in response to one minor matter raised by DfI Roads, which had stated that 52 cycle stands must be shown in an amended plan. She added that two objections from an adjacent landowner with regard to windows on the boundary had been addressed by the application in the amended scheme.

She stated that it was recommended that planning permission was granted, subject to a Section 76 planning agreement.

The Committee granted planning permission, subject to conditions and a Section 76 planning agreement and delegated authority to the Director of Planning and Building control to finalise the wording of the conditions, Section 76 planning agreement and response to DfI Roads.

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**LA04/2023/4165/F - Vary Conditions 15 and 16 of
LA04/2020/0673/F, relating to trees and landscaping
- Lands at "The Bullring" located parallel to the
Westlink motorway and adjacent Denmark Street/California
Close between Peters Hill and Regent Street**

The Principal Planning Officer explained that the application sought to vary conditions 15 and 16 of planning permission LA04/2020/0673/F, which granted planning permission for environmental improvement works that included new footpaths and cycleway, new multi-use games area, new outdoor gym equipment, new play area, new street furniture and park lighting, relocation of the community garden providing new polytunnel, toilet block, shed and allotment beds, new car park provision, landscape interventions including planting, woodland management, resurfacing, regrading and all associated works.

She stated that the proposal reflected a number of necessary design changes that related to a revised Tree Constraints Layout Plan which reflected where removed trees have been replanted and which trees had been lost as a consequence of vandalism, before contract commencement, and as a result of temporary replanting.

She pointed out that no consultees had offered any objection to the conditions and no representations had been received and that, having regard to the development plan and other material considerations, the proposal was considered to be acceptable.

The Committee approved the application, subject to conditions and delegated authority to the Director of Planning and Building Control to finalise the wording of the conditions, and deal with any other matters that might arise prior to issuing the decision, provided that they were not substantive.

**LA04/2023/2390/F - Section 54 application to vary a number
of conditions to allow the removal of 21
lay-by parking spaces to facilitate the introduction of
a new Vehicle Restraint System (VRS) to the southern
side of the approved east-west spine road. - Lands West
of Monagh By-Pass South of Upper Springfield Road and
30-34 Upper Springfield Road and West of Aitnamona
Crescent & St Theresa's Primary School. North and
East of 2-22 Old Brewery Lane Glanaulin 137-143a Glen
Road and Airfield Heights and St Mary's CBG School**

The Senior Planning Officer provided the Committee with an overview of the application which sought planning permission for the variation of a number of conditions on planning approval LA04/2020/0804/F (Glenmona) to allow the removal of 21 lay-by parking spaces to facilitate the provision of a new Vehicle Restraint System (VRS) to the southern side of the approved east-west spine road within a substantial mixed-use scheme that was under construction.

He highlighted the following key issues:

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- Loss of parking;
- Visual impact;
- Impact on amenity; and
- Developer contributions/Section 76 agreement.

He explained that the requirement for a new Vehicle Restraint System, given a drop in levels between an internal road junction and neighbouring residential properties, had resulted in the need for additional space to accommodate the safety feature and that, subsequently, a number of lay-by spaces had to be removed along the main east-west spine road.

He reported that DfI Roads had offered no objection to the removal of the parking spaces and was content that the remaining parking spaces were adequate to serve the approved development.

He stated that it was recommended that the Committee approve the application to remove 21 parking spaces and provide a new Vehicle Restraint System.

The Committee agreed to approve the application, subject to varied conditions that would facilitate the removal of 21 car parking spaces and provide a new vehicle restraint system, and delegated authority to the Director of Planning and Building Control to finalise the wording of the conditions and amend the original Section 76 planning agreement.

**LA04/2023/3462/F - Proposed change of use
of vacant first floor restaurant seating, storage
and ancillary space to amusement and gaming
to facilitate extension to existing ground floor
amusement and gaming premises, 24-28 Bradbury
Place**

The Senior Planning Officer outlined the application to the Committee and explained that the site was located within a two-storey building with glass frontage, of a modern design situated within a row of terrace buildings. He added that the site contained a mix of retail, office, bars and restaurants and he highlighted the following key issues for consideration:

- Principle of the change of use;
- Impact on the character and appearance of the area; and
- Impact on amenity.

She reported that previous approvals had established that, given the city centre location and mixed use of the area as an amusement arcade was suitable in the locations and that there would be no impact on the character and appearance of the area, given that the extension was located on the first floor of the existing building and that there were no proposed changes to the associated frontage.

She stated that it was recommended that the Committee approved the application, subject to conditions.

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The Committee approved the application, subject to conditions and delegated authority to the Director of Planning and Building Control to finalise the wording of the conditions, and deal with any other matters that might arise prior to issuing the decision, provided that they were not substantive.

LA04/2023/3547/F - Three storey side extension to existing Community Building to provide, Artist's Studio, Gallery Space, Digital Hub on ground and 1st floor and apartment to provide Artist's Residence on 2nd floor, 149-151 Sandy Row

The Senior Planning Officer provided the Committee with an overview of the application and referred to the following key issues to be considered:

- Principle of the Development;
- Scale, Massing and Design;
- Impact on Neighbouring Amenity;
- Parking;
- Environmental Policies; and
- NI Water.

She explained that the proposed location for the community use was considered appropriate within the city centre, would regenerate a vacant brownfield site and bring substantial community benefits to the surrounding area.

She stated that the surrounding area contained a mix of dwellings and large apartment blocks and that, given the sustainable location, the apartment on the second floor use was considered acceptable and that the scale, massing and design of the extension was considered sympathetic to the surrounding area.

She reported that it was recommended that the application would be approved, subject to conditions.

The Committee approved the application, subject to conditions and delegated authority to the Director of Planning and Building Control to finalise the wording of the conditions, and deal with any other matters that might arise prior to issuing the decision, provided that they were not substantive.

(Councillor Whyte left the meeting while the following item was under consideration.)

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LA04/ 2023/3832/F- Section 54 application to vary condition No. 4 of LA04/2013/434/F (as amended in PAC decision 2016/A0033) to vary trigger point for provision of community centre. Amended text for this condition: In accordance with the Phasing Plan agreed under Condition 3 and on the occupation of the first residential unit, the Council shall be notified, and no later than six years from that date the Community Centre and associated infrastructure, marked on stamped approved drawing no. 2E, dated 28.08.2015 shall be completed and a report submitted to the Council to verify this, Blacks Gate Development (Former Visteon Factory) Blacks Road

The Senior Planning Officer outlined the application to the Committee and explained that the key issue for the assessment of the application was the timing of completion of the approved community centre.

He reported that the first dwelling had been occupied on 29th July, 2021 and that, subsequently, the proposed variation of condition would require that the community centre would be completed by 29th July, 2027, as opposed to 29th July, 2024.

He stated that it was officers' opinion that an extension of time by three years, although unfortunate, would be entirely reasonable, given the circumstances and added that the developer would still be required to provide the community centre which would be secured as part of the approved mixed-use scheme.

The Committee granted planning permission for the variation of condition No. 4, to vary the trigger point for provision of community centre, previously approved as part of a wider mixed-use development including 244no social and private/affordable residential units and class B business units (class B1b/B1c/B2 uses), as follows:

*"In accordance with the Phasing Plan agreed under Condition 3 and on the occupation of the first residential unit, the Council shall be notified, and no later than **six years** from that date the Community Centre and associated infrastructure, marked on stamped approved drawing no. 2E, dated 28.08.2015 shall be completed and a report submitted to the Council to verify this."*

The Committee also delegated authority to the Director of Planning and Building Control to finalise the wording of the conditions, and deal with any other matters that might arise prior to issuing the decision, provided that they are not substantive.

(Councillor Whyte returned to the meeting.)

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Restricted Item

The information contained in the reports associated with the following item 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 meeting during discussion of the following item as, due to the nature of the item, there would be a disclosure of exempt information as described in Section 42(4) and Section 6 of the Local Government Act (Northern Ireland) 2014.

Quarter 2 Finance Report

The Director of Planning and Building Control provided the Committee with an update on the Quarter 2 financial position for the Committee, that included a reporting pack with a summary of financial indicators.

The Committee noted the report.

Chairperson