

# Planning Committee

Tuesday, 15th March, 2016

## MEETING OF PLANNING COMMITTEE

Members present: Councillor Garrett (Chairperson);  
Aldermen McGimpsey, L. Patterson  
and Stalford;  
Councillors Armitage, Bunting, Campbell,  
Heading, Hutchinson, Johnston, Magee,  
McAteer, McDonough-Brown and Mullan.

In attendance: Mr. P. Williams, Director of Planning and Place;  
Miss N. Largey, Divisional Solicitor; and  
Miss. E. McGoldrick, Democratic Services Officer.

### **Apologies**

No apologies were reported.

### **Minutes**

The minutes of the meeting of 16th February, and the special meeting of 23rd 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 1st March, subject to the omission of those matters in respect of which the Council had delegated its powers to the Committee.

### **Declaration of Interest**

Regarding item 8.c on the agenda, i.e., Z/2014/0586/F – proposed housing development at McClure Street, Councillor Mullan indicated that she had deferred the proposal when it had been presented to the former Town Planning Committee.

### **Committee Site Visits - 27th February, 2016**

Pursuant to its decisions at the meeting of 16th February, it was noted that the Committee had undertaken site visits on Saturday, 27th February in respect of the following applications:

- LA04/2015/1175/F - Student Accommodation on Lands at 78-86 Dublin Road; and
- Z/2015/0177/F - Student Accommodation at Philip House, 123-137 York Street.

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**Notice Letter and Direction, Glen Road Heights**

The Committee noted the receipt of correspondence from the Department of the Environment, which related to the proposed social housing development at Glen Road Heights, Glen Road.

**Abandonment of Public Rights of Way - Fortwilliam Parade**

The Committee noted the receipt of correspondence from the Department for Regional Development, which related to the proposed abandonment of a Public Right of Way at Fortwilliam Parade.

**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 Under Delegated Authority**

It was reported that an amended copy of the 'Planning Decisions Issued Under Delegated Authority' report had been tabled for consideration.

The Committee noted a list of decisions which had been taken under delegated authority by the Director of Planning and Place and the Town Solicitor between 4th February and 8th March.

**Departmental Performance Update (Oral)**

The Committee noted the contents of a report which gave an overview of the Department's performance up to the date of the meeting.

**Update on Belfast Metropolitan Area Plan (BMAP) Judicial Review**

With permission of the Chairperson, the Divisional Solicitor provided an update on the BMAP Judicial Review. She informed the Committee that the decision of the Judicial Review had been issued on Friday, 11th March and that the court had held the decision that the adoption of BMAP was unlawful. She advised that a proposed remedies hearing would take place in the coming weeks, however, in the meantime, BMAP would remain the adopted plan.

Noted.

**Miscellaneous Items**

**Timeline for Local Development Plan**

The Committee considered the following report, together with the associated Draft Belfast City Local Development Plan 2035, and Timetable, which was published on the Council's website:

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

**1.1 Prior to the production of the Local Development Plan (LDP) for Belfast City, the Council are required to produce a Timetable for the work required. This committee report seeks approval of the LDP Timetable as a public statement of the Council's programme for the production of its first LDP, which must be submitted to and agreed with the Department of the Environment before being formally published. The Timetable must be agreed and published before any work can formally commence on the production of the new LDP.**

**2.0 Recommendations**

**2.1 Approve the draft LDP Timetable and supporting document for submission to DOE and subsequent publication in accordance with the Planning Regulations.**

**3.0 Main report**

**Key Issues**

**3.1 As the local planning authority, the Council has a statutory duty to prepare a Local Development Plan (LDP) for the City. The LDP will set out a clear vision for how the Council area should look in the future by deciding what type and scale of development should be encouraged and where it should be located. It will inform the general public, statutory authorities, developers and other interested bodies of the policy framework and land use proposals for Belfast and will guide development decisions within the Council's area up to 2035.**

**3.2 The LDP will consist of the following two development plan documents:**

- **Plan Strategy –The strategic policy framework for the plan area as a whole across a range of topics, setting out an ambitious but realistic vision for Belfast as well as the objectives and strategic policies required to deliver that vision; and**

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- **Local Policies Plan – Local policies and site specific proposals in relation to the development and use of land in Belfast required to deliver the Plan Strategy’s vision.**
- 3.3 Prior to work commencing on the production of these documents, the Council must produce a Timetable for the preparation of the LDP. It is a public statement of the Council’s programme for the production of its LDP and must be submitted to and agreed with the Department of the Environment before being published. As well as informing the general public, it will also ensure that key stakeholders, such as the statutory consultation bodies and the Planning Appeals Commission (PAC), are kept informed and can manage their own resources to facilitate their involvement in the LDP process.**
- 3.4 The Timetable outlines a series of key stages in the production of the LDP in accordance with the statutory requirements prescribed in the Planning Act (NI) 2011 and associated Planning (Local Development Plan) Regulations (NI) 2015. In summary this includes:**
- **Public consultation on a Preferred Options Paper outlining the key plan issues and the preferred options available to address them;**
  - **Public consultation of a draft Plan Strategy, followed by an opportunity to comment on representations received;**
  - **An independent examination to test the ‘soundness’ of the Plan Strategy prior to adoption;**
  - **Following the publication of the Plan Strategy, the publication of the draft Local Policies Plan for public consultation, followed by an opportunity to comment on representations received; and**
  - **An independent examination to test the ‘soundness’ of the Local Policies Plan prior to adoption.**
- 3.5 The draft Timetable projects that the LDP will be completed and adopted in late 2020, with the formal consultation on the Preferred Options Paper from September to November this year. The first policy components comprising the Plan Strategy will be adopted in early 2019 and the detailed Local Policies Plan by 2020. This Timetable is based on a detailed draft Project Plan for the five year period and represents an ambitious, but realistic programme given the process and timescales required in legislation. This committee are therefore asked to approve the attached draft LDP Timetable**

for submission to DOE and subsequent publication in accordance with the Planning Regulations

- 3.6** It should be noted that meeting these targets will be dependent on a number of key factors, some of which are beyond the direct control of the Council. For example, progress may be dependent on the level of public interest and volume of responses received to consultation exercises, the capacity of statutory partners to be involved at key stages and the availability of the PAC (or other independent examiner) for the soundness based public inquiry. The Timetable will therefore be kept under review and the mitigation measures associated with these identified risks implemented, as appropriate, to ensure the Council can meet the projected milestones.

**Financial & Resource Implications**

- 3.7** The Local Development Plan team within the Belfast Planning Service will undertake majority of the work associated with the development of the LDP. However, support and resources from other parts of the Council may also be required to produce the required documentation and supporting evidence. The team resources will also be supplemented through the procurement of specialist advice and consultancy support where specific technical evidence, such as population growth projections or economic forecasting, is required.
- 3.8** Delivery of the LDP within the timescales outlined will be dependent on the availability of the necessary resources over the five year timescale. The costs associated with preparing the LDP will be provided for as part of the Council's medium-term financial planning.

**Equality or Good Relations Implications**

- 3.9** There are no equality and good relations implications arising from this report. However, the LDP will be subject to Equality Screening at the Preferred Options stage and will, if required, be subject to a full Equality Impact Assessment in parallel with the policy development."

The Committee approved the draft Local Development Plan Timetable and supporting documents for submission to the Department of the Environment and subsequent publication in accordance with the Planning Regulations.

**Proposed special area of conservation for Harbour Porpoises**

The Committee considered the following report:

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

**1.1 To update and make members aware of the consultation on proposed Special Areas of Conservation (pSAC) for Harbour Porpoise led by Joint Nature Conversation Committee (JNCC) with responses coordinated by Department of the Environment (DoE).**

**2.0 Recommendations**

**2.1 Members are ask to:**

- **Note the Department of the Environment’s (DoE) consultation on the proposed Special Areas of Conservation (pSAC) for Harbour Porpoise.**
- **Consider and if appropriate agree and the proposed consultation response set out in paragraph 3.9 that Council agree in principle to the proposed designation.**

**3.0 Main report**

**Key Issues**

**3.1 Belfast City Council has been asked to respond to a consultation on the proposed Special Areas of Conservation (pSAC) for harbour porpoise led by the Joint Nature Conservation Committee (JNCC) with responses coordinated by the Department of Environment Marine Division (see appendix one). The JNCC is a public body that advises UK Government on UK wide and international nature conservation. The JNCC is led by a Joint Committee which brings together experts from nature conservation bodies across the UK including Northern Ireland.**

**3.2 A pSAC is a site designated under European Habitats Directive (92/43/EEC) which aims to conserve the biodiversity of natural habitats. These sites, together with Special Protection Areas of (SPA’s) make up a network of nature protection sites called ‘Natura 2000’.**

**3.3 SACs are designated by Northern Ireland Environmental Agency (NIEA) and managed using a set of conservation objectives. There are 57 SACs in Northern Ireland. The adoption of the pSAC for Harbour Porpoise will be the first SAC designation for Belfast.**

- 3.4** The harbour porpoise has been identified for protection in five other possible Special Areas of Consultation in UK waters (see appendix two). These sites have been identified based on 18 years of observations by JNCC. The site of particular relevance to Council is defined as the North Channel covering 1,600km<sup>2</sup>.
- 3.5** Harbour porpoise are protected in European Waters under the provisions of the Habitats Directive. Due to the highly mobile nature of this species, it is considered as part of the wider European population. The concept of determining the site population may not be appropriate but conservation measures will apply to the site identified as the North Channel pSAC. JNCC have outlined the North Channel site is predominately occupied during winter months (October-March).
- 3.6** The JNCC outline the proposed conservation objective for the site:
- ‘To avoid deterioration of the habitats of the harbour porpoise or significant disturbance to the harbour porpoise, thus ensuring that the integrity of the site is maintained and the site makes an appropriate contribution to maintaining the Favourable Conservation Status (FCS) for the UK harbour porpoise. To ensure for harbour porpoise that, subject to change, the following attributes are maintained or restored in the long term:**
- 1. The species is a viable component of the site**
  - 2. There is no significant disturbance of the species**
  - 3. The supporting habitats and processes relevant to harbour porpoises and their prey maintained.’**
- 3.7** The EU Habitats Directive (93/43/EEC) requires a competent authority (Council) to undertake a Habitats Regulation Assessment (HRA) of any plan or project necessary to the management of a Natura 2000 site. The HRA process consists of 4 stages:
- Stage 1- Screening/Test of likely significance: which identifies likely impacts on Natura 2000 sites of a plan or project**
  - Stage 2- Appropriate Assessment: considers the potential impacts on the structure and function as well as the conservation objectives of the Natura 2000 sites. An assessment of potential mitigation measures will be presented to reduce potential adverse impacts**
  - Stage 3- Assessment of Alternative Solutions**

- **Stage 4- Imperative reasons of overwhelming public interest**

**3.9 Planning has a duty to consider the impacts of development on the environment and protected species. Members will be aware of the Shared Environmental Services (SES) team that has been set up in Mid and East Antrim Council which provides support to Council on a range of specialist functions including the HRA on planning applications and during the preparation of the LDP to assess and advise on the impacts of European Sites such as the pSAC and Special Protection Areas (SPA). This function will support Council to ensure the legal requirements of these habitats/sites are fully met in accordance to the Habitats Directive and other Environmental Legislation and to reduce the risk of challenge to planning decisions, development plans and policies. As a matter of course Council will consult with the SES and where appropriate, NIEA, on any significant application within its corundum sanatorium as shown in appendix two would expect consideration.**

**In response to the consultation, it is suggested Council agrees to the proposed designation of the pSAC for Harbour Porpoise on the basis that the Department resources, monitors and provides access to relevant data on potential cumulative impacts.**

#### **Finance and Resource Implications**

**3.10 There is no resource implications associated with this report.**

#### **Asset and Other Implications**

**3.11 With the successful adaption of the pSAC for Harbour Porpoise, Council will consider and note this designation as part of the Local Development Plan (LDP) process and will consult with SES on planning considerations and relevant policy.**

#### **Equality or Good Relations Implications**

**3.12 There are no relevant equality and good relations implications attached to this report.”**

The Committee noted the information which had been provided and agreed to the proposed consultation response as set out in paragraph 3.9 of the report and agreed, in principle, to the proposed designation.



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**Items Withdrawn from Agenda**

The Committee noted that applications LA04/2015/0716/F - 26- 44 Little Patrick Street (proposed 11 storey building for managed 380 student accommodation studios), and Z/2015/0118/F - 37- 41 Little Patrick Street (proposed 11 storey building 50 apartments, ground floor retail and parking, first floor retail and basement parking) had been withdrawn from the agenda to enable further information to be considered by the Council.

**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)**

**Reconsidered Item: LA04/2015/1175/F - Student Accommodation on lands at 78 - 86 Dublin Road**

(Councillor Mullan took no part in the discussion or decision-making on this application since she had not been in attendance at the meeting on 16th February when it had been deferred).

(Councillor Boyle, who was not a member of the Committee but was speaking, declared an interest in relation to this item, insofar as he worked in the rental business. However, he pointed out that he would be raising issues on behalf of his constituents).

The Committee was reminded that, at its meeting on 16th February, it had deferred consideration of an application for full planning permission for a purpose built managed student accommodation block, with a height of 8 storeys containing 156 studio rooms, reception/management suite, common room space, bike and general storage area. That decision had been taken to enable the Committee to undertake a site visit in order to acquaint Members with the site and to assess the issues which had been raised in respect of the size and scale of the proposed building, together with its potential impact on surrounding residential areas.

The case officer advised that after the agenda report had been published, additional information had been submitted by the Donegall Pass Community Forum regarding objections to the amenity space and the Pre-Application Community Consultation Report.

The Committee received representations from Mr. B. Stoker, on behalf of Southcity Resource and Development Centre and the residents of Donegall Pass. He outlined a range of objections to the proposal which related to the design, scale and amenity space, together with its potential impact on the surrounding residential streets. In addition, Councillor Boyle outlined his objections to the recommendation that the application be approved.

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Mr. C. Hughes, representing Turley Associates, who acted on behalf of the applicants, Lacuna Developments and Watkin Jones, clarified a number of issues which had been raised by the objectors and answered a range of Members' questions.

**Proposal**

Moved by Councillor Hutchinson,  
Seconded by Alderman Stalford,

That the Committee agrees to reject the recommendation to approve the application on the grounds that the proposal is contrary to the Strategic Planning Policy Statement, in that it has not been demonstrated how the proposed number of units can be accommodated on the site without causing a detrimental impact on the amenity of the neighbouring properties by way of the perception of dominance, scale, height, mass and the potential of overshadowing.

On a vote by show of hands, six Members voted for the proposal and seven against and it was declared lost.

**Further Proposal**

Moved by Councillor Garrett,  
Seconded by Councillor Magee,

That the Committee agrees to adopt the recommendation to approve the application, and in accordance with Section 76 of the Planning Act (Northern Ireland) 2015, delegates power to the Director of Planning and Place, in conjunction with the Town Solicitor, to enter into discussions with the applicant to explore the scope of any Planning Agreements which might be realised by way of developer contributions.

On a vote by show of hands, seven Members voted for the proposal and six against and it was declared carried.

**(Meeting adjourned for 5 minutes at this point)**

**Reconsidered Item: Z/2015/0177/F - Demolition of the existing building and erection of 12 storey mixed use building with a ground floor retail unit, 407 managed student accommodation rooms at Philip House, 123-137 York Street**

(Alderman Stalford and Councillor Bunting had left the room whilst the item was under consideration).

(Councillor Mullan took no part in the discussion or decision-making on this application since she had not been in attendance at the meeting on 16th February when it had been deferred).

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The Committee was reminded that, at its meeting on 16th February, it had deferred consideration of an application that sought the demolition of the existing building and erection of a 12 storey mixed use building with a ground floor retail unit, 407 managed student accommodation rooms (with communal living rooms, and kitchens), associated reception/office facility, gym, and other ancillary accommodation above. The development also included a landscaped courtyard, plant and storage areas, car parking, cycle provision and solar PV array. That decision had been taken to enable the Committee to undertake a site visit in order to assess issues which had been raised in respect of the size and scale of the proposed building, together with its potential impact on surrounding residential areas.

The Committee approved the application and, in accordance with Section 76 of the Planning Act (Northern Ireland) 2015, delegated power to the Director of Planning and Place, in conjunction with the Town Solicitor, to enter into discussions with the applicant to explore the scope of any Planning Agreements which might be realised by way of developer contributions.

(Alderman Stalford returned to the table at this point.)

**LA04/2015/0419/F - Mixed use development to include 647 standard bedrooms and 93 studio rooms managed student residential building with ground floor shop at 78 College Avenue**

(Councillor McConville, who was not a member of the Committee but was speaking, declared an interest in relation to this item, insofar as she lived in the property adjacent to 78 College Avenue).

The Committee considered an application for the erection of a mixed use development to include 647 standard bedrooms and 93 studio rooms managed student residential building with ground floor shop use class A1, in respect of which the Council had offered an opinion to approve.

The case officer advised that after the agenda report had been published, additional information had been submitted by objectors regarding the proposals potential to block sunlight and risk of fire.

The Committee received representation from Councillor M. McConville, who outlined her objections to the proposal and requested that the Committee defer the application to allow a site visit to be undertaken.

The Committee, given the issues which had been raised regarding the proposed size and scale of the development, together with its potential impact on surrounding residential areas, agreed to defer consideration of the application to enable a site visit to be undertaken.

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**LA04/2015/0046/F - External alterations and extension to the existing building and reconfiguration of internal layout to provide 8 apartments. Modifications and adaptation to existing outbuilding to provide 2 apartments with associated site works at 26 Sans Souci Park**

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

The case officer outlined the principal aspects of an application for alterations and extension to an existing building at 26 San Souci with internal reconfiguration to provide 8 apartments (with no increase from original building). She advised that the proposal also involved the conversion of an existing outbuilding to the rear with associated demolition of the single storey element and erection of a two storey extension to provide 2 additional apartments. She explained that additional car parking and associated site works were also involved.

She also highlighted that the site was located within the Malone Conservation Area and the building at 26 San Souci was listed.

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

Arising from discussion, the Committee agreed that a report be submitted to a future meeting regarding an analysis of statutory consultees which had objected to any planning application since April, 2015.

(Councillor Heading returned to the table at this point.)

**Reconsidered Item: Z/2014/0586/F - 20 x 5 person 3 Bed and 7 x 3 person 2 Bed social housing dwellings at McClure Street, Belfast**

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

The Committee was reminded that the application had first been presented to Town Planning Committee on 4th September, 2014 with an opinion to refuse and had been deferred and that the application had been presented again to Town Planning Committee on 16th June, 2015. It was reported that the Committee had agreed to defer the application to allow the submission of outstanding information and that the agent had attended the committee meeting. The Committee was further informed that the Planning Service had issued a follow up letter to the agent on 26th June, 2015 including copies of all consultee responses up to that date and that a meeting had also been facilitated on 31st July, 2015 to discuss the issues with the applicant and agent.

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

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- the proposal was contrary to the Department's Planning Policy Statement 8 Open Space, Sport and Outdoor Recreation in that the development would, if permitted, result in the loss of existing open space and therefore adversely affect the environmental quality and character of the area and no exceptional circumstances had been provided to outweigh the loss of open space;
- the proposal was contrary to Policy QD 1 of the Department's Planning Policy Statement 7 (PPS 7) Quality Residential Environments in that the scheme, if permitted, would result in unacceptable damage to the local character of the area and would create an undesirable living environment for prospective residents due to unsatisfactory form and layout and inadequate provision of amenity space; and
- the proposal was contrary to Planning Policy Statement 1: General Principles and policy FLD 3 of the Department's Planning Policy Statement 15: "Planning and Flood Risk" in that it had not been demonstrated that the proposal would provide satisfactory measures for the mitigation of flood risk and in particular drainage.

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

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

**Z/2014/0202/F - Demolition of modern extension to, and restoration, conversion and extension of listed building for 12 apartments and construction of 11 dwellings, car parking, landscaping and ancillary development with access arrangements from Albert Street - 89 Durham Street**

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

The Committee considered an application for the demolition of a modern extension to, and restoration, conversion and extension of listed building for 12 apartments and construction of 11 dwellings, car parking, landscaping and ancillary development with access arrangements from Albert Street (23 residential units in total).

It was reported that the site was located within the Belfast City Centre as designated in the Belfast Metropolitan Area Plan and was located on unzoned land.

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

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**LA04/2015/1423/RM - Hotel (188 bedroom) Land 70m north of the M3 Cross Harbour Bridge and bounded by the River Lagan to the East Clarendon Dock to the North and Donegall Quay Corporation Square and Clarendon Road to the West**

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

The Committee considered an application for a 188 bedroom hotel with access, landscaping and associated site works.

It was reported that the site fell within the City Quays site which comprises approximately 10 hectares of land within Belfast Harbour Estate on the east bank of the River Lagan across from the Odyssey Complex and Titanic Quarter and that the principle of development and a hotel use at this location had already been established under planning application Z/2010/1006/O.

The case officer advised that additional information had been received from Transport NI, of which offered no objection to the proposal.

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

**LA04/2015/1114/F - Rear extension to existing Jury's Hotel at 9-12 Grosvenor Road**

The Committee was informed that the application sought permission for a 6 storey extension to Jury's Hotel to provide 80 additional bedrooms, office suite (Class B1) and associated car parking, together with changes to the external facade.

The Committee granted approval to the application, subject to the Director of Planning and Place being authorised to draft the final wording of the conditions.

**LA04/2016/0081/F - Ball stop fence at Ormeau Park**

The Committee considered an application for an 8 metre tall ball stop fence. It was reported that the fence was proposed along the boundary of a 3G pitch, located on the west side of Ormeau Park, Ormeau Embankment.

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

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

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

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**LA04/2015/1052/F - 2 storey rear extension at 53 Ladybrook Park**

The Committee was apprised of the principle aspects of an application which sought permission for a 2 storey rear extension and landscaping.

It was noted that the application, in accordance with the Scheme of Delegation, had been presented to the Committee since the applicant was a member of Council staff.

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

(Alderman Stalford returned to the Committee table at this point.)

**LA04/2015/1197/F - Hot food take away at 140 Lisburn Road**

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

The Committee was informed that the application sought permission for a change of use from retail to a hot food bar, in respect of which no objections had been received by the Council.

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

**LA04/2015/0554/F - Change of use from shop to hot food carry out with associated odour abatement flue at 357 Woodstock Road**

The Committee considered an application for a change of use from retail to a hot food bar.

The Committee granted approval, subject to the imposing of the conditions set out within the report.

Arising from discussion, the Committee agreed that a report be submitted to a future meeting regarding an overview of the hot food premises policy framework and guidance, linking with the Local Development Plan.

**LA04/2015/1217/F - Change of use from cold food to hot food takeaway including associated odour extraction flue at 246 Ormeau Road**

The case officer reported that the application sought permission for change of use from retail to a hot food bar.

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

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- The proposal was contrary to the Strategic Planning Policy Statement for Northern Ireland in that it would, if permitted, be harmful to the living conditions of existing or future residents of number 244A Ormeau Road as a result of odours, noise, nuisance, and general disturbance resulting in a loss of residential amenity.

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

(Alderman McGimpsey returned to the Committee table at this point.)

**LA04/2015/1469/F - Change of use from dwelling to House in Multiple Occupation at 14 Raby Street**

The Committee considered an application for a change of use from a dwelling to a House in Multiple Occupation (HMO). It was reported that the application did not propose an increase in the number of bedrooms that existed within the dwelling and there were no physical alterations proposed to the exterior of the property.

The case officer highlighted that the records compiled by the Northern Ireland Housing Executive and the council indicated that there were 126 residential properties within the HMO Policy Area, 37 (29%) of which were in HMO use. It was pointed out that if this proposal was approved it would bring the percentage up to 30.

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

**LA04/2016/0193/F - Single storey rear and side extension at 28 Wynchurch Road**

The Committee considered an application for a single storey side and rear extension to an existing dwelling.

It was noted that the application, in accordance with the Scheme of Delegation, had been presented to the Committee since the applicant was a member of Council staff.

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

**LA04/2015/1165/F - Demolition of existing buildings with the construction of 11 dwellings with associated car parking and landscaping at 1a Bryson Street**

The Committee was informed that the application sought permission for the demolition of the existing buildings and the construction of eleven dwellings with associated car parking and landscaping. The mixture of dwellings consists of one



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(6 person 4 bed), three (5 person 3 bed), one (4 person 3 bed) and six (3 person 2 bed) dwellings.

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

Arising from discussion, the Committee agreed that a report be submitted to a future meeting regarding an overview of the car parking policy and guidance.

**LA04/2015/1227/F - Retention and restoration of façade and demolition of the building to the rear and erection of 15 apartments with access arrangements, parking, landscaping and associated site works at 49-57 Fitzroy Avenue**

The Committee considered an application for full planning permission for the demolition of the existing factory/office building with retention and restoration of the front facade and the erection of 15 apartments with access arrangements, parking, landscaping and associated site works.

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

**LA04/2016/0073/F - Bronze sculpture/ statue at Dunville Park**

The case officer reported that the application sought planning permission for the erection of a 3.0m high bronze sculpture/statue including a granite plinth with small brick surround within a grassed area of Dunville Park.

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

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

**LA04/2015/1262/F - Demolition of nursing home and erection of a 30 unit dementia care facility at former Grovetree Nursing Home**

The Committee considered an application for the demolition of an existing nursing home and the erection of a 30 unit dementia care facility with access arrangements from Cullingtree Road, car parking, landscaping and associated site works

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

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**LA04/2015/1420/F - 14 apartments and 8 dwellings on lands at 336-344  
Old Park Road**

The Committee was informed that the application sought permission for the erection of 14 apartments and 8 dwellings with parking, landscaping, associated site works and access arrangements.

It was highlighted that the Development Plan (Belfast Metropolitan Area Plan 2015) identified the site as being within the Development Limits of Belfast and the site was unzoned 'whiteland' and accessed from an Arterial Route (AR 02/03).

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

**LA04/2016/0056/F - Play park facility at Colin Valley FC**

The case officer reported that the application sought permission to provide a new play park facility at Colin Valley.

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

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

**LA04/2015/1065/F - Change of use of ground floor café to hot food café & takeaway at 189 Falls Road**

The Committee was informed that the application sought permission for a change of use of a ground floor café to a hot food café & takeaway. It was reported that the ground floor was currently vacant but last used as a cafe and there was a residential apartment above.

The case officer reported that the proposal was contrary to Strategic Planning Policy Statement for Northern Ireland (SPPS) and Development Control Advice Note 4 'Restaurants, Cafes and Fast Food Outlets' in that the use would, if permitted, harm the living conditions of the neighbouring residential properties through noise, nuisance, odour and general disturbance resulting in a loss of residential amenity.

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

Chairperson