

# Planning Committee

Tuesday, 18th October, 2016

## MEETING OF PLANNING COMMITTEE

Members present: Councillor Johnston (Chairperson);  
Alderman McGimpsey; and  
Councillors Bunting, Carson, Garrett, Hutchinson,  
Hussey, Jones, Lyons, Magee, McAteer, and  
Mullan.

In attendance: Mr. E. Baker, Development Engagement Manager;  
Mr. K. Sutherland, Development Planning & Policy  
Manager;  
Mr. J. Walsh, Town Solicitor;  
Ms. N. Largey, Divisional Solicitor;  
Mr. S. McCrory, Democratic Services Manager; and  
Miss. E. McGoldrick, Democratic Services Officer.

### **Apologies**

Apologies were reported on behalf of Councillors Armitage and Reynolds.

### **Minutes**

The minutes of the meeting of 20th September 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 October, subject to the omission of those matters in respect of which the Council had delegated its powers to the Committee, and subject to the list of attendees being amended to include Councillor Jones, who had taken no part in the proceedings, as he had only recently been appointed to that Committee and had yet to complete the induction training.

### **Declaration of Interest**

No declarations of interest were reported.

### **Committee Site Visit – 12th October**

Pursuant to its decision of 20th September, it was noted that the Committee had undertaken a site visit on 12th October in respect of planning application LA04/2016/0343/F - 6 Apartments in 2 two storey blocks - Adjacent to 91 Gilnahirk Road.

### **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.

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**Planning Decisions Issued**

The Committee noted a list of decisions which had been taken under delegated authority by the Director of Planning and Place, together with all other planning decisions which had been issued by the Planning Department between 12th September and 10th October.

**Departmental Performance Update**

The Development Engagement Manager provided the following information on the Department's performance to date:

*Planning Applications*

- 143 applications had been validated in September (227 in August);
- the number of applications received had decreased by 37% from last month and had reduced by 22% from the same month in 2015; and
- overall numbers of applications received this year had increased by 25%. (830 up to 30th September, 2015 compared to 1102 up to 30th September, 2016).

*Planning Decisions*

- 223 planning decisions had been issued in September (191 August);
- 92% approval rate;
- 210 (94%) of decisions had been issued under delegated authority; and
- the number of decisions issued had increased by 33% over the same period in 2015.

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

- 1,057 live applications were in the system at the end of September (1,114 in August 2016);
- 61% of applications were in system less than 6 months; and
- Less than 60 legacy applications were outstanding (reduced from 780 at transfer in April, 2015).

*Performance against statutory Targets (figures available up to 31st July)*

- it was reported that the Department for Infrastructure, which was responsible for providing information on performance against statutory targets, had not provided an update on those figures which had been provided to Committee at the September meeting; and

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- the statutory target was that 70% of all enforcement cases had progressed to target conclusion within 39 weeks of receipt of complaint and between 1st April, 2015 and 31st July, 2016, 73.5% of enforcement cases were concluded within 39 weeks.

Noted.

**Schedule of Meetings 2017**

The Committee agreed to meet at 5.00 p.m. on the following dates during 2017:

- Tuesday, 17th and Thursday, 19th January (if required);
- Tuesday, 14th and Thursday, 16th February (if required);
- Tuesday, 14th and Thursday, 16th March (if required);
- Tuesday, 11th and Thursday, 13th April (if required);
- Tuesday, 16th and Thursday, 18th May (if required);
- Tuesday, 20th and Thursday, 22nd June (if required);
- No meeting scheduled in July;
- Tuesday, 15th and Thursday, 17th August (if required);
- Tuesday, 19th and Thursday, 21st September (if required);
- Tuesday, 17th and Thursday, 19th October (if required);
- Tuesday, 14th and Thursday, 16th November (if required); and
- Tuesday, 12th and Thursday 14th December (if required).

**Miscellaneous Items**

**Listed Buildings**

(Councillors Hussey and Jones had left the room whilst the item was under consideration.)

(Councillor Lyons entered the meeting at this point.)

The Committee was advised that correspondence had been received from the Northern Ireland Environment Agency (NIEA) seeking the Council's views in respect of proposals which had been formulated for the listing of a number of buildings in Belfast.

The Committee was reminded that Article 80 (3) of the Planning Act (NI) 2011 required the Agency to consult with the Council before placing any building on the statutory list of buildings of special architectural or historic interest.

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

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

- 18 Donegall Pass; and
- St. Paul's Church, 125 Falls Road.

**Planning Committee - Pre Application Scale of Charging**

(Councillors Bunting and Magee had left the room whilst the item was under consideration)

The Committee considered the following report:

**“1.0 Purpose of Report**

**This report addresses the opportunity for a Local Planning Authority (LPA) to apply a reasonable charging mechanism for pre-application discussions (PAD)s.**

**The Strategic Planning Policy Statement for Northern Ireland (SPPS) Planning for Sustainable Development - September 2015 - recognises that PASs are ‘fundamental to ‘front loading’ the new development management system. This front loading will help all parties, both to prepare an application to a high standard and to establish an agreed course and timetable for determining a development proposal’.**

**Development Management Practice Note 10 - Pre-Application Community Consultation recognises that the pre-application discussion process is not a statutory requirement and is optional. However, by facilitating effective and meaningful pre-application discussions, a Council can ensure that opportunities to work collaboratively with applicants and to improve the quality of developments are maximised.**

**Many LPAs, including UK Core Cities utilise this approach for strategic, major, and other forms of development.**

**2.0 Summary of Main Issues**

**Belfast is facing an unprecedented level of growth where the development pipeline includes very significant commercial and employment generating developments. The City Council is committed to encouraging quality developments in the capital city of Northern Ireland.**

To support applicants investing in such developments the Council needs to provide certainty and sufficient resources to ensure that planning applications for large scale or complex proposals are dealt with in a timely manner.

#### **Benefits of Pre-Application Discussions**

The benefits of pre-application discussions have already been recognised by applicants in the processing of planning applications. Engaging in the pre-application process can help to:

- Identify potential policy constraints and other material issues which need to be addressed at an early stage in the process;
- Facilitate discussions with key consultees (where appropriate) at an early stage, especially where an environmental statement is likely to be required;
- Identify related technical issues and allow for discussion with a view to resolving such matters.
- Ensure that engagement with appropriate stakeholders takes place at an early stage in the planning process;
- Offer an opportunity for informed amendments and improvements to be made to schemes prior to formal planning applications being submitted, thereby potentially reducing the time taken for an application to move through the planning system;
- Improve the content and quality of planning applications;
- Enhance the quality of a development scheme;
- Speed up the statutory decision making process; and
- Ensure active case management.

#### **Summary of Pre-Application Discussions**

The pre-application process relies on a constructive approach from applicants and the Council, or the Department as may be the case. Spending time exchanging information or discussing plans during the critical period when proposals are being developed and are therefore capable of change allows for a

collaborative way of working to solve problems, enhance sustainability and quality and better ensure financial viability. As such, whilst non-statutory, pre-application discussions are a central part of a positive and proactive planning system.

The Scale of Charges for a number of LPAs is listed (copy available on the Council's website).

#### **4.0 Recommendation**

**That the Planning department investigates a Scale of Charges for Pre-Application Discussions to establish a formal charging framework, commensurate with other Core Cities in the UK."**

After discussion, the Committee agreed the recommendation as set out within 4.0 of the report.

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

#### **Planning Performance Agreement Protocol**

The Committee considered the following report, together with the associated documents, which had been published on the Council's website:

##### **"1.0 Purpose of Report**

**A planning performance agreement (PPA) is a project management tool which local planning authorities and applicants can use to agree timescales, actions and resources for handling particular applications.**

**It is a voluntary agreement made between applicants and local planning authorities prior to the application being submitted and can be a useful focus of pre-application discussions about the issues that will need to be addressed. A PPA is usually agreed in the spirit of a memorandum of understanding rather than as a legally binding contract.**

**It should cover the pre-application and application stages but may also extend to the post-application stage. Planning performance agreements can be particularly useful in setting out an efficient and transparent process for determining large and/or complex planning applications. They encourage joint working between the applicant and local planning authority and key stakeholders and can help to bring together other parties such as statutory consultees.**

Many local authorities, including the UK core cities, have utilised this approach for major developments over a number of years. Moreover, a number of developers have contacted the Planning department volunteering a PPA, but it has not been possible for the City Council to enter into an agreement because the PPA process is not formally recognised.

## **2.0 Summary of Main Issues**

Belfast is facing an unprecedented level of growth where the development pipeline includes very significant commercial and employment generating developments. The City Council is committed to encouraging quality developments in the capital city of Northern Ireland.

To support applicants investing in such developments the Council needs to provide certainty and sufficient resource and expertise to ensure that planning applications for large scale or complex proposals are dealt with in a timely manner with quality development outcomes.

The PPA process provides the opportunity to more effectively communicate with developers and provide appropriate levels of highly skilled experienced staff to take responsibility for managing large scale or complex planning applications.

It is considered that those full or reserved matters applications which are broadly policy consistent, and for 100 dwellings or more or non-residential schemes with a floor space of 10,000 square metres or more, or having a site area of 1 hectare or more, could be suitable for a voluntary Planning Performance Agreement. In practice, the PPA process is likely only to relate to a small number of strategic applications.

Furthermore, it is considered that PPA's will have the following benefits:

- Provide certainty for applicants when the standard determination period is not appropriate;
- Ensure commitment from all parties to a shared timetable for pre-application, application and discharge of condition stages, as may be agreed;
- Create a development team with identified lead officers representing the applicant and the Council and involving all key contributors; internal and external to the Council;
- Provide certainty about policy requirements, identification of consultees, key local groups or

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organisations to consult and provision of local knowledge;

- Provide an opportunity for an initial inception meeting for applicants with key Council officers to discuss a proposal, to formulate a PPA establishing a clear decision making framework and project programme. This will then be confirmed in writing by the Council as a project plan to then be signed by the lead officer for the applicant and Council;
- Ensure that the Council's lead officer and where necessary other named officers in key service areas, prioritise the application to provide a timely coordinated response, identify issues early and resolve any potential delays and conflicts;
- Ensure there is sufficient staff resources and expertise, including independent outside technical support as required, to deliver an effective Planning service;
- Assist in delivering improved performance in determination timescales; and
- Support the delivery of quality development and outcomes.

The applicant will be expected to agree to a project plan, pay the PPA fee which would be reflective of costs incurred by the Council, engage in meaningful pre-application discussions, allow adequate time for provision of essential information and assessment of proposal, respond within agreed timescales to requests for further information and/or revisions, attend project meetings accompanied by relevant team members, keep the Council informed of progress at all key stages, submit a complete application with all of the required supporting information and where appropriate a draft legal agreement.

It is considered that there could be benefits for including the conclusion of Section 76 Agreements as part of the PPA process if this were considered helpful.

The Council should reserve the right to decline a request for a PPA. Planning applications contrary to the Development Plan are unlikely to be considered appropriate for a PPA. The Director of Planning and Place should determine the appropriate fee level for a PPA and act consistently in determining PPA fees for comparable proposals. Higher fees will be required for particularly complex or very large scale proposals. The Director of Planning and Place should determine whether an additional fee is required if the developer significantly changes a proposal from when a PPA was originally submitted. The PPA fee will attract VAT.



A PPA will become a public document when a planning application is submitted. The PPA is without prejudice to the Local Planning Authority's role to determine all planning applications on their merits and consider all submitted representations. It does not commit the local planning authority to a particular outcome. It is instead a commitment to a process and timetable for determining an application.

The PPA process should be introduced immediately and reviewed by the Planning Committee after 12 months to consider its impact and whether any changes are required to the system and how it operates. It is considered that a shorter review period would be inappropriate given that the process will be targeted at largescale Major applications that have a determination period of 30 weeks (between 7 and 8 months).

### **3.0 Key Issues**

#### **Financial & Resource Implications**

#### **HR/IR implications**

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

There are no equality or good relations implications in this report.

### **4.0 Recommendation**

That the Planning Performance Agreement Protocol as outlined at Appendix 1 is introduced from 1st November 2016 and that it is reviewed after 12 months.

## **Appendix 1**

### **Draft Planning Performance Agreement Protocol**

#### **What is a Planning Performance Agreement?**

A planning performance agreement (PPA) is a project management tool which local planning authorities and applicants may use to agree milestones, actions and resources for handling particular largescale and/or complex planning applications.

It is a voluntary agreement made between applicants and local planning authorities prior to the application being submitted and can be a useful focus of pre-application discussions about the issues that will need to be addressed by a planning application.

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**The PPA should cover the pre-application and application stages but may also extend to the post-application stage. Planning performance agreements are especially useful in setting out an efficient and transparent process for determining large and/or complex planning applications. They encourage joint working between the applicant and local planning authority and key stakeholders and can help to bring together other parties such as statutory consultees.**

**Many local authorities, including the UK core cities, have utilised the PPA approach for major developments over a number of years. What are the benefits of a Planning Performance Agreement?**

**Belfast is facing an unprecedented level of growth where the development pipeline includes very significant commercial and employment generating developments. The City Council is committed to encouraging quality developments in the capital city of Northern Ireland.**

**To support applicants investing in such developments the PPA process helps to provide certainty and sufficient resource and expertise to ensure that planning applications for largescale or complex proposals are dealt with in a timely manner with quality outcomes.**

**The PPA process provides the opportunity to more effectively communicate with developers and provide appropriate levels of highly skilled experienced staff to take responsibility for managing large scale or complex planning applications.**

**Planning Performance Agreements may have the following specific benefits:**

- Provide certainty for applicants when the standard determination period is not appropriate;**
- Ensure commitment from all parties to a shared timetable for pre-application, application and discharge of condition stages, as may be agreed;**
- Create a development team with identified lead officers representing the applicant and the Council and involving all key contributors; internal and external to the Council;**
- Provide certainty about policy requirements, identification of consultees, key local groups or organisations to consult and provision of local knowledge;**
- Provide an opportunity for an initial inception meeting for applicants with key Council officers to discuss a proposal, to formulate a PPA establishing a clear decision making**

framework and project programme. This will then be confirmed in writing by the Council as a project plan to then be signed by the lead officer for the applicant and Council;

- Ensure that the Council's lead officer and where necessary other named officers in key service areas, prioritise the application to provide a timely coordinated response, identify issues early and resolve any potential delays and conflicts;
- Ensure there is sufficient staff resources and expertise, including independent outside technical support as appropriate, to deliver an effective Planning service;
- Assist in delivering improved performance in determination timescales; and
- Support the delivery of high quality development and outcomes.

**What types of proposal do Planning Performance Agreements apply to?**

A PPA may be agreed by the City Council for those full or reserved matters applications which are broadly policy consistent, and for 100 dwellings or more or non-residential schemes with a floor space of 10,000 square metres or more, or having a site area of 1 hectare or more.

The Council reserves the right to decline a request for a PPA. Planning applications contrary to the Development Plan are unlikely to be considered appropriate for a PPA.

**What should be included in the Planning Performance Agreement?**

The applicant will be expected to agree to a project plan, pay the PPA fee which would be reflective of costs incurred by the Council, engage in meaningful pre-application discussions, allow adequate time for provision of essential information and assessment of proposal, respond within agreed timescales to requests for further information and/or revisions, attend project meetings accompanied by relevant team members, keep the Council informed of progress at all key stages, submit a complete application with all of the required supporting information and where appropriate a draft legal agreement.

The Director of Planning and Place will determine the appropriate fee level for a PPA and act consistently in determining PPA fees for comparable proposals. Higher fees will be required for particularly complex or very large scale proposals. The Director of Planning and Place will determine whether an additional fee is required if the

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**developer significantly changes a proposal from when a PPA was originally submitted. The PPA fee will attract VAT.**

**The Planning department has produced a draft PPA form that may form the basis of the PPA. The PPA must be agreed and signed by all parties.**

**Who may enter into a Planning Performance Agreement?**

**The PPA will be drawn up between the City Council and applicant but may also include Government departments and other third parties and stakeholders, depending on the issues and circumstances of the proposal.**

**What is the status of a Planning Performance Agreement?**

**On signing, a PPA will become a public document when a planning application is submitted.**

**The PPA takes the form of a memorandum of understanding and is not legally binding. It should be seen as a very useful project management tool to support the planning application process.**

**There are no penalties, financial or otherwise, if a PPA is not complied with by any of the parties. However, any deviation from the PPA may have time consequences for the handling of the planning process. The performance of Planning Performance Agreements will be monitored by the Planning department.**

**The PPA is without prejudice to the Local Planning Authority's role to determine all planning applications on their merits and consider all submitted representations. It does not commit the local planning authority to a particular outcome. It is instead a commitment to a process and timetable for determining an application."**

The Committee agreed that the Planning Performance Agreement Protocol, as set out within Appendix 1, be introduced from 2nd November, 2016 and that it be reviewed after 12 months, as a Proof of Concept.

The Committee agreed also that the Director of Planning and Place should explore the potential for the provision of independent technical support and capacity for community organisations and residents, to enable them to effectively engage and input into major physical regeneration and key capital projects in the city.

(Councillors Bunting, Hussey and Jones returned to the Committee table at this point.)

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**Items Withdrawn from Agenda**

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

The Committee noted that application LA04/2015/0529/F - Construction of a drive-thru restaurant along with car parking, access and general site works at 233 - 263 Shore Road had been withdrawn from the agenda.

**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 - LA04/2016/0343/F - 6 Apartments in 2 Two Storey Blocks adjacent to 91 Gilnahirk Road**

The Committee was reminded that, at its meeting on 20th September, it had deferred consideration of an application for 6 apartments in 2 two storey blocks adjacent to 91 Gilnahirk Road. 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 regarding car parking and traffic associated with the proposal.

The case officer presented an addendum report which outlined the proposal. She highlighted that at the last meeting it had been agreed that Transport NI be contacted to obtain their position on the application in relation to traffic and the proximity of the proposed development to the entrance to two schools opposite the site (i.e. Our Lady and Saint Patrick's College and Gilnahirk Primary School). She advised that the following response had been received by Transport NI:

- the application required 9 parking spaces. As no in-curtilage parking had been proposed and on-street parking was to be relied upon, the application included a Parking Survey. The survey demonstrated that on-street parking capacity and availability exists during the peak period of residential parking demand within the surrounding area to accommodate the parking associated with this development proposal;
- the parking survey showed that the site was in an accessible location with a range of local shops within a short walking distance and a bus service operating along the Gilnahirk Road, which had the potential to reduce the need to travel by car and encouraged the use of public transport;
- this was a small development of 6 apartments and the traffic generation associated with it would not be significant, and would not be detrimental to the operation of the nearby school access; and
- it was also noted that there was an extant planning approval on the site (Y/2014/0082/RM) for 4 apartments with no in-curtilage parking proposed.

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

**LA04/2015/1056/F - Demolition of an Existing two and a half storey House, and the replacement with a three storey apartment building at 1 Hopefield Avenue**

The case officer highlighted that, although the original building had been demolished without permission, the principle of demolishing the original building and redeveloping the site for apartments had previously been approved.

The Committee received representation from Ms. J. Loughran, on behalf of residents. Ms. Loughran outlined a range of objections to the proposal which related to the breach of planning control (demolition), density, size, layout, planning history, overshadowing, loss of light and car parking in the area. She alleged that the proposed design would undermine the residential and townscape character of the area, would have a negative impact on the surrounding residential houses, and that a site visit would be beneficial.

In addition, the Deputy Lord Mayor, Councillor Campbell, explained her objections to the recommendation regarding the density, residents' concerns, loss of light, previous planning approval, demolition, and the lack of amenity space.

Mr. C. Mackel, Architect, who acted on behalf of the applicant, clarified a number of issues which had been raised by the objector including the demolished building, number of objections, size, layout and amenity space. He also answered a range of Members' questions regarding the timeline of the proposed development.

**Proposal**

Moved by Councillor Jones,  
Seconded by Councillor Mullan,

That the Committee, given the issues which had been raised regarding the number of objections and density of the proposed building, together with its potential impact on the townscape character of the area, agrees to defer consideration of the application to enable a site visit to be undertaken.

On a vote by show of hands, 11 Members voted in favour of the proposal and none against and it was declared carried.

**LA04/2016/0900/F - 6 eleven Storey Blocks in a mixed-use Development to include purpose-built, managed student accommodation at 30 - 44 Bradbury Place**

The Committee was advised that the application was for the demolition of existing buildings and the erection of 6 eleven storey blocks in a mixed-use development to include purpose-built, managed student accommodation with 271 studios, shared communal areas and landscaped roof terraces, and ground floor which included a reception, 2 retail units, car parking and cycle storage.

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Before presentation of the application commenced, the following proposal was put to the Committee:

**Proposal**

Moved by Councillor Hussey,  
Seconded by Alderman McGimpsey, and

Resolved - That the Committee, given the issues which had been outlined in the case officer's written report regarding the description of the height, scale, mass and the potential impact on the listed buildings within close proximity to the site, agrees to defer consideration of the application to enable a site visit to be undertaken to acquaint itself with the location, and the proposal at first hand.

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

**Z/2013/0095/F - Residential Development at 730 - 760 Shore Road**

(Councillors Carson and Hussey had left the room whilst the item was under consideration.)

The Committee considered an application for a residential development consisting of 40 units in total with 32 dwelling houses and 8 apartments.

It was reported that the site was located on unzoned whiteland within the development limits of Belfast as designated in the Belfast Metropolitan Area Plan.

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

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

**LA04/2016/0548/F - Partial demolition of existing office building to provide eight storey office building with retail space on ground floor, Londonderry House, 19 - 27 Chichester Street.**

The Committee was informed that the application sought permission for partial demolition of the existing building and construction of a new eight storey office and retail building with roof level plant area.

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

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the scope of any Planning Agreements which might be realised by way of developer contributions and, if so, to enter into such an Agreement on behalf of the Council.

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

**LA04/2016/1276/F - Community Centre on a Corner Site between Mayo Street and Mayo Link, off Lanark Way, Shankill Road.**

The Committee was apprised of the principal aspects of an application which sought permission for a community centre and associated site works.

The case officer advised that the site was located within the development limits of Belfast in the Belfast Metropolitan Area Plan (BMAP) and was identified as being within an Existing Employment zoning BT 005/20 Lanark Way.

She highlighted that, whilst the proposed use was contrary to the existing employment zoning, it was considered that the principle of development was acceptable as the zoning had been substantially redeveloped for other uses and this portion of the site was no longer suitable industrial use given its location in close proximity to residential and educational land use.

She also pointed out that the updated description of the proposal for Community Centre usage, encompassed the land use adequately.

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

**LA04/2016/1762/F - Refurbishment and extension of existing building to provide commercial accommodation at 35 - 47 Donegal Place.**

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

The case officer outlined the principal aspects of an application for the refurbishment and extension of an existing building with the change of use and demolition of the existing 4th and 5th floors and their replacement with a new extended 4th and 5th floor to provide commercial accommodation.

She advised that the site was located within the development limits of Belfast in the Belfast Metropolitan Area Plan (BMAP) and was identified as being within the City Centre, Primary Retail Core and the City Centre Conservation Area.

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

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



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**LA04/2016/0027/F - Demolition of a Building and the erection of a seven storey building for 34 apartments, Durham House, Durham Street.**

The Committee considered an application for the demolition of an existing building and the erection of a seven storey building containing 34 apartments.

It was reported that the site was located within the development limits as expressed in the Belfast Metropolitan Area Plan and was identified as being within a protected city centre housing area.

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

**LA04/2016/1450/F - Construction of a surface water drainage system to convey runoff water to Belfast Lough on lands at the former Dargan Road landfill site to the north of Dargan Road; and LA04/2016/0818/F - Statue at the Ulster Hall, 34 Bedford Street**

The Committee agreed to deal with the aforementioned items together.

The case officer outlined the principal aspects of an application for the construction of a surface water drainage system to convey runoff water to Belfast Lough. She advised that the system included a head-well structure which would be subject to a Marine Construction Licence. 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 case officer also outlined the second application for the erection of a statue within the curtilage of the Ulster Hall. It was noted that the application had, in accordance with the Scheme of Delegation, been presented to the Committee since the application site was within the ownership of Belfast City Council

The Committee granted approval to both of the applications, subject to the imposing of the conditions set out in the case officer's reports.

**LA04/2016/0098/F - Change of use from 7 storey office building to provide additional hotel accommodation for adjacent Ten Square Hotel, Scottish Amicable House , 11 Donegall Square South**

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

The case officer outlined an application for the change of use from a seven storey office building, to provide additional hotel accommodation for adjacent Ten Square Hotel (66 en-suite bedrooms) and ancillary accommodation, including façade elevation changes.

During discussion, the case officer answered a range of Members' questions regarding traffic management and car parking at the site.

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The Committee granted approval to the application, subject to the imposing of the conditions set out in the case officer's report, with an addition under Condition 4 regarding traffic management at the site.

The Committee also noted that Transport NI had been invited to attend an information session with the Committee regarding the principles of responding to planning application consultation requests.

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

**LA04/2015/1505/F - Gas depot on land immediately north of Wolff Road and Musgrave Road junction, East Twin Island.**

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

The Committee considered an application for a Gas Depot (c 77 tonnes industrial gas) comprising of 2 portacabins, 4 silos, diesel tank, concrete bunding and surfacing, fencing and drainage.

It was reported that the application site was located within the Belfast Harbour complex in East Belfast and was accessed via Queen's Road.

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

**Z/2013/0120/F - Housing development comprising of 10 semi detached dwellings and 36 townhouses on land adjacent to former Ford Visteon Plant, Finaghy Road North**

(Councillors Bunting, Carson and Hutchinson had left the room whilst the item was under consideration)

The case officer outlined the principal aspects of an application for a proposed housing development of 10 semi-detached dwellings and 36 townhouses.

He advised that the site was identified was within the development limits of Belfast and on land zoned for housing (Land adjacent to Woodland Grange, Ladybrook Park and M1 Motorway WB 03/06) and part of the site to the north east was within a site of local nature conservation importance, Ladybrook (SLNCI BT 084/19). He highlighted that the northern part of the site was protected by a tree preservation order (TPO PLA2/6/49/04).

During discussion, the Committee agreed that officers should explore measures to ensure the maintenance of the adjacent land under the applicant's control, including the possibility of utilising a Section 76 planning agreement to achieve that objective.

The Committee approved the application, subject to the imposing of the conditions set out in the case officer's report, and delegated power to the Director of Planning and Place, to finalise conditions.

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The Committee also agreed that officers investigate the potential of a planning agreement being agreed with the developer under Section 76 of the Planning Act (Northern Ireland) 2015, and if this proved to be possible, 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 such Planning Agreements and, if so, to enter into such an Agreement on behalf of the Council.

(Councillors Bunting, Carson and Hutchinson returned to the Committee table at this point.)

**LA04/2015/0067/F - 5 Dwellings and Garages (change of house types) on land adjacent to and northwest of the Pavillion, Malone Lower.**

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

The Committee was informed that the application sought permission for the erection of 5 dwellings and garages (change of house types included amendment to residential layout to housing development approved under extant planning permission Z/2007/1715/F).

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

**LA04/2015/0387/RM - Convenience Food Store at 47 Boucher Road**

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

The Committee was apprised of the principal aspects of a Reserved Matters application for a proposed small format convenience food store with associated parking, service area, access and general site works.

It was reported that the principal of development had been established in the granting of the outline approval Z/2011/0359/O in 2012, and that this application would assess issues surrounding siting, design and external appearance, the means of access, parking and the landscaping of the site.

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

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

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

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**LA804/2016/0200/F - 48 Dwellings on Lands South of 25 Harberton Park**

The Committee considered an application for amendments to a previous planning approval (Z/2012/0645/RM) to include changes to house types and modifications to plot arrangements including garages and landscaping for the second phase of the development comprising of 48 dwellings at lands south of 25 Harberton Park.

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

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

**LA04/2016/0478/F - Hurling wall (with associated flood lighting) 7 allotments and spectator stand on land between Corpus Christi College and Mica Drive, accessed off St Marys Gardens; and LA04/2016/0626/F - Variation of condition 6 of planning approval Z/2005/2236/RM to subdivide premises and construct internal mezzanine at 58 - 60 Boucher Crescent**

The Committee agreed to deal with the aforementioned items together.

The case officer outlined the principal aspects of an application for a hurling wall with associated flood lighting, spectator stand and 7 allotments at vacant land between Corpus Christi College and Mica Drive. 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 was informed that the second application sought permission for the non-compliance with condition 6 of planning approval Z/2005/2236/RM to subdivide a larger unit to form 2 retail units for bulky good use and incorporate a mezzanine floor in the new retail unit. It was noted that the application, in accordance with the Scheme of Delegation, had been presented to the Committee since the Council had an estate on the site.

The Committee granted approval to both of the applications, subject to the imposing of the conditions set out in the case officer's reports.

**LA04/2016/1136/F - Demolition of an existing supported Housing Scheme (for 20 No. residents) and the provision of new specialist supported housing scheme for 22 residents) at 3, 5 and 7 Brookhill Avenue.**

The Committee was informed that the application sought permission for the demolition of an existing supported housing scheme (for 20 residents) and the provision of a new specialist supported housing scheme for 22 residents) including on-site staff accommodation, landscaping and associated site works.

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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**LA04/2016/1829/F - Sculpture/statue at Woodvale Park, Woodvale Road; and  
LA04/2016/0910/F - Civic Square at Hollywood Arches, Hollywood Road**

The Committee agreed to deal with the aforementioned items together.

The Committee considered an application to erect a 3m high bronze sculpture statue within Woodvale 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 also considered an application for a landscape remodelling to create a new 'civic square' space as part of the Connswater Community Greenway linear park. It was noted that the application had, in accordance with the Scheme of Delegation, been presented to the Committee since the scheme was being part funded by the Council.

The Committee granted approval to both of the applications, subject to the imposing of the conditions set out in the case officer's reports.

Chairperson