# Planning Committee

Tuesday, 17th September, 2019

MEETING OF PLANNING COMMITTEE

Members present: Councillor Carson (Chairperson);
Alderman Rodgers; and
Councillors Brooks, Canavan, Collins, Garrett, Groogan, Hussey, McKeown, Murphy and Nicholl.

In attendance: Mr. A. Thatcher, Director of Planning and Building Control;
Ms. N. Largey, Divisional Solicitor;
Mr. E. Baker, Planning Manager (Development Management); and
Mrs. L. McLornan, Democratic Services Officer.

## Apologies

Apologies for inability to attend were reported from Alderman McCoubrey and Councillors McMullan and O'Hara.

## Minutes

The minutes of the meetings of 2nd July and 13th August were taken as read and signed as correct. It was reported that those minutes had been adopted by the Council at its meeting on 2nd September, subject to the omission of those matters in respect of which the Council had delegated its powers to the Committee.

## Declarations of Interest

Councillor Nicholl declared an interest in item 8f, namely, LA04/2019/1019/F and LA04/2019/0979/DCA - Demolition of the Students Union and erection of a new Student Centre, in that she was an employee of Queen's University Belfast and worked in the building. She left the room for the duration of the item.

Councillor Groogan declared an interest in item 8h, namely, LA04/2019/0127/O – Redevelopment of existing surface car park and erection of new purpose built build to rent residential units, in that in her previous employment, she had attended consultation events and objected to the application. She left the room for the duration of the discussion.

Councillor McKeown declared an interest in item 8p, namely, LA04/2018/2546/F – Demolition of existing dwelling at 30 Church Road and erection of replacement dwelling,

in that he had liaised with the neighbouring objectors and, while he had expressed no opinion on the application, withdrew from the room for the duration of the discussion.

Councillor Canavan declared an interest in item 8j, namely LA04/2019/0218/F – Environmental and ecological improvement works comprising upgrades at Springfield Dam and Park, in that she wished to speak in support of the application, and she did not take part in the vote.

## Financial Reporting - Quarter 1, 2019/2020

The Director of Planning and Building Control summarised the contents of a report which presented a Quarter 1 financial position for the Planning Committee, including a forecast of the year end outturn. He explained that the Quarter 1 position for the Committee showed a net under-spend of £57,000 (14.67%), with the forecast year-end position being an over-spend of £48,000 (3.2%).

The Committee was advised that the reasons for the Quarter 1 underspend were due to planning fees received having exceeded the anticipated level for the quarter by £40,000, offset by an underachievement of £107,000 associated with Inspection Fee income. He added that interim vacancies within the Building Control section had driven a £47,000 underspend in the employee budget with other underspends across the Division's expenditure budgets equating to £77,000.

The Committee noted the contents of the Quarter 1 financial update.

## Committee Site Visit

It was noted that the Committee had undertaken a site visit on 4th September in respect of planning application LA04/2019/0553/F and LA04/2019/0420/DCA – Lands at Lyndon Court, 32-38 Queen Street.

## Abandonments, Extinguishments and Flood Alleviation

The Committee was apprised of correspondence which had been received relating to the proposed abandonment of:

- Land/footpath at Ballymacarrett Walkway/Tamar Street

The Committee also noted that late correspondence had been received from the Department for Infrastructure, relating to a proposed flood alleviation scheme on the Glenbrook River in east Belfast, which would be undertaken by DFI Rivers.

## Planning Appeals Notified

The Committee noted the receipt of correspondence in respect of a number of planning appeals which had been submitted to the Planning Appeals Commission, together with the outcomes of a range of hearings which had been considered by the Commission.

## Planning Decisions Issued

The Committee noted a list of decisions which had been taken under the delegated authority of the Director of Planning and Building Control, together with all other planning decisions which had been issued by the Planning Department between 6th August and 9th September, 2019.

## Response to re-consultation from DfI on the redevelopment of Casement Park

The Committee considered a report on the re-consultation by the Department for Infrastructure (DfI) on the planning application for the redevelopment of Casement Park, LA04/2017/0474/F. The Members were advised that DfI was the determining authority, given the applications regional significance, and had formally called-in the application under Section 29 of the Planning Act (Northern Ireland) 2011.

The Committee was advised that, in June 2018, DfI undertook a round of consultation based on the receipt of further environmental information, an updated planning statement and revised plans.

The Members were advised that, in July 2019, the DfI had proceeded with another round of consultation, following the receipt of further environmental information. The case officer provided the Committee with an overview of the new information which included a Noise Impact Assessment, an updated Planning Statement, sources of the attendance figures from the Transport Assessment and information on how pedestrian egress was to be addressed.

The Committee was advised that the additional information which had been submitted primarily related to technical matters and that the Environmental Health team would provide advice to the Department on the Noise Assessment and other matters relevant to operations, with DfI Roads best placed to provide advice on the transport elements.

A Member suggested that the Council should ask the Department for Infrastructure to meet with the Moreland and Owenvarragh Residents Association (MORA) in relation to the planning application.

After discussion, the Committee agreed:

- the draft re-consultation response; and
- to write to the DfI, requesting that they would meet with the Moreland and Owenvarragh Residents Association (MORA)

## Restricted Items

### Belfast Local Development Plan (LDP) - Update

(Mr. K. Sutherland, Planning Manager (Policy), attended in connection with this item)

The Planning Manager advised the Committee that the Local Development Plan draft Plan Strategy (dPS) had been formally submitted to the Department for Infrastructure

(DfI) on 30th August. He explained that it was a major milestone in the process, in advance of the upcoming independent examination of soundness by the Planning Appeals Commission (PAC).

A number of Members thanked the officers involved in the LDP for their continued hard work in relation to the Local Development Plan.

The Planning Manager reminded the Committee that it had agreed to invite representatives from the DfI to attend the meeting, in order to discuss Members' concerns in relation to the "draft Development Plan Practice Note 10" consultation. He explained that the Department had advised that no-one was available to attend the meeting due to busy work schedules. A number of Members stated that they felt it was important that the Department be invited to attend a future meeting in order to confer their concerns.

After further discussion, the Committee:

1. noted that the LDP draft Plan Strategy (dPS) had been submitted to the DfI on 30th August 2019;
2. agreed to delegate responsibility to officers for further revision of the LDP timetable; and
3. agreed that officers would again invite the DfI to attend a future meeting to discuss the guidance on the "draft Development Plan Practice Note 10 Consultation".

**Response to Antrim and Newtownabbey Local Development Plan 2030 draft Plan Strategy**

(Mr. D. O'Kane, Principal Planning Officer, attended in connection with this item)

The Principal Planning Officer advised the Committee that Antrim and Newtownabbey Borough Council (ANBC) had published its Local Development Plan Draft Plan Strategy (dPS) for public consultation.

He provided the Committee with a summary of the document and an overview of the Council's draft response to ANBC's draft Plan Strategy, where the comments focused primarily on spatial growth, settlement hierarchy, retail hierarchy, affordable/social housing, transport and future working.

The Committee:

1. noted the public consultation of ANBC's draft Plan Strategy; and
2. agreed that the draft response to the dPS be submitted to ANBC.

## 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)**

**Application Withdrawn**

The Committee noted that the following item (8b) had been withdrawn from the agenda:

- LA04/2019/0517/F - Residential development comprising 154 units and ground floor retail unit at El Divino Nightclub and car park and adjacent open space, Mays Meadow

Upon receiving advice from the Director of Planning and Building Control, the Committee agreed to undertake a pre-emptive site visit to the site.

**(Reconsidered) LA04/2019/0553/F and LA04/2019/0420/DCA – Demolition of existing building and erection of 175 bed aparthotel with associated bar, restaurant and conferencing facilities and associated works on Land at Lyndon Court , 32-38 Queen Street**

The case officer reminded the Committee that it had agreed, at its meeting on 13th August, to undertake a site visit to acquaint itself with the location and the proposals at first hand. She explained that the site visit had taken place on 4th September.

The Members were advised of the principal aspects of the application for a nine-storey aparthotel. The case officer highlighted that officers were recommending an additional condition to ensure that the apart-hotel could not be used as long-term residential accommodation, as the proposal had not been assessed against the relevant policies for residential accommodation and might be inappropriate for such use.

The Committee was advised that the site was located within the City Centre Conservation Area, an Area of Parking Restraint, the Primary Retail Core, an Old City Character Area and that it was proximate to listed buildings. She explained that the proposal met the policy tests outlined in the SPPS and Planning Policy Statement 6.

She advised the Committee that a number of consultations had been returned since the last meeting. She explained that DfI Roads Service had no objections and that the Natural Environment Division had confirmed that the Bat Survey was acceptable and that they also had no objections. The Members were also advised that the Urban Design and Conservation officers had confirmed that the change in materials, to light grey mottled brick with copper/bronze aluminium walling on the top two floors, had resolved their remaining concerns.

The Historic Environment Division had also assessed the amended plans with regards to materials and had no objections.

The Committee noted that no third party representations had been received.

The Chairperson advised the Committee that Mr. B. Starkey and Mr. R. O'Toole, representing the agents, were in attendance and they were welcomed to the meeting. They explained that the current building did not reflect the architectural or historical interest of the wider area and that the contemporary design of the proposal, and the materials used, would contribute positively to the conservation area.

In response to a Member's question regarding the proposed height of the building, the case officer explained that it was considered an appropriate height and that building heights would often peak at a prominent corner site.

In response to a further question regarding the choice of building materials for the scheme, she advised the Committee that new red brick would stand out in between two longstanding red brick buildings, and that the choice of mottled grey brick, with copper/bronze to reflect the nearby red brick, was more appropriate.

After discussion, the Chairperson put the case officer's recommendations to the Committee for its consideration, namely:

> "That planning permission be granted, subject to conditions, and that delegated authority be given to the Director of Planning and Building Control to finalise the wording of the conditions as set out in draft in the case officer's report."

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

**LA04/2018/2283/O - Demolition of existing building and construction of 12 apartments at 236 Upper Newtownards Road**

The Planning Manager (Development Management) advised the Committee he was aware that information had been circulated to members of the Committee directly by the applicant. He reminded members that this was contrary to the Committee's Operating Protocol and, as such, its contents should be disregarded. He also explained that if Members did receive correspondence about a particular application that it should be forwarded to Democratic Services.

The Planning Manager provided the Members with the key aspects of the outline application for the principle of demolition of the current building and the construction of 12 apartments. He outlined the key issues which had been considered in the assessment of the proposed development.

The Committee's attention was drawn to the Late Items Pack, where the agent had submitted a number of points highlighting the sensitive history of the site and had sought to counteract a number of the reasons for refusal within the case officer's report.

The Planning Manager advised the Committee that the site was located within the Belmont Area of Townscape Character (ATC) in draft BMAP and was in close proximity to the Cyprus Avenue Conservation Area.

He explained that nine objections had been received in relation to the application, citing issues with the design, scale and density, impact of the proposed development on traffic, traffic safety concerns relating to the nearby primary school, insufficient parking provision and the overlooking of neighbouring properties.

The Committee was advised that DfI Roads had objected to the application citing unacceptable access, issues with parking provision and that a Transport Assessment Form (TAF) was required.

The Planning Manager advised the Members that it was considered that the existing building made a positive contribution to the character of the draft ATC and that its demolition was considered unacceptable. However, he advised the Committee that the site's sensitive history, as the former Kincora Boys' Home, was also a material consideration. He explained that it was within the Committee's gift to determine whether the sensitive history of the site carried such weight that it could agree that demolition was, in fact, acceptable.

The Committee was advised that the applicant had failed to demonstrate that the site could accommodate development of the scale proposed without harm to the character and appearance of the area, the amenity of neighbouring residents and that it failed to make adequate provision for parking. The Planning Manager explained that the proposal was accompanied by insufficient information to assess the impacts of the proposal in respect of parking, air quality, noise and drainage.

The Members were advised that a refusal of the application was recommended for the reasons as detailed within the report.

The Chairperson explained that Mr. L. Black, applicant, Mr. A. Warren, architect, and Ms. T. Cassidy, Planner, had requested to address the Committee and they were welcomed to the meeting.

Mr. Black stated that he believed demolition consent should be granted due to the reported history of the former Boys' home. Mr. Warren explained that, after discussion with planning officers, they had been advised to reduce the number of car parking spaces on the site. He stated that 36% of houses in the city did not have access to a car and that the location of the site had excellent public transport links. He also advised the Committee that the Drainage Assessment was a technical issue which could easily be resolved. Ms. Cassidy advised the Committee that the site was on white land and that she believed exceptional circumstances existed, as contained in PPS6, in terms of the sensitive history of the building.

A Member queried why there was an issue associated with the parking provision in the proposed development. In response, the Planning Manager explained that each site had to be determined on its own merits, within the correct context and in terms of the use. He clarified that residential use and commercial use of a site had different standards.

A number of Members stated that they felt there were grounds for the demolition of the existing property, given the sensitive history associated with it. A number of Members however, also expressed concerns with the proposed development for the site.

The Planning Manager advised the Committee that, if it was minded, it could refuse the application for the reasons within the Case officer's report but with the removal of reason 1, namely, that "the demolition of the current structure would harm the character and appearance of the area".

The Divisional Solicitor added that the Committee could not agree to the demolition of the existing building in insolation. She confirmed that, as it was one

application, the Committee was required to determine whether to accept or refuse the application in its totality, or to defer consideration in order to undertake a site visit.

After discussion, the Committee agreed:

1. to defer consideration of the application to enable a site visit to be undertaken to allow the Committee to acquaint itself with the location and the proposals at first hand; and
2. that DfI Roads be invited to attend the next meeting in order to discuss the issues which had been raised during discussion.

**LA04/2018/2097/F - Change of use & refurbishment of Wilton House to provide 8 apartments including alterations to rear & side elevation of Wilton House and demolition of existing rear return & erection of new build 5 storey residential development to provide 23 dwellings (15 new build) at Wilton House 5-6 College Square North**

Before presentation of the application commenced, the Committee agreed to defer consideration of the application to enable a site visit to be undertaken to allow the Committee to acquaint itself with the location and the proposals at first hand.

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

**LA04/2019/1445/O - Residential development of 53 apartments and car parking spaces at Former Monarch Laundry Site, 451-455 Donegall Road**

Before presentation of the application commenced, the Committee agreed to defer consideration of the application to enable a site visit to be undertaken to allow the Committee to acquaint itself with the location and the proposals at first hand.

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

**LA04/2019/1019/F - Demolition of the existing Queen's University Students' Union building and erection of a new Student Centre**

(Councillor Nicholl declared an interest in the item and left the room for the duration of the discussion)

The Committee was provided with the key aspects of the major application for the demolition of the former Students' Union and the construction of a replacement Students' centre comprising shopping, food and bar outlets, offices, multi-purpose spaces, roof-mounted solar panels and the reconfiguration of on-street car parking and public realm enhancements.

The Members were advised of the main issues which had been considered in relation to the application, including the principle of demolition in the conservation area and the application's impact on built heritage, traffic and parking, adjacent land users.

The case officer outlined that the site was located within the Metropolitan Development Limit, the Queen's Conservation Area, an Area of Parking Restraint and the Queen's Office Precinct.

She highlighted to the Members that the current building was a piecemeal combination of an original building from the 1960s together with an extension and modern redevelopment with recladding from 2007.

She explained that three main viewpoints had been considered when assessing the proposed scheme, namely, from the front of the main Lanyon building, from the front gates of Botanic Gardens and when travelling country-bound on University Road. The Committee was advised that the plant would be housed on the roof and that adjustments had been made to ensure that it was not prominent from any of the viewpoints.

The Committee's attention was drawn to the Late Items Pack, where additional representation had been received from the Church of Ireland and Methodist Chaplaincy. The issues raised related to concerns in the Noise Addendum Report, citing that residents living in Nos. 10, 28-28 and 42 Elmwood Avenue had not been taken into consideration, that the traffic noise was not the dominant noise concern, concerns regarding the new layby and queried whether attendees could exit the Students' Union building onto University Road. The case officer explained the planning response to each of the points which had been raised.

She highlighted that correspondence had been received from the agent representing the University earlier that day, confirming that the University was willing to amend its plan and use the University Road doors after 11p.m., when the multi-purpose hall was in use and an event was at maximum capacity. She confirmed to the Members that Environmental Health had subsequently confirmed it was content with this approach.

The Chairperson explained that Ms. A. McFerran, Mr. A. Munro and Ms. C. Cooper, representing the agents, were in attendance to address the Committee and he welcomed them to the meeting. They highlighted that the proposed building was in keeping with the Conservation area, while providing a significant upgrade to the current Student facilities.

During discussion, a Member queried why the University Road exit would only be used for events at maximum capacity. The Case officer explained that, following six months of occupation, a Noise Verification Report was required to be submitted which would bring any issues to the fore. She also added that officers would try to tighten up the wording of conditions in relation to the issue.

In response to a Member's query regarding the cycle parking provision, the case officer explained that while there would only be 21 spaces provided as part of the

application, that the wider University area had significant cycle parking in addition to a nearby Belfast Bikes station.

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

**LA04/2018/2602/F - Demolition of existing building at lands bound by Little Victoria Street, Bruce Street & Holmes Street for new 15 storey purpose built student accommodation building**

(Councillor Nicholl returned to the meeting at this point)

The Members were provided with the principal aspects of an application for the demolition of an existing building and the proposed construction of purpose built student accommodation, comprising 274 units, within the city centre.

The case officer explained the key issues which were considered in the assessment of the proposal which included the principle of redevelopment, scale, massing and design, open space provision, impact on the Linen Conservation Area, contamination and developer contributions.

He explained that the area was designated as unzoned whiteland in the Belfast Urban Area Plan (BUAP) and that it fell within the Commercial District Character Area in the draft Belfast Metropolitan Area Plan of 2004 and 2015. He advised the Committee that the area was defined by a mix of smaller scaled traditional buildings, surface level car parks and more modern high rise buildings to the north and west of the site off Bedford Street and Great Victoria Street in particular.

The Committee's attention was drawn to the Late Items Pack. The Case officer reported that Environmental Health had welcomed the revised Acoustic Design Statement for the application, which recommended a higher specification for the sound reduction of glazing and means of ventilation. It was noted that Environmental Health had recommended that a condition be attached requesting verification that the suggested mitigation measures had been carried out prior to occupation.

The Members were advised that two letters of objection had been received, raising the potential adverse impact on the amenity of a residential zoned site in Holmes Street. The Case officer explained that there was a considerable step down in the building from Little Victoria Street, from 45.2 metres to 36 metres, which represented a built form approximately 7 metres lower onto Holmes Street than the extant approval on the site.

The Case officer highlighted that a representation had been received in relation to land ownership, which was a legal matter, and which had been addressed within the report.

The Committee noted that the building had already been demolished and that investigative works had already been carried out on site. The case officer explained that DAERA were content with the proposals subject to conditions.

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 Building Control, in conjunction with the City Solicitor, to enter into discussions with the applicant to explore the scope of any planning agreements which might be realised at the site. The Committee also delegated power to the Director of Planning and Building Control for the final wording of the conditions.

**LA04/2019/0127/O - Redevelopment of existing surface car park and erection of new purpose built, build to rent residential units, with shared amenity spaces on site bounded by Glenalpin Street, Wellwood Street and Norwood Street**

(Councillor Groogan declared an interest in the item and left the room for the duration of the discussion)

The Case officer provided the Committee with the key details of the outline application for the redevelopment of an existing car park and the erection of purpose built "build to rent" residential units with shared amenity spaces and associated car parking.

He advised the Members of the principle issues in the assessment of the proposed development, which included the principle of development, impact on Built Heritage, scale, massing and design, Open Space provision, traffic and parking, impact on amenity, contaminated land, drainage and flooding and waste management.

He advised the Committee that the site was unzoned whiteland within the city centre and that it had residential development on three sides.

The Case officer drew the Committee's attention to the Late Items Pack, where the Historic Environment Division's (HED) Historic Buildings had submitted their consultation response. It had advised that the proposals might have an adverse impact on the Shaftesbury Square hospital and had requested additional information. The Case officer explained that delegated authority was sought to resolve the matters and to assist HED in its assessment.

The Committee was advised that 78 objections had been received citing issues with social housing, affordability, scale and massing, loss of light, impact on privacy, lack of car parking, impact on traffic and no green space. The case officer advised the Members of the officer's consideration of the issues raised.

He explained that DfI Roads and DAERA had no objections subject to conditions and that NI Water had no objections to the proposed scheme.

The Chairperson advised the Members that Mr. R. O'Toole and Mr. C. Deazley, representing the agents, were in attendance and he invited them to address the meeting. They advised the Committee that the scheme had been reduced in scale after discussions with Planning officers.

A number of Members raised concerns regarding the response from the Northern Ireland Housing Executive (NIHE), whereby it had advised that there was no site specific need for social housing in that area. A number of Members stated that there was a distinct lack of 1 bedroom social housing units in the area and suggested that NIHE should be requested to submit additional information in relation to the need in that area, or be requested to attend the next meeting.

In response to a further Member's query, the Director of Planning and Building Control confirmed that information relating to requirements for affordable housing would be considered as part of the Planning Workshops on the Thursday sessions in due course.

After discussion, the Committee agreedto defer consideration of the application to enable a site visit to be undertaken to allow the Committee to acquaint itself with the location and the proposals at first hand.TheCommittee also asked that Planning officers re-engage with the NIHE, either by requesting that the NIHE attend for this item at the next meeting or that additional information be provided by the NIHE in advance of the next meeting in relation to the social housing need in the area.

**LA04/2018/2546/F - Demolition of existing dwelling at 30 Church Road and erection of replacement dwelling with associated access car parking and private amenity space at 30 Church Road, Newtownbreda**

(Councillor Groogan returned to the meeting at this point)

(Councillor McKeown declared an interest and left the room for the duration of the discussion)

The Case officer outlined the principal aspects of the application to the Committee.

She explained that the proposals respected the surrounding context and were appropriate to the character and topography of the site in terms of layout, scale, proportions, massing and appearance.

The Chairperson explained that a late request to speak had been received from Mr and Mrs. Mainwaring, who had objected to the application. The Committee agreed to receive the deputation and they were welcomed to the meeting.

Mrs. Mainwaring explained that they lived beside the site, at no. 32, and that they had concerns relating to the impact of the proposed development on their amenity due to dominance, loss of light and privacy within their property. She explained that they had met with the applicants to discuss the proposals 10 months previously. She advised the Committee that the applicants had acknowledged their concerns and had stated that they would amend the plans to have the garage at the opposite side of the site but that the applicant had never submitted alternative plans to that effect.

A Member requested information as to how the officers had concluded that the proposed development would not overshadow no. 32. The Case officer confirmed to the

Members that the overshadowing or dominance posed by the proposals would not be to a significant level in order to qualify a refusal.

A further Member stated that the proposed development was a sizable increase on the current dwelling. The Case officer explained to the Committee that the proposal was in keeping with the other dwellings in the surrounding area.

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

(The Committee adjourned for a 10 minute break at this point)

**LA04/2019/1398/F - Variation of conditions of Approval LA04/2017/0235/F for 53 residential units relating to Condition 16 about remediation of contamination and condition 26 relating to phasing of development to allow construction in accordance with an updated construction programme on Lands at Rosepark House, Upper Newtownards Road**

(Councillor McKeown returned to the meeting at this point)

The Principal Planning Officer explained that the application was for the variation of conditions 16 and 26 of a previous approval, LA04/2017/0235/F.

He explained that the variation of Condition 16 related to the remediation of contamination to include reference to the remedial measures outlined in the Generic Quantitative Risk Assessment report, dated January 2017, and an updated Ground Gas Risk Assessment and Remedial Strategy, dated May 2019.

The Members were advised that the variation of Condition 26 related to the phasing of the development in accordance with an updated construction programme, to read "any subsequent phase shall not be occupied before the works comprised in all previous phases were completed in accordance with the approved plans".

The Committee granted approval to the variation of the conditions and delegated power to the Director of Planning and Building Control for the final wording of the conditions.

**LA04/2019/0218/F - Environmental and ecological improvements works comprising upgrades to existing entrances, provision of a new entrance, rearrangement of existing car parking, enhancements to existing paths including a proposed circular pathway and landscaping. Installation of a causeway bridge, modular classroom, fishing stands, floating habitat islands, fencing, lighting and additional street furniture at Springfield Dam and Park, Springfield Road**

(Councillor Canavan declared an interest and moved to the public gallery in order to address the Committee on the item, and subsequently left the room for the duration of the discussion)

The Committee was apprised of the key aspects of the major application and was advised that the Council was the applicant.

The Principal Planning Officer provided the Members with the key issues for consideration in respect of the proposals, which included the impact on natural heritage, access, parking, impact on built heritage, flood risk and other environmental matters.

The Members were advised that the site was within a local landscape policy area (LLPA), and was a site of local nature conservation importance (SLNCI) as designated within the draft BMAP 2015. He outlined that the proposal had been assessed against and was compliant with SPPS, BUAP 2001, draft BMAP 2015, PPS2, PPS3, PPS6, PPS8 and PPS15. He concluded that the proposals represented an enhancement of the amenity value of the existing park and Dam.

The Committee was advised that Environmental health, NI Water, HED, DAERA's Environment, Marine and Fisheries, Water Management Unit Regulation Unit and Natural Environment Division had raised no issues of concern.

The officer explained that DfI Roads had been consulted and had some technical queries. He explained that the Council's Property and Projects section would consider the issues raised and that delegated authority was sought in order that they would be addressed.

The Chairperson, on behalf of the Committee, welcomed Councillor Cavanan to address the Committee.

Councillor Canavan welcomed the application. She advised the Committee that the Springfield Dam area had been a hotspot for anti-social behaviour and that the enhancements included in the proposed scheme included new lighting and fencing, and that the proposals would restore the Dam to its former glory and would become an environmental asset to the area.

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

**LA04/2019/0992/F - Change of use from residential dwelling to HMO at 28 Oceanic Avenue**

(Councillor Canavan returned to the meeting at this point)

(Councillor McKeown left the meeting at this point)

The Case officer provided the Committee with the key aspects of an application for a change of use from a single occupancy dwelling to a House in Multiple Occupation (HMO). She clarified that there was a misprint in Section 10 of the report, and that the application was, in fact, retrospective.

She clarified to the Members that policy HMO 5 applied, given that the area was outside a designated HMO Development Node or Policy Area.

She explained that the Land and Property Pointer database illustrated that there were 20 domestic properties on Oceanic Avenue, which would allow 2 HMOs before the 10% threshold was exceeded. She explained that records showed that no HMOs were currently registered.

The Committee's attention was drawn to the Late Items Pack, where 51 standard letters of objection had been received, citing that there was insufficient parking the area to facilitate the HMO, there were too many HMOs in the area, the proposal did not meet the demand for family housing in the area and that there would be an increase in anti-social behaviour as a result of the proposal. In response, the case officer highlighted to the Members that, while parking was not a requirement for an HMO, there was considered to be sufficient parking in the area, the proposal had been assessed against relevant HMO policy and was compliant, and that anti-social behaviour fell outside of the remit of Planning.

The case officer pointed out that a petition of objection had been received from nearby residents, with seventeen signatures. They had raised issues relating to anti-social behaviour, criminality, parking and noise. The issues which fell within the remit of Planning were addressed within the main report.

She explained that DfI Roads, Environmental Health, Rivers Agency and the Council's Development Plan Team had all been consulted and offered no objection to the proposal.

A number of Members expressed general concern that the number HMOs operating in any one area did not correspond accurately to the number which were registered.

In response to a number of comments from Members as to how the Council checked the number of currently registered HMOs in an area, the Planning Manager (Policy) confirmed that the Local Development Team cross-checked their information with the information held by the HMO Licensing team.

The Director of Planning and Building Control advised the Committee that officers and the Committee was required to apply current planning policy to determine each application on its own merits.

The case officer's recommendation to approve the application, subject to the conditions as outlined within the report, was put to the Committee.

On a vote by show of hands, one Member voted for the proposal and none against, with nine no votes, and it was accordingly declared carried.

**LA04/2019/1159/F - Change of use from residential dwelling to HMO at 72B Earlswood Road**

The case officer outlined the application for a change of use from a single occupancy dwelling to a House of Multiple Occupation (HMO).

The Committee noted that the site fell within the draft Belmont Area of Townscape Character.

She clarified to the Members that policy HMO 5 applied, given that the area was outside a designated HMO Development Node or Policy Area.

She explained that, according to the Land and Property Services (LPS) Pointer Address database, there were 79 domestic properties in that section of Earlswood Road, which would allow for 7 HMOs before the 10% threshold would be exceeded. The Committee was advised that there was only 1 HMO recorded in that section of road.

The case officer advised the Committee that three objections had been received, raising issues in relation to traffic and parking impact, out of character development, noise and general lack of management of HMOs. She outlined the response to the issues raised and advised that DfI Roads, Environmental Health and the Local Development Plan team had been consulted in relation to the proposal and that all had offered no objection.

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

**LA04/2019/1376/F Change of use from residential dwelling to HMO property at 88 Stratheden Street**

The case officer outlined the application for a change of use from a single occupancy dwelling to a House of Multiple Occupation (HMO).

She clarified to the Members that, given the area was outside a designated HMO Development Node or Policy Area, policy HMO 5 was applicable in this case.

She explained that, according to their records, there were 71 domestic properties in Stratheden Street, with no existing HMOs. The Committee was advised that the principle of an HMO at the proposed location was in line with policy and was acceptable in terms of Policy HMO 5.

The Committee noted that no third party representations had been received.

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

**LA04/2019/1724/F - Change of use from dwelling house to HMO at 68 Beech Heights**

The case officer outlined the application for a change of use from a single occupancy dwelling to a House of Multiple Occupation (HMO).

She clarified to the Members that, given the area was outside a designated HMO Development Node or Policy Area, policy HMO 5 was applicable in this case.

She explained that, according to the LPS Pointer Address database, there were 81 domestic properties on Beech Heights, which would allow for 8 HMO properties before the 10% threshold would be exceeded. The Committee was advised that records illustrated that there were currently 2 HOs on Beech Heights and that the application was acceptable in terms of Policy HMO 5.

The Committee was advised that no third party representations had been received.

The case officer explained that both DfI Roads and Environmental Health had been consulted and had no objections to the proposal.

The case officer's recommendation to approve the application, subject to the conditions as outlined within the report, was put to the Committee.

On a vote by show of hands, seven Members voted for the proposal and none against, with three no votes, and it was accordingly declared carried.

**LA04/2019/1663/F - Change of use from dwelling house to HMO at 440 Falls Road**

The case officer outlined the application for a change of use from a single occupancy dwelling to a House of Multiple Occupation (HMO).

She clarified to the Members that policy HMO 5 was applicable in this case, given that the area was outside a designated HMO Development Node or Policy Area.

The Committee was advised that there were 83 domestic properties on that section of the Falls Road. As such, she explained that the policy allowed for the registration of 8 HMO properties in that section of road before the 10% threshold would be exceeded. She explained that there were only 3 HMOs recorded in the section currently, and that the application was therefore acceptable.

The case officer explained that no third party objections had been received in relation to the application.

The case officer's recommendation to approve the application, subject to the conditions as outlined within the report, was put to the Committee.

On a vote by show of hands, seven Members voted for the proposal and none against, with three no votes, and it was accordingly declared carried.

**LA04/2019/0957/F - Temporary covered structure for events at Victoria Park, Park Avenue**

(Councillor Groogan left the meeting at this point)

The case officer provided the Committee with the key aspects of a retrospective application for the erection of a temporary covered fabric structure in Victoria Park, measuring 21metres by 11metres.

She advised the Members that the structure would be used for a number of standalone occasions as well as at regular weekly "parkrun" meetings.

The Committee was advised that the development was not considered to have an impact on the character of open space within the Park and that the structure would bring significant benefits to many Park users. She outlined that the development was therefore considered to meet Policy OS1 of PPS8 as it would not result in in a permanent loss of open space and would provide a community resource.

The case officer explained to the Committee that, while the applicant had requested planning permission for four years, it was felt that three years was more appropriate given that the type of structure did not have a long lifespan and could diminish the amenity of the Park if retained on site for too long.

The Committee noted that the Council was the applicant.

The Members were advised that the application had been advertised in the local press and that no letters of representation had been received.

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

**LA04/2019/1161/F - Installation of 2.4m high rigid mesh panel security fencing Alexandra Park Antrim Road**

The Committee was apprised of the key aspects of the application for the installation of 90metres of green mesh panel fencing at the above site. She explained that the fence was located within an enclosed portion of Alexandra Park which was not accessible to members of the public.

The case officer advised the Committee that the Council was the applicant.

She provided the Committee with the key aspects which were considered in relation to the application, particularly in relation to the nearby residential development.

She explained that the application had been advertised in the local press and that no representations had been received. The Members were also advised that the Department for Infrastructure had no objection to the application.

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

**LA04/2019/1792/F - New monument feature to existing memorial garden, new railings with gated access, paving, general repairs and refurbishment and drainage on Memorial at the Junction of Crumlin Road and Glenbank Drive**

The case officer provided the Committee with the principal aspects of the application, which comprised an additional monument feature to an existing memorial garden and the addition of a new plinth to the existing cross feature.

The Committee noted that the Council was the applicant.

She advised the Committee that the site was within the development limits for Belfast and was not located within a conservation area or within close proximity to a listed building.

The case officer advised the Committee that the application had been neighbour notified and advertised in the local press and that no comments had been received.

The Members were advised that no consultations were required.

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

Chairperson