

Planning Committee

Tuesday, 17th August, 2021

MEETING OF THE MEMBERS OF THE PLANNING COMMITTEE HELD REMOTELY VIA MICROSOFT TEAMS

- Members present: Councillor Maskey (in the Chair);
Councillors Brooks, Carson, Matt Collins,
Garrett, Hussey, Hutchinson, McCullough,
McMullan, Murphy, O'Hara and Whyte.
- In attendance: Ms. K. Bentley, Director of Planning and Building Control;
Mr. E. Baker, Planning Manager
(Development Management);
Ms. N. Largey, Divisional Solicitor;
Mrs. S. Steele, Democratic Services Officer; and
Mrs. L. McLornan, Democratic Services Officer.

Apologies

Apologies for inability to attend were reported from Councillors Groogan and Hanvey.

Minutes

The minutes of the meetings of 15th and 24th June 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 July, subject to the omission of those matters in respect of which the Council had delegated its powers to the Committee.

Declarations of Interest

Councillor McCullough declared an interest in Item 7f – Hillview, in that he had been involved in public and private meetings with residents in respect of the application, and he did not participate in the discussion or vote.

Councillors Brooks and McMullan advised the Committee that, in relation to Item 7m – C. S. Lewis Square, they were Council appointments to the EastSide Partnership but clarified that, as they did not have a pecuniary interest, they remained in the meeting for the duration.

Councillor O'Hara declared an interest in Item 7f – Hillview, in that, a number of years before he had been elected as a Councillor, he had supported PPR Project's campaign for housing at the site in question but that had been before the current planning application had been lodged. Upon seeking legal advice, the Divisional Solicitor clarified that, while it was up to the Member, she was content that, as long as he would consider

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the application with an open mind and without prejudice, he could participate in the discussion and vote on the item.

Committee Site Visit

The Committee noted that a site visit had taken place, on 10th August, to the following site:

- LA04/2020/0847/F & LA04/2020/1208/DCA - Partial demolition and redevelopment of existing buildings to provide 16 apartments, communal bin store and landscaped communal garden at 25-29 University Road.

Quarter 1 Finance Update

The Members recommended that, in accordance with the Council decision of 4th May, the Chief Executive would exercise her delegated authority to:

- note the report and agree the 2020/21 balances;
- agree to the year-end surplus of £5.4m being made available for re-allocation; and
- retain the annual allocation of £500k for the summer diversionary festival programme with the purpose of running it later in the year.

Planning Appeals Notified

The Members 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 Members noted a list of decisions which had been taken under the delegated authority of the Strategic Director of Place and Economy, together with all other planning decisions which had been issued by the Planning Department between 8th June and 9th August 2021.

Vesting Order and Abandonment

The Members recommended that, in accordance with the Council decision of 4th May, the Chief Executive would exercise her delegated authority to note that:

- NIHE had submitted a notice of application for a Vesting Order of Lands at Block 34g Corrib Avenue, under Local Government Act (NI) 1972 The Housing (NI) Order; and
- DFI Roads was proposing to abandon 1000.476 sq metres of Adam Street, at its junction with Duncairn Gardens to Upper Canning Street Under Article 68 (1) of the Roads (NI) Order 1993.

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Planning Applications

**THE MEMBERS OF THE PLANNING COMMITTEE CONSIDERED THE FOLLOWING
ITEMS IN ORDER TO MAKE RECOMMENDATIONS TO THE CHIEF EXECUTIVE
IN PURSUANCE OF THE POWERS DELEGATED TO HER BY THE COUNCIL
ON 4TH MAY, 2021**

Withdrawn Items

The Members noted that the following three applications had been withdrawn from the agenda:

- (Reconsidered Item) LA04/2020/0847/F & LA04/2020/1208/DCA - Partial demolition and redevelopment of existing buildings to provide 16 apartments, communal bin store and landscaped communal garden at 25-29 University Road;
- LA04/2019/0775/F - 18 dwellings to include revision of site layout of previous approval Z/2007/1401/F at sites 2-8 (7 dwellings) and additional 11 No. dwellings, including landscaping, access via Hampton Park and other associated site works on lands approximately 50m to the north of 35 Hampton Park and approximately 30m to the west of 60 Hampton Park, Galwally; and
- LA04/2021/1595/F - Lands in front of Calvert House – Re-placing existing kiosk with upgraded kiosk which includes covered area at 23 and 17 Castle Place

The Committee also agreed to undertake a pre-emptive site visit in respect of application LA04/2019/0775/F.

(Reconsidered Item) LA04/2020/2280/F - Mixed use development comprising 1 ground floor retail unit and 13 apartments, associated amenity space, landscaping and all other site works at 93-95 Falls 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, as the application had not been presented, that all Members' present at the next meeting, would be able to take part in the debate and vote on this item.

LA04/2020/1858/F - 18 social housing units at Hillview Retail Park

(Councillor McCullough, having declared an interest, left the meeting at this point in proceedings and did not participate in the vote)

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The Principal Planning officer outlined the key aspects of the application for the erection of 18 social houses comprising two different rows of housing. She explained that the site had an area of 0.41hectare and was located within the development limits for Belfast in both the Belfast Urban Area Plan 2001 (BUAP) and the draft Belfast Metropolitan Plan 2015 (BMAP). The application site was unzoned whiteland within the development limits in BUAP and was located within a proposed district centre designation (BT017/2) in draft BMAP 2004.

The Members were advised of the main issues which had been considered during the assessment of the application, including:

- the principle of the proposal at the location;
- design, layout and impact on the character and appearance of the area;
- impact on residential amenity for existing and prospective residents
- impact on built heritage;
- access, parking, and transport;
- infrastructure capacity; and
- impact on human health.

The Principal Planning officer explained that District Centres were characterised by predominantly retail and commercial uses, acting as key service centres for surrounding communities. She reported that the proposal would result in a loss of space for that use and, therefore, the principle of the proposal was unacceptable on the basis that the site was within a zoned district centre and was also incompatible with adjacent land uses.

She outlined that the proposed residential use was incompatible with the adjacent land use which consisted of the retail units, service yards and the large areas of hardstanding for the car park. As such it was considered that housing at the location was unacceptable.

The Members were also advised that the layout and density proposed would result in overdevelopment of the site and that was contrary to the SPSS and Policy QD 1 of PPS 7 Quality Residential Development. The members were advised that it would result in unacceptable damage to the local character and would create an undesirable living environment for prospective residents by way of the poor layout, overlooking and inadequate amenity provision. She added that the scheme also failed to promote the safety and surveillance for prospective residents due to its location along an interface wall and within a retail park.

The Principal Planning officer outlined that 220 objections had been received in respect of the application, including objections from Mr. William Humphrey MLA, Alderman Kingston and Councillors Verner, Pankhurst and McCullough. The objections related to the use of the retail site for housing, impact on community issues, safety concerns, contrary to wider planning policy, inappropriate layout and impact on the character of the area, poor outlook onto a peace wall, inadequate amenity provision, design and layout create conflict with adjacent land uses, impact on residential amenity, overlooking, particularly at the north western corner of the site, the potential of increased crime and compromised personal safety given the sensitive location of the site and

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inequality amongst provision of housing for different parts of the local community. The Members noted that the issues raised had been addressed within the Case Officer's report.

She advised that a letter of support had been received from a resident of the greater North Belfast area who welcomed much needed housing in the area. She also drew the Members' attention to the Late Items pack, which included correspondence that had been received from John Finucane MP, Gerry Kelly MLA and Carál Ní Chuilín MLA in support of the application. The points raised included that the waiting list for social housing in North Belfast consisted of over 4,500 applicants, demand for housing in the north of the city outstripped supply and the availability of land was one of the key barriers to addressing the housing problem, the proposal represented a positive approach to the supply of housing as it was adjacent to existing housing and would offer a good mix with the existing commercial offerings.

The Chairperson welcomed Ms. Ni Chuilin MLA to the meeting. She advised the Members that:

- she was in support of the application for social housing in North Belfast, where over 4,000 people were on the waiting list;
- she welcomed the fact that planners were concerned about people living beside an interface, however, given the fact of high housing need in North Belfast and that it was a mixed-use development, she would welcome more housing units within it;
- while it was whiteland in both BMAP and BUAP, where there were opportunities to have mixed use sites, they should be taken;
- there should be an ambition to make the site more accessible by green transport measures;
- she felt it was disappointing that applications for housing on that side of the Crumlin Road were met with numerous objections;
- a person's perceived religion, political opinion, gender, nor sexuality should come into the decision process for whether an application was acceptable or not; and
- that North Belfast should be a place where everyone could live, work and shop in.

In response to a Member's question, Ms. Ni Chuilin advised that she had spoken with the Northern Ireland Housing Executive (NIHE) last week in relation to the application and that the NIHE had indicated that it was supportive of the housing scheme. She advised that she was unsure, therefore, as to why the status of the housing had not been confirmed as social housing in writing, either by planning officers or by the applicant.

In response to a further question, she explained that the application had been deigned based on the understanding that the site would consist of a retail frontage with housing at the back and that contiguous access to the wider Ardoyne area and the Crumlin Road was required.

A Member asked officers to clarify whether the development was for social housing or not. The Principal Planning officer confirmed that the applicant was not a

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social housing provider and that no evidence had been submitted to illustrate that the units would be taken on by a social housing provider.

The Members were advised that the Historic Environment Division (HED) and NI Water had been consulted and had no objections to the proposal. DFI Roads had advised that the proposals were unacceptable and Environmental Health and Rivers Agency required further information.

The Principal Planning officer explained that DFI Roads had been consulted on the proposal and had advised that the application in its present form was unacceptable. DFI Roads had made a number of comments in relation to the proposal, including that the red line did not contain sufficient areas to deliver the required works, a fully adopted road and footways would need to be delivered to serve the development, adequate visibility splays would need to be provided which might not be achievable due to trees and a wall and that a Travel Plan and a Transport Assessment Form were required.

It was considered that the proposal was contrary to Planning Policy Statement 7: Quality Residential Environments: Policy QD1, in that the applicant had failed to demonstrate an acceptable road layout and parking arrangement in accordance with the guidance contained within 'Creating Places' and it was also contrary to the SPPS and policies AMP 1 and AMP2 of PPS3.

A Member pointed out that DFI Roads had advised that it required additional information in order to make a further assessment of the proposal. The Principal Planning advised the Members that further information was not requested from the applicant, given that the proposal was considered fundamentally unacceptable in principle by officers and to request such information would put the applicant to unnecessary expense. She explained that, in line with the Council's Planning Operating principles, it was deemed appropriate to determine the application based on the information received to date.

Additionally, the Principal Planning officer outlined that the applicant had failed to include a drainage assessment as part of the application and that Rivers Agency had requested further information. Again, as there were fundamental concerns with the proposal, it was considered not to request additional information from the applicant and to proceed with a determination based on the original submission.

Environmental Health had expressed concerns with the proposal relating to contamination, air quality and noise, and set out that the necessary assessments and reports had not been submitted with the application and would be required to make a full assessment of the impacts. Similarly, as there were fundamental concerns with the proposal and, in line with the Council's operating principles, it was considered not to request additional information from the applicant and to proceed with a determination based on the original submission. As such it was considered that the proposal would have an adverse impact on prospective residents and was therefore contrary to the SPPS and PPS 7 Policy QD 1 Criteria (h) in that the proposed development would cause demonstrable harm to interests of acknowledged importance.

A Member stated that he had concerns with the approach taken by officers. He argued that surely the principle of the application was open to interpretation and, if the

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Belfast Urban Area Plan (BUAP), as the extant planning policy, considered the site to be unzoned whiteland, then technically housing was acceptable on the site.

In response, the Principal Planning officer clarified that it was a balance between the designation as whiteland and the fact that it was, as a matter of fact, used for retail and that there were a number of retail approvals on the site as well.

She explained that the applicant had been given an opportunity to submit all of the required information and would have been informed that the application was recommended for refusal but that the applicant had not submitted the information required.

In response to a further Member's question, the Principal Planning officer and the Divisional Solicitor clarified to the Members that zonings within the forthcoming Local Development Plan were not yet a material consideration as the report had not yet been received from the Planning Appeals Commission.

A Member stated that the BUAP was still the extant planning policy and that, therefore, there was nothing wrong with a mixed-use development on the site. He added that, due to the location of the site, at the far corner, once the gates were moved, it would not be 18 social housing units within a retail park. He advised that there were social houses behind the site, at Rosehead, and that the application was therefore not incompatible with the adjacent land uses nor in conflict with the shopping centre. He highlighted the development of 71 units at Brookfield Mill which was currently under construction. He added that the need for social housing should be considered in terms of whether it was compatible or not. He stated that none of the units had inadequate amenity space. For those reasons, he advised that he proposed that the application should be approved, subject to the required reports being submitted.

A further Member requested clarity as to why the site was deemed unsuitable for housing when there was housing on the other side of the interface. In response, the Principal Planning officer explained that each application was considered based on the material circumstances of the individual site. She explained that the quality of the environment at Rosehead was not the same as the site in question, given the road network issues, the shorter gardens, the outlook onto car parking and the amenity space which were not adequate for houses backing onto a 6 metre high peacewall.

A further Member stated that he felt that a site visit would be appropriate in order to visualise the application on site.

Moved by Councillor McMullan
Seconded by Councillor Brooks,

That the Members agree to recommend that the Chief Executive uses her delegated authority to agree to defer consideration of the application in order that Members would undertake a site visit in order to view the site and consider the application in situ.

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On a vote, four members voted for the amendment and six against, with one no vote, and it was declared lost.

The Planning Manager clarified to the Members that:

- while the weight to be afford to BMAP versus the BUAP was a matter for the Committee Members to determine, officers recommended that significant weight should be given to draft BMAP, given the advanced stage that it had reached;
- notwithstanding the zoning issue, noise assessments had not been submitted and officers had concerns regarding the compatibility of housing within the retail park, such as noise emanating from plant facilities or deliveries at unsociable hours, and cautioned that there could be legal implications and/curtailment requirements for businesses if objections from residents at the site were to be received;
- some of the concerns that DFI Roads had raised concerned land outside of the red line site and could lead to potential risks in terms of highway safety;
- a contaminated land report was also outstanding and officers would have concerns relating to human health.

Moved by Councillor Murphy
Seconded by Councillor Carson

That the Members agree to recommend that the Chief Executive uses her delegated authority to agree grant approval to the application, on the basis that the principle of housing is acceptable at that location, subject to the outstanding assessments on roads, drainage, contamination, air quality and noise being submitted to, and considered acceptable by, the Committee at a future meeting.

On a vote, eight Members voted for the proposal and three against, and it was declared carried.

LA04/2020/0493/F - Alteration and extension of existing building to provide 4 No one bed apartments at 23 Glandore Avenue and 2 Glanworth Gardens

(Councillor McCullough returned to the meeting at this point)

The Senior Planning officer outlined that permission was sought for the alteration and extension of an existing property, which contained two apartments, to provide four 1 bedroom apartments. She explained that the proposal included internal reconfiguration of the rooms and the demolition and replacement of the rear return.

The Members were advised that the apartments would occupy three floors, with one apartment on the ground floor, two apartments on the first floor and one on the second floor proposed. The rear return would be replaced, allowing bin storage, cycle

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parking and private amenity space to be provided to the rear of the apartments and increasing the separation distance with its neighbour to the south.

The Members were advised that the main issues which had been considered during the assessment included the principle of development, the impact on the character and appearance of the area (including the draft Area of Townscape Character), residential amenity, access, parking and road safety and available infrastructure.

The application had been neighbour notified and was advertised in the local press. The Senior Planning officer explained that a total of 19 letters of objection had been received. The objections raised a number of concerns, including the impact on the Area of Townscape Character, design, impact on amenity, parking provision, accuracy of the parking survey and the structural impact on the adjoining property.

The Members were advised that Environmental Health had been consulted and it was content with the proposal, subject to an informative being attached to the decision. NI Water had been consulted and had offered no objection. DfI Roads had also been consulted and had offered no objection, subject to condition.

The Senior Planning officer detailed that the proposal had been assessed against and was considered to comply with the BUAP, Draft BMAP, PPS3, PPS7, PPS7 Addendum, the SPPS and Creating Places.

The Chairperson welcomed Councillor McAllister to the meeting who wished to speak in objection to the proposal. She advised the Members that:

- part of the original building would be destroyed, which was a direct contradiction to the Council's commitment to preserve heritage within the Belfast Agenda and the forthcoming Local Development Plan;
- under PPS 6 section 7.8, it was recommended that, in Areas of Townscape Character (ATCs), that consultation should be undertaken with the Conservation officer. That consultation had not taken place, and the Conservation officer had confirmed that he had been consulted on similar changes to other applications for new apartments in that area;
- application LA04/2018/2844/F confirmed that "planning authorities must deliver increased housing density without town cramming", however, the Case officer advised that the increased units in the current application, with a smaller square footage, should be approved;
- many of the objections and recommendations within application LA04/2018/2844/F were relevant, such as opposition to Policy HOU 5 – a lack of adequate facilities and inferior dwellings – the even smaller square footage of the current application made that even more stark;
- the North Belfast Housing Strategy highlighted the need for more family households, which the current application did not fulfil;
- two dwellings would be replaced with 4 dwellings which will inevitably lead to parking issues;
- she believed that not all processes had been followed or dealt with appropriately by Planning officers; and

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- she would request that Members would reject the application or defer the application for a site visit in order to understand the issues.

A Member requested that Councillor McAllister would expand on her statement that the correct procedures had not been followed. In response, she outlined that the Case officer's report stated that altered proposals were re-advertised and given to the residents who had objected, however, a number of residents who had submitted written objections were not made aware of the amended plans. She stated that she had had to update residents that she was in contact with about the fact that the application would be considered by the Committee this month, as objectors did not automatically receive correspondence from the Planning Service advising them of such. Additionally, she added that she felt that there was not enough emphasis on the area of townscape character within the assessment of the proposal and she highlighted the fact that the Conservation officer had not been consulted on the proposal was unsatisfactory.

A further Member requested information in relation to the issues raised about the Area of Townscape Character (ATC). Councillor McAllister stated that the area comprised tree-lined avenues with red bricked terraced or semi-detached houses, with some houses dating back to the 1920s. She stated that, by altering or removing part of the roofline or the chimney, she believed that constituted a material consideration for rejecting the proposal.

The Senior Planning officer advised the Members that the site fell within a draft ATC and that PPS6 Addendum did not apply to draft ATCs which had been established through the Planning Appeals Commission (PAC). She added that Planning officers did consult with the Conservation team where full demolition was taking place within a draft ATC or on proposals within adopted ATCs. However, where there were proposals within a draft ATC and which did not involve the full demolition of a building, Planning officers assessed the proposals themselves. She explained that the policy test included examining the existing building with the proposals and considered whether they would change the overall character of the area.

The Chairperson thanked Councillor McAllister for her contribution.

He then welcomed Mr. N. Hughes and Mr. J. Gray, who were objecting to the application.

Together, they advised the Committee that:

- they had had just a few days notice that the application was being considered by the Committee this evening and they would have appreciated written notice;
- the application included partial demolition of the back return of the property of No. 23 Glandore Avenue which was a permanent move which would expose the party wall of the neighbouring property;
- the proposals would erode the look and character of the building, which was built in 1896, and was one of the oldest properties in the street;
- a large number of residents had objected to the overdevelopment of the site;

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- the proposed plans had too many one bedroom apartments units on a corner site which led into a narrow cul-de-sac, with only one way in and out;
- there was already a lack of parking in the area and no parking spaces were proposed as part of the plans;
- the proposal would create intensification and density of the site, parking issues and cramped accommodation which was not in keeping with the residential, family area;
- DFI Roads had acknowledged that there were flaws in the architect's parking survey, including breaches of the highway code and therefore it could not be relied upon;
- they believed the area to be within an ATC and they were surprised that the Conservation officer had not been consulted;
- Mr. Hughes had applied to build a house directly opposite the site and had had to provide two parking spaces and to ensure that the views of the Conservation officer were sought in relation to the proposal;
- the exiting layout comprised 2 substantial apartments, where families could live, whereas the apartments proposed in the plans in front of Members just exceeded the 35 square metre requirements which would mean that they would be populated by a transient population and it would skew the residential nature of Glandore;
- they were not against development but were against the proposed overdevelopment.

Mr. L. Bannon, applicant, was welcomed to the meeting. He advised the Members that:

- there was considerable need for apartments for couples who don't require parking spaces and who used public transport;
- planning permission had been granted previously for a much larger scheme at the site, but it had been redesigned after listening to the concerns from some of the nearby residents;
- the planners agreed with him that the design was respectful to the area and it had been designed with that in mind and it was a higher quality design than the extant permission;
- as much of the existing building was being retained as possible and that the party wall would be built up again in accordance with building control standards; and
- a parking survey had been completed and accepted by DFI Roads and that bicycle parking would be provided on site.

Moved by Councillor McCullough
Seconded by Councillor Brooks and

Resolved - that the Members of the Committee recommend that, in accordance with the Council decision of 4th May 2021, the Chief Executive exercises her delegated authority to defer the application in order that the Committee would undertake a site visit to allow the Members to better familiarise themselves with the proposals and the site.

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**LA04/2021/0001/F - Contractor's Temporary Site Compound
(for proposed development at adjacent Ulster Independent
Clinic planning ref: LA04/2019/0318/F) to include Contractor's
buildings, storage, car parking, planted bank, Covid-19
Marshall Station / Testing Area and associated operational
development with new, temporary site access on Site at
junction of Malone Road and Cranmore Park to south of
14-20 Cranmore Park and east of 75 Cranmore Park**

The Senior Planning officer outlined the principal aspects of the application to the Members. She explained that permission was being sought for a site compound for a temporary period of three years.

The key issues which had been considered in the assessment of the application included the principle of development/loss of open space, impact on a Conservation Area, impact on trees, impact on neighbouring amenity, impact on natural heritage, traffic, parking and a Section 76 Planning Agreement.

She outlined that the site was designated as whiteland in the BUAP and within both versions of draft BMAP as existing open space and a local landscape policy area (LLPA). The Members were advised that the site formed part of sub area F of the Malone Conservation Area.

She drew the Members' attention to the Late Items pack, whereby there was an error in Condition 1 in the Development Management Officer Report, which should have read "*The permission hereby granted shall be for a limited period of 3 years only from the date of the decision notice.*"

The Members were advised that the proposed change of use would result in the temporary loss of open space and would temporarily adversely impact the character and appearance of the Malone Conservation Area and the draft LLPA. They were asked to note that the Council's Conservation Officer had objected to the proposal. However, officers considered that the temporary impacts on the conservation area and loss of open space had to be balanced against the substantial community and public benefits that would derive from an extended hospital which would be of a greater benefit to the wider community. As such it was considered that the presumption against the development could be relaxed in that instance, having regard to Section 104 of the Planning Act, Policy BH12 of PPS6, Policy OS1 of PPS8 and the SPPS.

The Senior Planning officer outlined that the applicant had agreed to enter into a Section 76 Agreement to ensure that the land was restored to its former condition on completion of the works.

She reported that nine objections had been received in respect of the proposal, citing concern with the following:

- increased traffic congestion at Cranmore Park and busy road junction and associated road safety concerns regarding nearby schools;

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- location of the Cranmore site entrance, should be relocated to the Malone Road;
- impact on the surrounding character with inappropriate development;
- impact on wildlife - Badgers within the site;
- removal of trees;
- noise and disturbance associated with the proposed use;
- concern regarding dates of the traffic survey, which had been undertaken during Covid restrictions.

The Senior Planning officer advised that the issues had been addressed within the Case officer's report.

The Members were advised that the Council's Trees and Landscaping Team, Environmental Health, DfI Roads Service and DAERA (Natural Environment Division) had all been consulted and had no objections, subject to conditions.

She outlined that supporting statements had been provided by the applicant to demonstrate why the proposal should be considered an exceptional case, including that the proposal would bring substantial community benefits through supporting the construction of increased hospital facilities to a key healthcare facility and the provision of services to the NHS which would also assist with current waiting lists.

The Members were advised that the proposal involved the removal of an existing tree from the site to accommodate an access point. The Senior Planning officer explained that it was proposed that the tree would be replaced after the site compound was removed and to ensure compliance, it would be subject to a Section 76 Planning Agreement. She advised that any temporary adverse impacts on the LLPA were offset by the substantial community discussed above.

Accordingly, the Chairperson put the officer's recommendation that the Members of the Committee recommend that, in accordance with the Council decision of 4th May 2021, the Chief Executive would exercise her delegated authority to grant a temporary approval of 3 years, with the Director of Planning and Building Control to finalise the conditions and the Section 76 Agreement.

On a vote, ten Members voted in favour of the recommendation and one against and it was declared carried.

**LA04/2020/0754/F - 14 social housing units
at 197-203 Crumlin Road**

The Senior Planning officer presented the application to the Members. She advised that the 14 social housing units were proposed to be built in three rows.

The Members were advised that the site had an area of 0.15 hectare and was located within the development limits for Belfast in both the Belfast Urban Area Plan 2001 (BUAP) and the draft Belfast Metropolitan Plan 2015 (BMAP). The site was unzoned in BUAP 2001. The northern half of the site was unzoned in draft BMAP 2004 while the

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southern part of the site was zoned as a shopping/commercial area, along an arterial route.

She detailed the main issues which had been considered during the assessment of the application, which included the principle of the proposal at the location, the design, layout and impact on the character and appearance of the area, impact on amenity, access, parking and transport, infrastructure capacity and impact on human health.

The Members were advised that the site had a history of planning approvals for housing and that the development plan did not preclude housing at that location.

The Senior Planning officer explained that the proposal followed the general pattern of development in the area. The design and layout would not create conflict and was in keeping with the local character and would not impact on environmental quality or residential amenity in accordance with PPS 7.

In terms of prospective residents, the Members were advised that each unit had an adequate outlook to the public street, and that all units were proposed to be built to a size not less than those set out Policy LC1. It was also considered that the design, layout and separation distances proposed were acceptable and would not significantly impact on existing residential amenity by way of overlooking, dominance, loss of light or overshadowing.

The Members were advised that objections had been received from the Lower Oldpark Community Association. They had raised a number of concerns, including: parking and traffic; the proposal was at odds with the Development Plan zoning for a Commercial/Shopping area; the proposal should contain an element of retail/commercial uses; and the proposal did not respect the built context/local character of the area. The Senior Planning officer explained that the issues had been addressed in the Case officer's report.

In respect of the impact on parking and traffic, DfI Roads was content with the parking spaces and access provided. She added that Rivers Agency, NI Water and Environmental Health had offered no objections.

The Members were advised that DfI Roads had offered no fundamental objections to the proposal other than the detailing of the Travel Plan offered by the applicant. DfI Roads had commented that the submitted Travel Plan should be conditioned for three years as opposed to one year. The agent had requested that the Planning officers would consider that one year was appropriate, given financial constraints. The Travel Plan would include one Translink Travel Card per dwelling, the provision of one membership for the Belfast Bike Scheme and a 50% subsidy for one membership to a car club.

The Chairperson welcomed Mr. G. Hughes, Lower Oldpark Community Association (LOCA), to the meeting. He advised the Members that:

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- while LOCA's written submissions also raised issues regarding the requirement for commercial development on the site, given the time constraints, he would focus on the parking issues;
- the proposal only included 14 car parking spaces for 14 units whereas Creating Places (Section 20) guidelines required it to include 21.25 spaces;
- that was an inadequate level of parking provision to meet the needs of residents and visitors;
- the fact that the properties were part of a social housing development did not provide reasonable grounds for so significantly reducing the parking provision from that required by Creating Places;
- images of parking in the area had been submitted to the Planning Department showing the high demand for spaces even during the Covid pandemic;
- occupants of the seven properties fronting onto the Crumlin Road would not be able to park at the front of their homes because there was no in-curtilage or layby parking;
- between 7.00 and 9.30am, they would not be able to park on the main carriageway due to a bus lane;
- Creating Places (Section 20.02) stated that there was a need to provide parking spaces close to and within sight of the dwellings that they intended to serve;
- the proposal would result in competition for spaces and disputes with the residents of the new homes in Century Street and Albertville Drive;
- in failing to provide parking immediately adjacent to the proposed houses fronting onto the Crumlin Road, the plans failed to take account of the specific needs of people with disabilities or mobility problems;
- a significant proportion of the parking provision for the social housing development in the surrounding area was in-curtilage while the remainder was all lay-by parking at the front of properties;
- the parking provision in this development is unassigned grouped hardstanding, something that Creating Places (11.17) sees as potentially being suitable where high densities are required, which isn't the case with this proposed development; and
- there was already a high level of daytime parking in the area and further development in the area, such as the old Carnegie Library Building, would increase demand further.

The Chairperson thanked Mr. Hughes for his contribution.

He then welcomed Ms. D. Lyle, agent, and Mr. D. Erskine, NB Housing, applicant, to the meeting.

Ms. Lyle advised the Members that:

- the site was on a key arterial route, on a brownfield site, in a highly accessible location;

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- the site had been vacant for a number of years and was subject to an extant planning permission for four retail units and 34 apartments;
- the principle of residential use on the site had been established through an extensive history of planning approvals between 2006 and 2014;
- the retail function that could potentially exist on site had been diluted by successive permissions granted;
- the design, scale and massing had been directly informed by the best architectural characteristics of the built form surrounding the site;
- the heights of properties on the Crumlin Road were 2.5 to 3 storeys;
- the design of the current proposal was stronger than that of the approved permission from 2016;
- DFI Roads had approved the Car Parking survey, and had raised a query with the duration of the Travel Plan which had no bearing on the issues raised by LOCA;
- NB Housing was a small scale housing association, where the scheme would be part funded by government grants, and it could not commit to a three year Travel Plan as it would render it unviable and that a one year Travel Plan was being proposed; and
- NB Housing would manage the administration of the travel Plan through its own officers in order to keep costs down, which was deemed acceptable by Planning officers.

Mr. Erskine advised the Members that:

- NB Housing had been established in May 2014 following the merger of two community associations;
- it currently owned and managed 1100 social housing units, the majority of which were in north Belfast; and
- the scheme had NIHE support, as required, and had been specifically designed to meet the waiting list requirements for the area as assessed by NIHE for a number of different applicant types with different needs to help address the housing need within North Belfast.

In response to a Member's question regarding the Travel Plan, Mr Erskine advised the Members that current NB Housing staff would be able to manage the Plan for one year, in-house, as they did not have the finance available to cover the staffing costs for an additional member of staff to manage it over three years, as required, as the salary cost would have to be met on top of the £8,000 outlined in the report.

In relation to a query on the consultation exercise which had been carried out, Mr. Erskine advised that Housing Associations were required to consult the local community on any plans. He confirmed that 250 leaflets were distributed in the local area and that an open evening had been held for local residents on 7th January, 2020, which LOCA had attended.

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The Members of the Committee agreed to recommend that, in accordance with the Council decision of 4th May 2021, the Chief Executive would exercise her delegated authority to grant approval for the application, with the Director of Planning and Building Control to finalise the wording of conditions.

LA04/2020/1360/F - Demolition of existing church hall and construction of 9.no apartments and 1. retail unit at 491-495 Lisburn Road

The Principal Planning officer provided the Members with the details of the application.

She outlined the key issues which had been considered during the assessment of the proposed development, including:

- the principle of re-development and use;
- scale, design, massing and layout;
- impact on the Surrounding Character, Area of Townscape Character;
- impact on neighbouring amenity;
- provision of internal and outdoor amenity;
- parking and traffic issues; and
- water and sewage

The Members were advised that eight letters of objection had been received in response to the initial and amended schemes. Seven were from two individuals and the other was from Councillor T. Kelly, who had supported the comments from one of the objectors. Councillor McKeown had also made representation and requested that the application was brought before the Committee for the reasons set out in the objection letters. The Principal Planning officer explained that it was considered that some of the initial issues of concern had been resolved following amendments to the scheme.

The objections referenced inadequate parking provision, overlooking/dominance of neighbouring properties, noise/smell from balconies resulting from talking/smoking, food waste, density, need/economic impact of an additional retail unit, and that the design was contrary to Area of Townscape Character.

The Case officer's response to the points raised were dealt with in report.

The Principal Planning officer explained that the proposal was within the Urban Area and the development limits of Belfast. The proposed uses of retail on the ground floor with residential above was compatible on the site and therefore the principle was acceptable providing the proposal was compliant with all relevant policies and material considerations.

She advised that the proposed design, scale, height, mass and appearance was, on balance, acceptable within the surrounding context. The proposed residential units were of a size and layout which were acceptable with all having access to amenity provision. She highlighted that a reduced standard of amenity was considered

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acceptable as the site sat in a highly accessible location close to local amenities including parks and a contribution would be made towards local park amenities.

The Members were advised that the proposal had been amended during the processing both to ensure that it would not result in an unacceptable impact in terms of dominance and overlooking on neighbouring terraces and to ensure that the design would sit more comfortably both on the Lisburn Road and the residential street.

She reported that DFI Roads, Environmental Health, the Urban Design Officer, NI Water and Rivers Agency had been consulted in respect of the application and had offered no objection to the proposal.

The Members were advised that, as the development proposed fell short in terms of private and shared amenity, the developer had agreed to contribute to local public amenity to offset the reduction.

The Chairperson welcomed Ms. C. Flanagan and Ms. L. Dawson, objectors, to the meeting. Together they advised the Committee Members that:

- they were concerned that the recent amendment to the plans included double doors which opened onto the balconies/terraces;
- there was no precedent for double doors opening onto the street in the area and that they would encourage the use of the balconies for socialising, including anti-social noise and smoking;
- the amended plans showed that the ground floor terrace would be even closer to the front door of 1 Rathcool Street;
- the balconies/terraces would result in overlooking of nos. 1 and 2 Rathcool Street from all levels;
- the bin collection point had been moved and was now outside the front door of 1 Rathcool Street which would be an eyesore;
- residents of Rathcool Street already had outstanding issues in relation to their own bin collection point, beside No. 2 Rathcool Street, including fly tipping, contamination, graffiti and anti-social behaviour;
- another collection point opposite the existing one would compound the issue; and
- there was a severe lack of parking provision in the area already and that a nearby apartment block had underground parking included.

A Member queried why there was no parking included in the development. The Principal Planning officer advised the Members that the Travel Plan had been accepted by DFI Roads. DFI Roads was satisfied that sufficient on-street parking was available in the surrounding area and had requested that green travel measures, in the form of travel cards, be supplied to each apartment and funded for 3 years to encourage the uptake in the use of public transport. The developer had agreed to the measures being implemented.

A further Member requested information on overlooking and the bin collection issues raised. The Principal Planning officer outlined that it was acceptable in urban

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situations where neighbours could see into each other's front gardens in a high density development. The balconies would not intrude into the private amenity space to the rear of properties, which was afforded greater protection.

In relation to the bins, she explained that they were originally to be placed in the entry which was unacceptable to officers. She outlined that they had since been moved in curtilage within the building and that a management plan would ensure that the bins were brought out and back into the storage area.

A number of Members expressed concerns with DFI Roads' assessment which confirmed that there was adequate on street parking available in the area.

Moved by Councillor Whyte
Seconded by Councillor McCullough and

Resolved – that the Members of the Committee agree to recommend that, in accordance with the Council decision of 4th May 2021, the Chief Executive would exercise her delegated authority to defer the application in order that:

- the Committee would undertake a site visit to allow the Members to better familiarise themselves with the proposals and the site at first hand; and
- DFI Roads be requested to attend the next meeting in order to answer Members queries in relation to the parking issues.

LA04/2019/2778/F - Residential development comprising 18 x two-bedroom apartments and 5 x one-bedroom apartments with associated amenity space, cycle & bin storage, landscaping and site works (23 units in total) on lands at 159-165 Hollywood Road

The Senior Planning officer presented the Members with the principal aspects of the application.

The key issues which had been considered by officers in the assessment of the application were:

- the principle of development;
- impact on the character and appearance of the area;
- impact upon the setting of nearby listed building;
- residential amenity;
- provision of parking and access; and
- water infrastructure, drainage and flooding.

The Members were advised that the site was located adjacent to a mixture of commercial, public and residential land uses and was within the development limits identified under the existing Belfast Urban Area Plan (BUAP) and draft Belfast

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Metropolitan Area Plan. In dBMAP (both versions) it was located adjacent to an arterial route and within a Commercial Node/Area of Parking Restraint. The site currently comprised vacant land with previous buildings demolished.

The Senior Planning officer reported that there was a planning history on the site which informed consideration of the current proposal. Application LA4/2015/1160/F permitted 18 apartments on lands at 165-169 Hollywood Road, granted in June 2018, and application LA04/2017/1558/F permitted 4 apartments on lands at 159-163 Hollywood Road, granted in May 2017. The Members were reminded that both approvals were extant and provided a legitimate fallback position.

She explained that the current application combined both sites and proposed to build and manage it as a single development. She pointed out that the proposal was amended and reduced during the processing of the application and had largely been informed by the extant approvals on the site, presenting four stories with a fifth set back on the corner of the Hollywood Road and Dundela Crescent, stepping down to four stories where it adjoined its neighbouring building on the Hollywood Road.

The Members were advised that no parking was proposed but that the site was located adjacent to an arterial route which was well served by public transport and was within an area of parking restraint in a commercial node. The Senior Planning officer reported that integral cycle parking was provided. She explained that the applicant had submitted a Residential Framework Travel Plan and Service Management Plan.

The Senior Planning officer pointed out that DfI Roads had objected to the development, requesting that further sustainable travel measures be provided. She highlighted, however, that given the fallback position it was considered unreasonable to insist on additional measures, noting that DfI Roads sought no such measures for the previous two permissions, which could be implemented.

A Grade B2 listed building at Nos. 2 to 4 Belmont Road, occupied by the UUP Headquarter Offices, sat on the opposite side of the Belmont Road from the site. The Members were advised that HED had stated that the proposal, as presented, would have an adverse impact on the listed building and its setting, however, it deferred to the Council in relation to the material consideration afforded to previously approved applications. The Senior Planning explained that officers felt that significant weight should be given to the previous approvals and were satisfied, on balance, that the amended proposals would not have any greater adverse impact on the listed building than what was already approved and could be implemented.

The Members were advised that no third-party representations had been received and Environmental Health, NI Water and Rivers Agency had offered no objection to the proposal.

The Chairperson welcomed Councillor Flynn to the meeting, who was objecting to the proposal. He advised the Members that:

- the HED objection should be given more consideration. The report referred to two extant approvals, however, the 2015 approval

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predated the awarding of grade B2 listed status of 2-4 Belmont Road whereby HED was not consulted, and, similarly for the 2017 approval, HED was not consulted;

- HED have said that while they were not consulted in 2015 or 2017, the impact of the application had not satisfied an understanding of the heritage asset of the Listed Building and was contrary to Paragraph 6.12 of SPPS under listed buildings and Policy BH 11 Planning Policy Statement 6;
- the elevations of the proposal were not in keeping with the surrounding buildings, being multiple stories higher, and, considering the scale, proportion and massing of the listed building, the proposal impacted the setting of it under policy BH 11 and crucially it would draw the eye disproportionately from the nearby heritage asset at multiple angles, but particularly when coming down the Belmont and Holywood Roads;
- consideration should also be given to the historic Strand Cinema building directly across from the site and, while it was not listed currently, it did contribute to an area of special historical context along the stretch of the Holywood Road when taken along with the listed building;
- DfI had also objected to the proposal in relation to lack of suitable measures to encourage active travel. While the extant approvals had no DfI objection, it was 4 years later in a different context, after the Council had declared a Climate Emergency, and two IPCC reports outlining the severe impact of climate chaos; and
- the applicant must do more to encourage a move away from car usage.

The Chairperson then welcomed Mr. P. Stinson, agent, to the meeting. He outlined to the Committee that:

- the site of the former Stormont Inn had been vacant for some time and the proposal presented an opportunity for townscape improvements to a key nodal site;
- the applicant had worked collaboratively with planning officers and made significant reductions to the proposals to arrive at the current scheme which was before Members;
- there had been no third-party objections to the application;
- there was a variety of materials used in the area;
- the proposed building would have no greater impact on the listed building opposite than the extant permissions and the use of materials provided a modern contrast;
- the extant permission were an important consideration and the applicant was committed to providing green transport measures to residents for one year, and that the site was in a highly accessible location with excellent transport links and nearby to amenities in Belmont village.

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The officer's recommendation that, in accordance with the Council decision of 4th May 2021, the Chief Executive would exercise her delegated authority to approve the application was put to the Members.

On a vote, seven members voted in favour of the recommendation and four against and it was declared carried.

LA04/2021/1645/F - Single and two storey rear extension, rear car parking and turning area at 44 Ravenhill Park

The Members were advised that the application was being considered by the Committee as the applicant was a member of staff as outlined in the Scheme of Delegation.

The proposal comprised a single and two storey rear extension with a rear car parking and turning area.

The site was whiteland within the BUAP and was within the proposed Ravenhill Park Area of Townscape Character (ATC) as designated within both versions of dBMAP.

The extension was considered sympathetic to the existing dwelling and surrounding area including the proposed ATC and would not have an adverse impact on the amenity of neighbouring residents. No representations had been received.

The Members of the Committee recommended that, in accordance with the Council decision of 4th May 2021, the Chief Executive would exercise her delegated authority to approve the application and for the Director of Planning and Building Control to finalise the wording of conditions.

LA04/2021/0773/F - Retention and alteration of shipping container for use as a community facility with domestic kitchen Ulidia playing Fields, Ormeau Road

The Members were advised that full planning permission was sought for the retention of an existing in-situ storage container to be used as a community facility with domestic kitchen. They were advised that the Council was the landowner.

The Planning officer explained that Environmental Health had confirmed that it was satisfied that the proposal would not have a negative impact on amenity.

No representations had been received and the proposal was considered to comply with planning policy including PPS8 and the SPPS. The officer outlined that it would improve facilities for the local community and would complement the existing sports facility.

The Members of the Committee recommended that, in accordance with the Council decision of 4th May 2021, the Chief Executive would exercise her delegated

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authority to approve the application and for the Director of Planning and Building Control to finalise the wording of conditions.

**LA04/2021/0791/F - Renewal of planning
permission LA04/2019/2412/F for temporary
single storey timber structure at C.S. Lewis Square,
Newtownards Road**

The Members were advised that the Council was the landowner of the application and were advised that a renewal of planning approval LA04/2019/2412/F was being sought, for a temporary timber structure at CS Lewis Square prior to its expiry on 31st July, 2021.

The Members were advised that the proposal included an addition to the visitor attraction at the Hub and offered shelter to users of C.S Lewis Square. It would not detract from the public space or the surrounding area, including the Connswater Greenway. Rivers Agency had been consulted in relation to the proposal and had no objections to its renewal.

The application had been neighbour notified and was advertised in the local press, with no representations having been submitted.

The Members of the Committee recommended that, in accordance with the Council decision of 4th May 2021, the Chief Executive would exercise her delegated authority to approve the application and for the Director of Planning and Building Control to finalise the wording of conditions.

Chairperson