

Planning Committee

Development Management Report	
Application ID: LA04/2023/2868/F	Date of Committee: 12 th August 2025
Proposal: Section 54 application to vary condition 04 of Planning permission Z/1996/0985 to allow for the sale of convenience goods, non bulky comparison goods and bulky comparison goods. (Amended Description).	Location: Lesley Retail Park, Unit 1 Boucher Road, Belfast, BT12 6HH
Referral Route: Major application: variation of condition to previous major application.	
Recommendation: Approval, subject to conditions.	
Applicant Name and Address: RJS Properties 7 Corbally Road Ballymena BT42 1JQ	Agent Name and Address: Inaltus Limited 15 Cleaver Park Malone Road Belfast
Date Valid: 13th March 2023	
Contact Officer: Ciara Reville, Principal Planning Officer.	
Executive Summary: The application seeks planning permission to vary condition 04 of planning permission Z/1996/0985 to allow for the sale of convenience goods, non bulky comparison goods and bulky comparison goods. The key issues to be considered in the assessment of this application are: <ul style="list-style-type: none"> The principle of the proposed use at this location Retail Impact of the proposal Impact on the character and appearance of the area Compatibility with adjacent uses Access, parking and traffic management Environmental Considerations <p>The Retail Impact Assessment, Sequential Test and supporting information accompanying the application have been reviewed by the Planning Service's Plans and Policy team, which has no objections to the proposed uses and considers that there are no sequentially preferable sites in the proposal's whole catchment when considered against the criteria of suitability, availability and viability. It further advises that the retail impact of the proposal on protected centres within the catchment will not be significant or result in significant adverse cumulative impacts. Conditions are recommended to enable the Council to retain control of the nature of retailing at this location.</p> <p>All consultees are content with the proposed development subject to conditions which are set out in the report.</p> <p>No third-party representations have been received.</p>	
Recommendation	

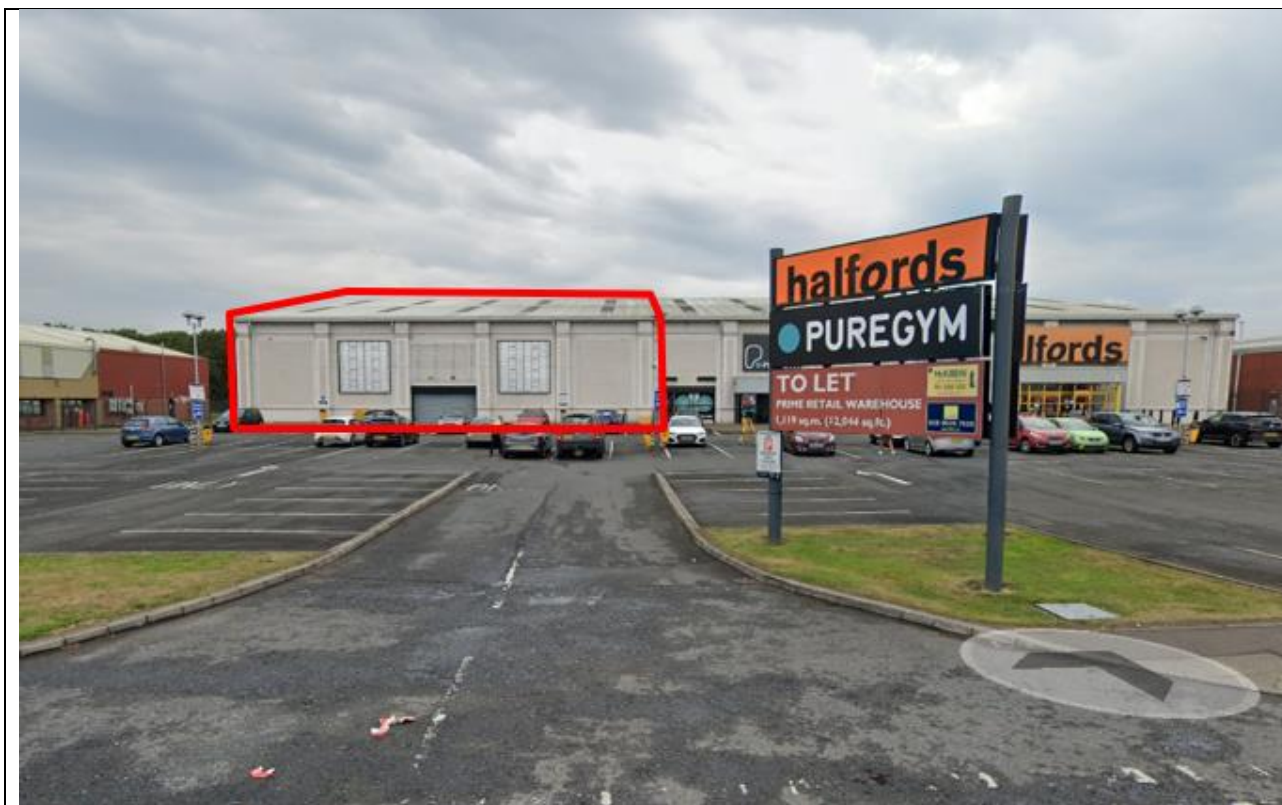
Having had regard to the development plan, relevant planning policies, and consultation responses it is considered that the variation of condition should be approved.

Delegated authority is sought for the Director of Planning and Building Control to finalise the conditions and deal with any other matters which may arise so long as they are not substantive.

Case Officer Report

Site Location Plan and Site Layout





Characteristics of the Site and Area	
1.0	Description of Proposed Development
1.1	The application seeks planning permission to vary condition 04 of Planning permission Z/1996/0985 to allow for the sale of convenience goods, non bulky comparison goods and bulky comparison goods.
1.2	<p>The site has a previous planning permission for three retail warehouse units that was approved in January 1997 under application reference Z/1996/0787/F. A subsequent application for 'Erection of 3 no. retail warehouses (ref. Z/1996/0985) was approved in February 1997 and was constructed. Condition 04 of Z/96/0985 limits the goods that can be sold in Unit 1 to:</p> <ul style="list-style-type: none"> (a) "DIY materials, products and equipment; (b) Garden materials, plant and equipment; (c) Furniture and soft furnishings, carpets and floor coverings and electrical goods; (d) Vehicle goods, parts, equipment and accessories, cycles, cycle goods and equipment and accessories and products related thereto; (e) Such other items as may be determined in writing by the Department as generally falling within the category of "bulky goods".
1.3	It is proposed to vary Condition 04 (which relates to the entire Lesley Retail Park) to allow Unit 1 to be operated for convenience and comparison floorspace. The split between these product lines would be 80% net floorspace for convenience floorspace and 20% net floorspace for comparison floorspace. The gross ground floor and external appearance of the building will not be affected by this proposal.

2.0	Description of Site
2.1	The site is located on the east side of Boucher Road about 900m south of its junction with Tates Avenue. It is about 1.8km south of the Belfast City Centre boundary as defined in the Belfast Urban Area Plan (BUAP) and the draft Belfast Metropolitan Area Plan (dBMAP). It is about 1200m from Broadway roundabout which provides access to the M1 Motorway/Westlink.
2.3	The site is zoned for industry and commerce use in the Belfast Urban Area Plan and is unzoned in both versions of Draft Belfast Metropolitan Area Plan.
Planning Assessment of Policy and other Material Considerations	
3.0	Site History
3.1	<p>Z/1996/0787 - 34 Boucher Road Belfast - Erection of 3 no. retail warehouse units – Approved 30/01/1997.</p> <p>Z/1996/0985 - 34 Boucher Road Belfast - Erection of 3 no. retail warehouse units. Approved 28/02/1997</p> <p>Z/2005/2148/F - Unit 1 Lesley Retail Park - New glazing to front entrance for display purposes. Approved 12/12/2025</p> <p>Z/2013/0397/LDP - Unit 1 Lesley Retail Park - Erection of an internal partition wall to subdivide Unit 1 into two units. Approved 16/05/2013</p> <p>LA04/2016/2413/LDP - Unit 1 Lesley Retail Park - Erection of mezzanine floor inside retail unit . Approved 04/04/2017</p>
4.0	Policy Framework
4.1	Belfast Urban Area Plan 2001
4.2	<p>Draft Belfast Metropolitan Area Plan 2015 (v2004 and v2014)</p> <p><i>Following the recent Court of Appeal decision on BMAP, the extant development plan is now the BUAP. DBMAP (both v2004 and v2014 versions) is a material consideration. The weight to be afforded to dBMAP is a matter of judgement for the decision maker. Given its advanced stage in the Development Plan process, it is considered that dBMAP (v2014) carries significant weight.</i></p>
4.3	Belfast Local Development Plan Strategy
4.4	Strategic Planning Policy Statement for Northern Ireland (SPPS)
4.5	<p>Policy RET 1 – Establishing a centre hierarchy.</p> <p>Policy RET 2 – Out of centre development.</p> <p>Policy DES 1 – Principles of urban design.</p> <p>Policy TRAN6 – Access to public roads</p> <p>Policy TRAN8 – Car parking and servicing arrangements</p>
5.0	Statutory Consultees Responses
	<p>DFI Roads – No objection subject to conditions</p> <p>DFI Rivers – No objection</p>

6.0	Non Statutory Consultees Responses Environmental Health- No objection NI Water – No objection BCC LDP Economy Team – No objection
7.0	Representations
7.1	The application was advertised on 14 th April 2023 and 28 th February 2025 and neighbour notified on the 13 th April 2023 and 24 th February 2025.
7.2	No objections were received.
9.0	Assessment
9.1	The principle of development has already been established through the previous approved application Z/1996/0985. This application will assess the acceptability of varying condition 4 to enable Unit 1 to be operated for convenience and comparison retailing (80% net floorspace convenience).
	Retail Impact
9.2	Both the Strategic Planning Policy Statement (SPPS) and RET 2 of the Plan Strategy (PS) require the submission of an assessment of need for proposals above a threshold of 1000sqm which are located in an out of centre location. Both quantitative and qualitative need should be addressed in any assessment.
9.3	The population within the catchment in the applicant's Retail Statement (RS) differs significantly to that calculated by the Development Plan and Policy (DPP) team in their consideration of the application.
9.4	However, the potential retail impact of the proposal as quantified in the applicant's RS seems reasonable and proportionate. Assessing retail impact is not an exact science and some of the data used within the applicant's RS in relation to the catchment of the proposal, trade diversions and population differ to that considered by the DPP team. However, the methodology appears robust, insofar as it follows the step-by-step approach albeit the catchment seems restrictive for a generic operator.
9.5	The net convenience retail sales area (760m2) is circa 2.4% of the existing convenience provision (31,404m2) whereas the net comparison retail sales area (190m2) the figure is 0.2% of the comparison provision (88,729m2).
9.6	In terms of the expenditure in the catchment, the DPP team considers that the submitted figures appear reasonable despite the difference in catchment population. In general, the quantum of floorspace within the 0-10 minute zone also seems reasonable and broadly in line with other recent RS's for proposals in the wider Boucher road area.
9.7	Whilst the trade diversions and retail impacts stated by the applicant differ from those in the applicant's RS, the DPP team has carried out its own sensitivity testing and is satisfied that the retail impact on protected centres within the catchment will not be significant.
9.8	The applicant has not stated who the end user is or the type of retailer that may occupy the unit (discount or non-discount store). The DPP team has used figures for a generic operator (non discount retailer) as a method of sensitivity testing the applicant RS. In respect to tables 9 and 10, the trade diversions and retail impacts seem reasonable and proportionate regarding existing convenience and comparison provision within the 0-10 minute zone. And whilst the DPP team through its own sensitivity testing, has recorded

slightly different trade diversions and retail impacts, ultimately it has drawn the same conclusions- that the retail impact on protected centres is not significant.

9.9 Belfast city council's Retail and Leisure Capacity Study (Braniff Report) published in 2017 demonstrated that there was a need for between 1,348m² (low forecast) and 11,887m² (LDP forecast) for convenience and 65,519m² (low forecast) and 98,336m² (LDP forecast) for comparison floorspace from 2017-2035. The population growth forecasted for the LDP hasn't been achieved when compared to NISRA midyear estimates for the period 2017-2023.

9.10 The LDP growth is reliant upon policy interventions and the Plan Strategy being only adopted in May 2023 has yet to see the outworking of these interventions. Therefore, using the LDP forecast is likely to over inflate the need for additional floorspace across Belfast local government district over the period 2017-2023.

9.11 The applicant at para 6.5 of the RS quotes the hard commitments in the Braniff Report. It must be recognised that this report is approx. 8 years old and there has been a significant amount of development granted planning permission in the intervening period. In the 2022/23 period alone, the DPP team has identified five convenience commitments with a total floorspace of 2,684m² (figure 2) which is significantly higher than 150 m² of need when applying the low forecast extrapolated out for a two-year period and more than double the need when applying the LDP forecast.

9.12 However, consideration must be given to the scale of the proposal and the fact that retail impact is unlikely to be significant, even when sensitivity testing and doubling trade diversion figures, for example.

Proposal	Convenience Floorspace (m ²)
Lidl Boucher Rd	1,140
Lidl Suffolk Rd	518
Lidl Castlereagh Rd	397
61b Boucher Rd (Polenz)	365
8-10 Boucher Rd	264
Total	2,684

Figure 2: Convenience retail commitments in catchment

9.13 Regarding comparison spending, it is noted that there is significant growth, and this equates to a significant need from 2017-2035. Extrapolating this out it gives an annual figure of 3,539m² and 7,279m² for a two-year period applying the NISRA low forecast or an annual figure of 5,463m² and 10,926m² for the period 2022-2024 applying the LDP forecast. And whilst there have been a number of hard commitments in the past number of years, there is still a need for comparison floorspace.

9.14 In terms of qualitative need, the applicant has stated that the proposal is needed to provide choice and convenience to residents that live in the area to the North of Boucher Road (i.e. the Village) and that it will increase competition with food and non-food retailers in the area which consumers will benefit from. It would be difficult to argue that there is an under provision for this type of retailing within the local area. However, sustaining a reason for refusal on need especially in the context of retail impact not being considered significant would be difficult.

9.15 The LDP Economy team have concluded that "provided that Development Management are satisfied that the proposal complies with the sequential test, the DPP would offer no

	<p>objections subject to the original condition 4 of Z/1996/0985/F being amended to the following:</p> <ul style="list-style-type: none"> • Unit 1 shall have a net retail floorspace of 950 sqm of which no more than 760 sqm net floorspace shall be used for the sale of convenience goods and no more than 190 sqm net floorspace shall be used for the sale of comparison goods. <p>Convenience goods for this purpose are hereby defined as the sale of:</p> <ul style="list-style-type: none"> (a) Food and drink, including alcoholic drink. (b) Tobacco, newspapers, magazines and confectionary. (c) Stationery and paper goods. (d) Toilet requisites and cosmetics. (e) Household cleaning materials. (f) Other retail goods as may be determined in writing by the Council as generally falling within the category of convenience goods”. <p>Sequentially preferable sites</p>
9.16	<p>A sequential test has been provided. As per para 8.2.13 of Policy RET2, “where it is argued that no other sequentially preferable sites are appropriate, the applicant must demonstrate why such sites are not practical alternatives in terms of their “availability, suitability and viability”.</p>
9.17	<p>The proposal requires:</p> <ul style="list-style-type: none"> • A site of 0.9 acres; • Capable of accommodating a building of 1100 sq m in size; • Provide circa 140 car parking spaces at surface level; and • A location that can cater for the shoppers and workers that use the Boucher Road on a daily and weekly basis.
9.18	<p>The proposal’s catchment is the south and west Belfast area. District centres such as the Park Centre, Westwood Centre and the Kennedy Centre were assessed. Further considered were locations on the Lisburn Road, Falls Road, Andersonstown, Stewartstown Road, Finaghy, Whiterock, Suffolk, Springfield Road and Shaws Road.</p>
9.19	<p>The sites have been tested against the requirements of the proposed development and there is no designated centre or sequentially preferable site within the catchment that can satisfy the commercial needs and physical requirements that the proposal is designed to meet.</p> <p>The council are of the opinion that both the retail impact assessment and sequential test has been carried out appropriately and the proposal is in compliance with Policy RET1 and RET2.</p>
9.20	<p>Other considerations</p> <p>DFI Roads have considered the proposal and have no objection subject to conditions. Therefore, the proposal complies with Policy TRAN6 and TRAN8.</p> <p>Environmental Health were also consulted on a waste management plan and other environmental considerations. No objections or conditions were recommended.</p>
9.21	<p>Pre-Application Community Consultation</p> <p>On 8th December 2022 a Proposal of Application Notice (PAN) was submitted to the Council and was received on 13th December 2022. The Council responded by letter dated 11th January 2023 that the PAN meets the requirements of the legislation. The overall approach of the consultation was accepted.</p>

	<p>A Pre-Application Community Consultation Report has been produced to comply with the statutory requirement laid out in Section 28 of the Planning Act (Northern Ireland) 2011. The purpose of a PACC report is to confirm that pre-application community consultation has taken place in line with statutory minimum requirements. The report has confirmed advertising for the public event and that the public event took place in accordance with section 5 of The Planning (Development Management) Regulations (Northern Ireland) 2015.</p> <p>A bespoke webpage was also created for the proposed development. The report also confirmed that the additional consultations were carried out as recommended by the Council and residential properties within 100m of the application site. Copies of the public notice were also hand delivered to all dwellings and shops within a 100m radius of the site and businesses in the area were notified.</p> <p>The Pre-Community Consultation Report submitted satisfactorily demonstrates that the applicant has complied with the requirements of Sections 27 and 28 of the Planning Act (NI) 2011 and Section 5 of The Planning (Development Management) Regulations (Northern Ireland) 2015 and has adhered to Council recommendations during the PAN process. The PACC report is considered acceptable.</p>
10.7	<p>Having regard for the policy context and the considerations above, the proposal is deemed acceptable and recommendation is for planning permission to be granted, subject to conditions.</p> <p>For Section 54 applications such as this, the Council normally adds relevant conditions from the previous grant of planning permission, in this case, application ref. Z/1996/0985. However, the previous approval only had 4 four conditions, one of which related to commencement of development within 5 years and two were pre-occupation conditions that were previously complied with prior to the occupation of the approved development. For this reason, it is considered appropriate to only include the 'varied' wording of Condition 4, alongside the new DFi Roads conditions.</p>
11.0	Summary of Recommendation:
11.1	Approval. Delegated authority is sought for the Director of Planning and Building Control to finalise the conditions prior to issue.
12.0	<p>Conditions:</p> <ol style="list-style-type: none"> 1. This planning permission has effect from the date of this decision. Reason: As required by Section 55 of the Planning Act (Northern Ireland) 2011. 2. The development hereby approved shall not be occupied or operated unless covered bicycle storage has been provided in accordance with the approved plans. The covered bicycle storage shall be retained in accordance with the approved plans at all times. Reason: To ensure adequate provision and availability of cycle parking and encourage sustainable travel. 3. The development hereby approved shall not be occupied or operated unless in accordance with the approved Workplace Travel Plan dated March 2023 and uploaded to the Planning Portal on 5th April 2023.

	<p>Reason: To promote sustainable travel patterns and off-set the demand for vehicular movements and/or parking.</p> <p>4. The retail unit, known as Unit1, hereby approved shall have a net retail floorspace of 950 sqm of which no more than 760 sqm net floorspace shall be used for the sale of convenience goods and no more than 190 sqm net floorspace shall be used for the sale of comparison goods.</p> <p>Convenience goods for this purpose are hereby defined as the sale of:</p> <p>(a) Food and drink, including alcoholic drink. (b) Tobacco, newspapers, magazines and confectionary. (c) Stationery and paper goods. (d) Toilet requisites and cosmetics. (e) Household cleaning materials. (f) Other retail goods as may be determined in writing by the Council as generally falling within the category of convenience goods”.</p> <p>Reason: To limit the range of goods to be sold, in the interests of safeguarding the vitality and viability of the City Centre and other Centres within the catchment.</p> <p>5. No internal operations, including the construction of or extension to mezzanine floors, increasing the floor space available for retail use or subdivision to form additional units shall be carried out without the prior written consent of the Council.</p> <p>Reason: To control the nature, range and scale of the retail activities to be carried out at this location in order to protect the vitality and viability of town centres and other centres within the catchment.</p>
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ANNEX	
Date Valid	13 th March 2023
Date First Advertised	05 th April 2023
Date Last Advertised	20 th February 2025
Date of Last Neighbour Notification	24 th February 2025
Date of EIA Determination	N/A
ES Requested	No