

Development Management Officer Report

Summary	
Committee Meeting Date: 14 th October 2025	
Application ID: LA04/2024/1159/F	
Proposal: Extensions and alterations to former Lidl building and change of use to builders' merchant premises with external stock yard, acoustic fence and associated site works	Location: 41 Montgomery Road (former Lidl supermarket), Belfast BT6 9HL
Referral Route: Para 3.8.2 (a)(ii) of the Scheme of Delegation	
Recommendation:	Approval subject to conditions
Applicant Name and Address: Heron Property Ltd 2 St Patricks Street Draperstown BT45 7AL	Agent Name and Address: MBA Planning 4 College House Citylink Business Park Belfast BT12 4HQ
Executive Summary: <p>This application seeks full permission for extensions and alterations to former Lidl building and change of use to builders' merchant premises with external stock yard, acoustic fence and associated site works.</p> <p>Permission was granted to extend and subdivide the application building to form 4no Class B4 Units on 4th March 2022 as part of a wider mixed use regeneration scheme under planning application LA04/2020/1211/F for a mixed-use regeneration scheme involving: demolition of vacant buildings at the Hughes Christensen site; erection of 8No. Class B2 (light industrial) and Class B4 (storage/distribution) units; extension to and subdivision of existing supermarket building to form 4no. Class B4 units (existing retail use to be discontinued); erection of replacement supermarket; provision of new accesses from Montgomery Road and Castlereagh Road; road improvements; car parking, landscaping and associated site works. (Lynas Food Outlet building to be retained). The site included No 46 Montgomery Road also.</p> <p>The current application pertains to 41 Montgomery Road only. The proposed extension is smaller than that of the previously approved. JP Corry intend to relocate from their current Grove Street East site to benefit from larger premises.</p> <p>The key issues to be considered in the assessment of this application are:</p> <ul style="list-style-type: none"> Principle of development Design Impact on neighbouring amenity Climate change Contamination risk Access and parking 	

The site is zoned as white land in both versions of BMAP as well as BUAP however is directly abutting an area of Existing Employment/Industry under designation MCH 13 in the 2004 version of draft BMAP 2015; and an area of Existing Employment under designation MCH 10 in the 2014 version of draft BMAP 2015.

Consultees have offered no objections, subject to conditions. One representation has been received regarding amenity and noise and is assessed in the report below.

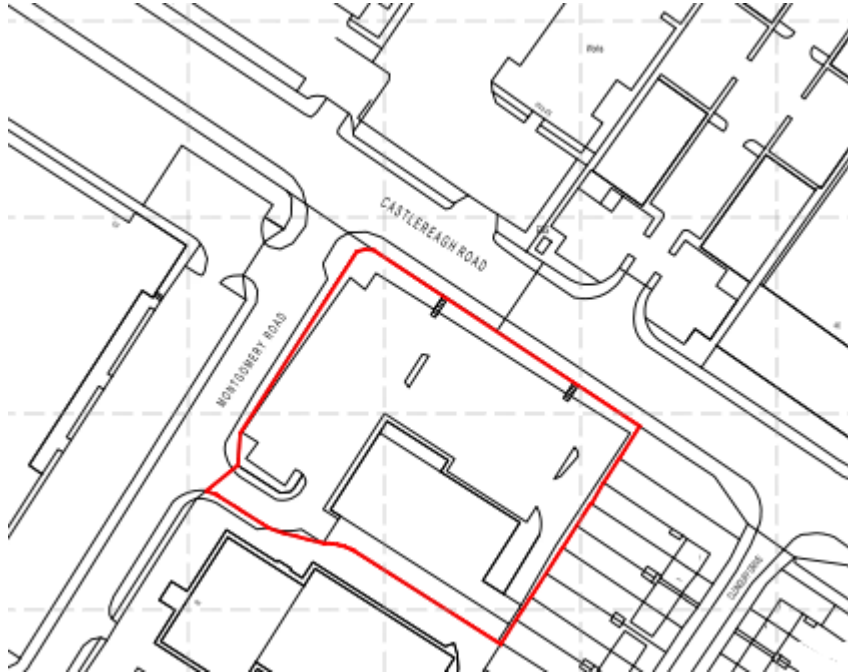
Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions.

Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions, and deal with any other matters that arise provided that they are not substantive.

Case Officer Report

1.0 Drawings

Site Location Plan



Aerial image



2.0	Characteristics of the Site and Area
2.1	The site is located at No 41 Montgomery Road, adjacent to the Castlereagh Road. The site consists of a previous free-standing supermarket (Lidl) which is single-storey in height and finished in render with a mono pitch roof finished in tiles. There are hard standing parking areas located to the east and north of the building with a landscaped buffer area around the site periphery. Two-storey dwellings are located adjacent to the site to the south, with two-storey business units adjacent to the site to the west.
3.0	Background and Description of Proposed Development
3.1	In March 2022, full planning permission was granted under application LA04/2020/1211/F for a mixed use regeneration scheme involving: demolition of vacant buildings on the Hughes Christensen site; erection of 8No. Class B2 (light industrial) and Class B4 (storage/distribution) units; extension to and subdivision of, existing supermarket building to form 4no. Class B4 units (existing retail use to be discontinued); erection of replacement supermarket; provision of new accesses from Montgomery Road and Castlereagh Road; road improvements; car parking, landscaping and associated site works. (Lynas Food Outlet building to be retained). This permission remains extant.
3.2	The current application proposes to extend the former Lidl building and change its use to builders' merchant premises with external stock yard, acoustic fence and associated site works as well as other alterations. The proposed use is that of Class B4 (storage or distribution) as detailed within The Planning (Use Classes) Order (NI) 2015.
4.0	Planning Policy
4.1	<p>Development Plan – local development plan</p> <p><u>Belfast Local Development Plan, Plan Strategy 2035</u></p> <p><i>Strategic Policies:</i> Policy SP2: Sustainable development Policy SP3: Improving health and wellbeing Policy SP5: Positive placemaking Policy SP6: Environmental resilience Policy SP7: Connectivity</p> <p>Policy EC3, Major employment and strategic employment locations.</p> <p>Policy TRAN 2: Creating an accessible environment Policy TRAN6: Access to public roads Policy TRAN8: Car parking and servicing arrangements</p> <p>Policy ENV2: Mitigating environmental change Policy ENV3: Adapting to environmental change Policy ENV5: Sustainable drainage systems (SuDS)</p> <p><u>Supplementary Planning Guidance</u></p> <p>Sustainable Urban Drainage Systems Transportation</p>

4.2	Planning Assessment of Policy and Other Material Considerations
4.3	Development Plan – operational policies Belfast Local Development Plan, Plan Strategy 2035
4.4	Development Plan – zoning, designations and proposals maps Belfast Urban Area Plan (2001) BUAP Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014) Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)
4.5	Relevant planning history The most relevant planning history is summarised below. LA04/2025/0193/DC – Discharge of conditions 3 and 4 of LA04/2023/4397/F – verification report – Partially discharged 25 th March 2025. LA04/2023/4397/F – Variation of Condition 3 of LA04/2020/1211/F relating to the submission of a Verification Report for Phase 4 of the approved development – Approved 2 nd May 2024. LA04/2023/3493/DC – Discharge of Condition 8 – Condition not discharged 18 th July 2023 LA04/2022/1016/DC – Discharge of Condition 7 – Condition not discharged 17 th October 2022 LA04/2022/1015/DC – Discharge of Condition 5 – Condition discharged 20 th July 2022. LA04/2020/1211/F - Mixed use regeneration scheme involving: demolition of vacant buildings Hughes Christensen site; erection of 8No. Class B2 (light industrial) and Class B4 (storage/distribution) unit; extension to, and subdivision of, existing supermarket building to form 4no. Class B4 units (existing retail use to be discontinued); erection of replacement supermarket; provision of new accesses from Montgomery Road and Castlereagh Road; road improvements; car parking, landscaping and associated site works. (Lynas Food Outlet building to be retained) – Permission granted 4 th March 2022.
5.0	Consultations and Representations
5.1	Statutory Consultees DAERA Natural Environment Division – No objection NI Water – No objection DfI Roads Service – No objection subject to conditions
5.2	Non Statutory Consultees BCC Environmental Health – No objection subject to conditions
5.3	Representations The application has been neighbour notified and advertised in the local press. One representation was received which will be considered in the assessment below.

6.0	PLANNING ASSESSMENT
6.1	Development Plan Context
6.2	Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.
6.3	Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.
6.4	The Belfast Local Development Plan (LDP) when fully completed will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan until the Local Policies Plan is adopted.
6.5	Operational policies – the Plan Strategy contains a range of operational policies relevant to consideration of the application. The main policies for consideration in this case are Policies
6.6	<p>Proposals Maps – until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious. The relevant zonings/designations are set out below. The site is within the development limits of Belfast in the BUAP, and both versions of draft BMAP 2015.</p> <p>The site is zoned as white land in both versions of BMAP as well as BUAP however it is directly abutting an area of Existing Employment/Industry under designation MCH 13 in the 2004 version of draft BMAP 2015; and an area of Existing Employment under designation MCH 10 in the 2014 version of draft BMAP 2015.</p>
7.0	Key issues
7.1	<p>The key issues to be considered in the assessment of this application are:</p> <ul style="list-style-type: none"> • Principle of development • Design • Impact on neighbouring amenity • Climate change • Contamination risk • Access and parking

8.0	Principle of development
8.1	Permission was granted to extend and subdivide the former supermarket building to form 4no Class B4 units in March 2022 as part of a wider, mixed-use regeneration scheme. The principle of B4 use (storage and distribution) has therefore been established on the site. In the intervening period between the extant approval and the current proposal, the Belfast Local Development Plan (LDP) Plan Strategy was adopted in May 2023. Policy EC3: Major employment and strategic employment locations applies and as the proposal complements the adjacent zoning and given the extant permission, the proposed change of use is considered acceptable
9.0	Design
9.1	Two extensions are proposed to the front of the building (facing Castlereagh Rd). One, predominantly glazed whilst the other facilitates a new roller shutter door to the warehouse. The works will visually enhance the appearance of the building whilst retaining the current character.
9.2	The proposed extension will result in a gross internal area of 1,281sqm whereas the existing internal floor area of the former supermarket is 1,184sqm. The warehouse element of the building is 831 sqm approx with a retail element of 348 sqm approx. The retail element is considered complementary but ancillary to the main use. A condition is recommended to restrict the floorspace accordingly.
10.0	Impact on neighbouring amenity
10.1	A representation was received from a resident at No 3 Clonduff Drive, to the east of the site. The resident detailed noise from the resultant development as a concern as well as concerns regarding the operating hours of the proposal. A Noise Impact Assessment (NIA) was submitted as part of the application and forwarded to BCC Environmental Health for comments.
10.2	The representation raises concern relating to the 7-day operation of the business namely 0630hrs to 2100hrs, Monday to Saturday and 1300hrs to 1800hrs on Sundays. It is noted that the proposed tenant for the development identified within the submitted documentation that they typically operate their sites as follows: - Mon - Thur 07:30 - 17:00, Fri 07:30 - 16:00, Sat 08.00 - 12.00 and closed on Sunday
10.3	These hours are considered to be a significant reduction compared to those indicated in the NIA. Furthermore, it is noted that there is an extant planning permission for the site for Class B4 storage and distribution via LA04/2020/1211/F which limits operations and deliveries to between 07:00 to 21:00 hours Monday to Saturday, and 12:00 to 18:00 hours on a Sunday only. It is considered that whilst the currently proposed commencement time of 06.30 is within the 23:00-07:00 nighttime period, the permitted operational hours within permission for four Class B4 units does not differ significantly from those in the NIA for the current proposal.
10.4	Having considered the data presented in the NIA, within which fewer vehicle movements have been assessed and modelled within in the nighttime period, EHO were content to recommend that the operating hours for the premises be limited by planning conditions to the times assessed by the applicant's consultant namely opening hours for public and trade customers as well as loading/unloading of deliveries (goods received and dispatched) to take place between the hours 07:00-21:00 daytime and loading and unloading of deliveries (goods received and dispatched) only to take place between the hours 06.30-7:00.

10.5	In addition, following negotiation by officers, an acoustic barrier has been added along the boundary closest to No 3 Clonduff Drive.
10.6	The proposal is therefore acceptable in terms of Policy ENV1, in that it protects communities from materially harmful development.
11.0	Climate change
11.1	Policy ENV2, (Mitigating Environmental Change) states that planning permission will be granted for development that incorporates measures to mitigate environmental change and reduce greenhouse gas by promoting sustainable patterns of development. Policy ENV3, (Adapting to environmental change) states that planning permission will be granted for development that incorporates measures to adapt to environmental change, in order to support sustainable and enduring development.
11.2	Various measures are proposed to promote this, for example low water usage fittings will be used throughout the building, low energy LED lighting used throughout the building, new glazing proposed in order to increase natural light entering the building and therefore reduce reliance on artificial lighting. Most notably the existing structure is to be reused, not demolished and rebuilt. The proposal is considered to comply with policies ENV2 and 3.
11.3	The submission states that the potential for soft SuDS measures are limited since the site is covered by the existing building or hard surfacing already. There are existing strips of landscaping adjacent to Montgomery Road and Castlereagh Road however. Whilst this is not ideal, it is acknowledged this is a change of use of an existing building and there are constraints due to access and parking, it is considered that on balance the proposal meets the requirements of ENV5.
12.0	Contamination risk
12.1	The Planning Statement refers to a Contaminated Land Environmental Site Assessment and Generic Quantitative Risk Assessment (GQRA) entitled 'Mixed Use Regeneration Scheme, Montgomery Road, Belfast, referenced 602253– R2 (02)' and dated October 2020 which was previously submitted and assessed as part of permission LA04/2020/1211/F. This permission permitted a wider and larger development however this included works within the currently proposed development site. Whilst the planning statement advises that the GQRA submitted in relation to the previous approval found that no unacceptable risks are involved in developing the subject site, the GQRA itself qualifies this finding as being as a result of the minor nature of the proposed works.
12.2	Environmental Health considered this and stated whilst the current application will require slightly greater ground breaking and demolition works to the Castlereagh Road side of the former supermarket building than the previously permitted development, that they were content to accept the findings of the 2020 GQRA document as presented in the applicant's Planning Statement and stated that no further assessment is required. They requested that conditions be attached should approval be granted.
13.0	Access and Parking
13.1	Policies Tran 2, 6 and 7 apply, as well as SP7. The proposal has been designed to ensure it creates an accessible environment, for example, a level access to the building, DDA spaces in close proximity to the entrance and cycle stands provided. The proposed site is in close proximity to bus stops on the Castlereagh Road also.

13.2	The existing access from Montgomery Rd will be retained. Montgomery Rd is not a protected route. The access previously as a supermarket had a much higher flow of traffic than that of the proposed use according to the Planning Statement.
13.3	A Transport Assessment Form was submitted as part of the application initially. Following internal discussions with DfI Roads Service a Technical Note from K McShane Ltd was submitted and forwarded for comment. DfI Roads Service has considered the proposed development and raise no objection subject to conditions.
10.0	Recommendation:
10.1	Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions, and deal with any other matters that arise prior to issuing the decision, provided that they are not substantive.
11.0	Draft Conditions:
11.1	<p>1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <p>2. Prior to the commencement of site occupation and operation of the hereby approved development, a 2m high acoustic barrier shall be erected as presented on associated drawings 2214-MCA-XX-ZZ-DR-A-1007 dated 19.02.2025 and 2214-MCA-XX-ZZ-DR-A-1002 - Rev. P01 dated 22.02.2024 with project reference A2214. The barrier shall be constructed as per section 6.2.4 'other model inputs' of the submitted Noise Impact Assessment report entitled Montgomery Road, referenced Rp001N 2024093 (Montgomery Road) dated 1st July 2024 and retained at all times.</p> <p>Reason: Protection of residential amenity</p> <p>3. The hereby permitted development shall not be open to members of the public and trade customers outside of the following permitted operating hours: Monday to Friday 07:00-21:00 Saturday 07:00-21.00 Sunday 13:00-18:00</p> <p>Deliveries to and from the hereby permitted development shall not take place outside the following permitted delivery and dispatch hours: Monday to Friday 06:30-21:00 Saturday 06:30-21.00 Sunday 13:00-18:00</p> <p>Reason - Protection of residential amenity</p> <p>4. The roller shutter door to the warehouse of the with the hereby permitted development shall be kept closed at all times other than for access and egress of loading vehicles as presented in section 6.2.3 'External Noise Levels' and section 8.0 'Noise Management Plan' of the submitted Noise Impact Assessment report entitled Montgomery Road, referenced Rp001N 2024093 (Montgomery Road) and dated 1st July 2024, the broadband reversing alarms shall be retained at all times.</p>

	<p>Reason: Protection of residential amenity</p> <p>5. If during the carrying out of the development, new contamination is encountered that has not previously been identified, all related development works shall cease, and the Council shall be notified immediately in writing. No further related development works shall proceed until this new contamination has been fully investigated in accordance with current Environment Agency and CIRIA guidance and British Standards.</p> <p>Reason: To ensure that any contamination within the site is appropriately dealt with, in the interests of human health.</p> <p>6. In the event of unacceptable human health risks being identified, a Remediation Strategy shall be submitted to and agreed in writing by the Council. The Remediation Strategy shall be implemented and subsequently a Verification Report shall be submitted to and agreed in writing by the Council prior to the development being occupied or operated. The Verification Report shall be completed by competent persons and demonstrate the successful completion of the remediation works and that the site is now fit for end-use. The Verification Report shall be in accordance with current Environment Agency and CIRIA guidance and British standards.</p> <p>Reason: To ensure that any contamination within the site is appropriately dealt with, in the interests of human health.</p> <p>7. The existing vehicular access, including visibility splays and any forward sight distance (as approved under LA04/2020/1211/F), shall be retained.</p> <p>Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.</p> <p>8. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250mm above the level of the adjoining carriageway, prior to the operation of any other works or other development hereby permitted, and such splays shall be retained and kept clear thereafter.</p> <p>Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.</p> <p>9. The development hereby permitted shall not become operational until hard surfaced areas have been constructed and permanently marked in accordance with Drawing No.03 uploaded to the Planning Portal 16th September to provide for parking, servicing and traffic circulation within the site. No part of these hard surfaced areas shall be used for any purpose at any time other than for the parking and movement of vehicles in connection with the approved development, and shall be available for use during all hours of operation of the development.</p> <p>Reason: To ensure adequate provision has been made for parking, servicing and traffic circulation within the site.</p> <p>10. The net sales floor space of the unit hereby permitted, and hatched yellow on approved drawing no 06, published on the public planning portal on 16th September 2024 shall not exceed 348.62 square metres when measured internally.</p> <p>Reason: To enable the Council to retain control of the scale of development on the site.</p> <p>11. No internal operations increasing the floor space available for retail use, including the</p>
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	<p>installation of mezzanine floors (other than that hereby permitted and indicated on the approved plans), shall be carried out without the prior consent of the Council.</p> <p>Reason: To enable the Council to retain control over the nature, range and scale of retailing activity to be carried out at this location so as not to prejudice the continued vitality and viability of existing centres.</p>
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