

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 17 November 2015	Item Number:
Application ID: Z/2014/0085/F	
<p>Proposal: Variation of condition 8 of outline permission Z/1995/1088 (The floorspace comprised in the retail warehousing shall be used only for the retail sale and ancillary storage of the items listed hereunder and for no other purpose, including any other purpose in Class 1 of the Schedule to the Planning (Use Classes) Order (NI) 1989:-</p> <ul style="list-style-type: none"> (a) DIY materials, products and equipment; (b) Garden materials, plants and equipment; (c) Furniture and soft furnishings, carpets and floor coverings and electrical goods; (d) Such other items as may be determined in writing by the Department as generally falling within the category of "bulky goods") and condition 2 of reserved matter approval Z/2002/0719 (The floorspace comprised in the retail warehousing shall be used for the retail sale and ancillary storage of the items listed hereunder and for no other purpose, including any other purpose in Class 1 of the Schedule to the Planning (Use Classes) Order (NI) 1989:- <ul style="list-style-type: none"> a. DIY materials, products and equipment; b. Garden materials, plants and equipment; c. Furniture and soft furnishings, carpets and floor coverings and electrical goods; d. Such other items as may be determined in writing by the Department as generally falling within the category of "bulky goods".), to allow mixed retailing in units F and G combined 	<p>Location: Holywood Exchange Retail Park Airport Road West Belfast BT3 9EJ</p>
Referral Route: Major Application	
Recommendation:	Approval
<p>Applicant Name and Address: Friends Life Limited c/o agent</p>	<p>Agent Name and Address: Hobart and Heron Strand Studios 3 150 Holywood Road Belfast BT4 1NY</p>
Executive Summary:	

The key issues in the assessment of the proposal are as follows:

- The principle of the sale of a different range of goods from this location;
- Impact on the city centre and other centres afforded protection by planning policy;
- Impact on amenity.

The proposal is for a variation of planning conditions attached to two previously granted permissions Z/1995/1088 and Z/2002/0719. The conditions in question both restricted the scope / range of goods that may be sold from the retail units to 'bulky goods'. The proposal seeks to vary these conditions to allow the operator to sell convenience goods from 58.5% [1059sqm] of the sales area, bulky comparison from 30% [543 sqm] and non-bulky comparison 11.5% of the sales area [208 sqm].

The site is located at Hollywood Exchange Retail Park in east Belfast which comprises 11 retail units. The site consists of two of the 11 units - F and G which are vacant and have been since construction.

The site is located within the development limits of Belfast in the Belfast Metropolitan Area Plan and is not subject to any zonings. The application has been assessed against relevant planning policies including the Belfast Metropolitan Area Plan, and the Strategic Planning Policy Statement, PPS3: Roads Considerations and associated supplementary guidance.

It is considered that the proposal, when assessed individually and cumulatively with other extant retail permissions within the catchment, would not adversely affect the vitality and viability of protected centres within its catchment area. There are no suitable alternative sites within protected centres to accommodate the proposal. The proposal will not adversely impact on the amenity of neighbouring properties or the locality. Car parking provision will be unaffected by the proposal.

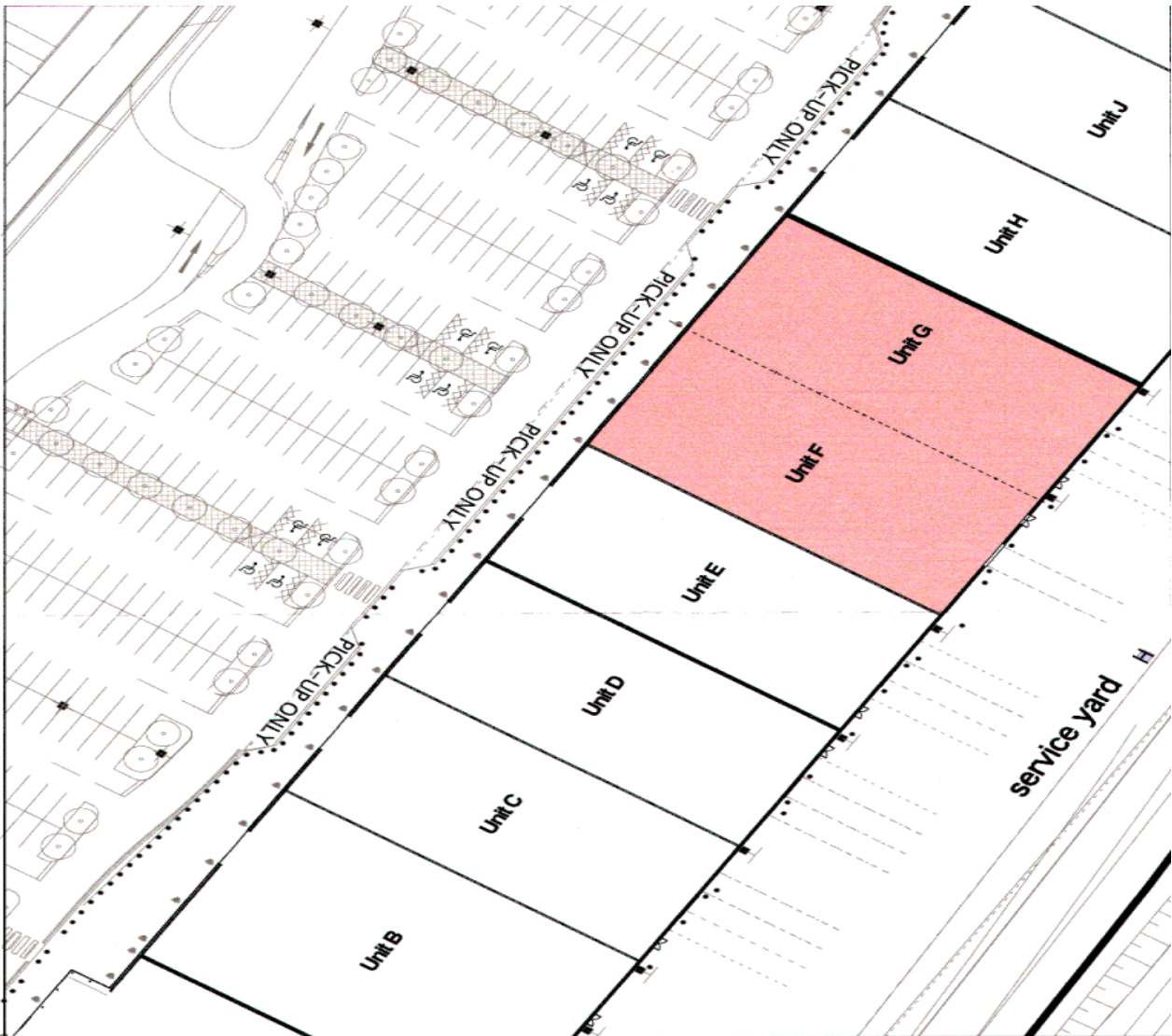
The site has been vacant since construction and the proposal will result in the creation of up to 50 jobs.

Representations from 3 elected representatives have been received. No objections have been received.

Having had regard to the development plan, relevant planning policies, and other material considerations, it is determined that the proposal should be approved subject to conditions.

Case Officer Report

Site Location Plan



Consultations:

Consultation Type	Consultee	Response
Non Statutory	HQ Retail Unit	Superseded by further Consultation

Representations:

Letters of Support	2
Letters of Objection	None Received
Number of Support Petitions and signatures	No Petitions Received
Number of Petitions of Objection and signatures	No Petitions Received
Representations from elected Representatives	J Cochrane MLA G Robinson MP R Newton MLA

Characteristics of the Site and Area	
1.0	<p>Description of Proposed Development</p> <p>The proposal is for a variation of planning conditions attached to two previously granted permissions Z/1995/1088 and Z/2002/0719. The conditions in question both restricted the scope / range of goods that may be sold from the retail units to 'bulky goods':</p> <p>The floorspace comprised in the retail warehousing shall be used for the retail sale and ancillary storage of the items listed hereunder and for no other purpose, including any other purpose in Class 1 of the Schedule to the Planning (Use Classes) Order (NI) 1989:-</p> <ul style="list-style-type: none"> a. DIY materials, products and equipment; b. Garden materials, plants and equipment; c. Furniture and soft furnishings, carpets and floor coverings and electrical goods; d. Such other items as may be determined in writing by the Department as generally falling within the category of "bulky goods". <p>The proposal seeks to vary these conditions to allow the operator to sell convenience goods from 58.5% [1059sqm] of the sales area, bulky comparison from 30% [543 sqm] and non-bulky comparison 11.5% of the sales area [208 sqm].</p>
2.0	Description of Site
2.1	The site is located at Hollywood Exchange Retail Park in east Belfast which comprises 11 retail units. The site consists of two of the 11 units - F and G which are vacant and have been since construction. The units occupy a mid terrace location within the block and are of typical retail warehouse design. There is a large surface level car park to the front, with a service yard area to the rear.
Planning Assessment of Policy and other Material Considerations	
3.0	<p>Site History</p> <p>No planning history on the application site save for original permissions this application seeks to vary.</p>
4.0	Policy Framework
4.1	Belfast Metropolitan Area Plan 2015
4.2	Regional Development Strategy (RDS); Strategic Planning Policy Statement (SPPS) PPS5: Retailing and Town Centres; PPS3: Roads Considerations; Development Control Advice Note 15 Vehicular Access Standards
5.0	Statutory Consultee Responses
	None required
6.0	Non Statutory Consultee Responses
	DoE Planning HQ – Retail Impact Assessment requested and submitted. Retail Unit were re-consulted with the RIA but did not respond/comment prior to re-organisation of Local

	Government on 1 st April 2015.
7.0	Representations
	The application has been neighbour notified and advertised in the local press. Two letters of support have been received from J Cochrane MLA and R Newton MLA.
8.0	Other Material Considerations
	Creation of approximately 50 jobs; Investment of £1m to fit out/modify existing building.
9.0	Assessment
9.1	<p>The key issues in the assessment of the proposal are as follows:</p> <ul style="list-style-type: none"> - The principle of the sale of a different range of goods from this location; - Impact on the city centre and other centres afforded protection by planning policy; - Impact on amenity. <p>Retail policy Considerations</p>
9.2	The SPPS was introduced in September 2015 and sets out five core planning principles of the planning system, including improving health and well being, supporting sustainable economic growth, creating and enhancing shared space, and supporting good design and place making.
9.3	Paragraphs 4.11 and 4.12 require the safeguarding of residential and work environs and the protection of amenity. Paragraphs 4.13-8 highlight the importance of creating shared space, whilst paras 4.23-7 stress the importance of good design. Paragraphs 4.18-22 details that sustainable economic growth will be supported. The SPPS states PPS3 [and a number of others] remain applicable under 'transitional arrangements', whilst PPS5 has been superseded by retail policy within the SPPS.
9.4	The Retail element of the SPPS sets out regional strategic objectives including direction of retail development to town centres and the introduction of the sequential test for main town centre uses that are not in an existing centre.
9.5	Notwithstanding the introduction of the SPPS, regional retail policy considerations were set out in PPS5 at the time of submission of the application until September 2015. Supporting information was submitted during the processing of the application to address the requirements of PPS5.
9.6	BMAP sets out a retail strategy at page 54 which essentially promotes town centres as the preferred location for retailing and seeks to control the scale of retailing outside town and city centres in order to protect vitality and viability of protected centres. R1 states that primary retail cores will be the preferred location for comparison and mixed retailing, and such developments outside primary retail cores will only be permitted where it can be demonstrated no suitable site exists within this area. Policy R2 goes on to say that proposals will not be granted for proposals likely to result in an adverse impact on the role of Belfast City Centre.
9.7	The proposal essentially seeks to alter the range of goods sold from existing vacant retail warehouse from which so called 'bulky goods' may only be sold as defined in the planning condition. The proposal seeks to retain the ability to sell bulky comparison goods

	<p>albeit from 30% of the sales area or 543 sqm. This element is therefore acceptable given the existing use / range of goods permissible for sale rights on the site. The remaining convenience and non-bulky elements therefore require careful assessment.</p> <p>Retail Impact</p>
9.8	<p>As the site is located in an out of centre location, a Retail Impact Assessment was submitted in support of the proposal. The findings of the RIA and associated supporting information have been fully assessed. It is considered following assessment of this information that the proposal is unlikely to draw a significant amount of trade away from any protected centres within the catchment area. The proposal is instead likely to draw the majority of its trade from Sainsbury's Holywood Exchange and Tesco Knocknagoney, both of which are located out-of-centre and thus afforded no policy protection in line with the provisions of BMAP and the SPPS.</p>
9.9	<p>It is also considered that the proposal, when assessed individually and cumulatively with other extant retail permissions within the catchment, would not adversely affect the vitality and viability of protected centres within its catchment area.</p> <p>Alternative sites / Sequential test</p>
9.10	<p>PPS5 required an assessment of vacant sites within town centres that may be suitable for the proposal. The SPPS supersedes this requirement with the introduction of the sequential test. From survey inspections it is evident that there are no sites of suitable size to accommodate the proposal within either Belfast or Holywood primary cores or centres. It is acknowledged that there is availability of an alternative site which could potentially accommodate the proposal within the Connswater Shopping Centre which is identified as a District Centre within BMAP. However, there are a large number of discount retailers at this locality including Wyse Byse, Poundstretcher, Poundland, Poundworld, B&M bargains, Lidl, and it is considered that an additional discounter at this location will neither enhance nor maintain the commercial viability of the Connswater District Centre in the way another anchor food tenant would. It is therefore considered that the site at Connswater District Centre is not sequentially preferable in this instance.</p>
9.11	<p>Amenity</p> <p>Given that the proposal will remain in retail use and taking account of the similar uses adjacent and in the locality, the proposal will not adversely impact on the amenity of neighbouring properties or the locality.</p>
9.12	<p>Traffic, Access, and Parking</p> <p>Traffic, access and car parking provision will be unaffected by the proposal. Accordingly the proposal is compliant with PPS3 and associated guidance.</p>
9.13	<p>Economic Considerations</p> <p>It is noted that the site has been vacant since construction and that the proposal will result in the creation of up to 50 jobs. This is also a material consideration and afforded weight.</p>
9.14	<p>Following the above assessment it is considered that proposal is compliant with relevant policies. I recommend granting of permission subject to the time limit condition of 5 years, and restricting the floorspace and range of goods conditions</p>

10.0	Having regard to the policy context and other material considerations above, the proposal is considered acceptable and planning permission is recommended subject to conditions
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Conditions/Reasons for Refusal:

As required by Section 61 of the Planning Act (Northern Ireland) 2011, the development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

Reason: Time Limit.

The floorspace comprised in the retail warehousing units F and G and indicated on drawing 01 date stamped received 24th January 2015 shall be used for the retail sale and ancillary storage of the items listed hereunder and for no other purpose including any other purpose in Class A1 of the Schedule to the Planning (Use Classes) Order (NI) Order 2015.

Of the net retail floorspace not more than 58.5% [1059sqm] of the sales area shall be used only for the retail sale of convenience goods and for no other purpose.

Convenience goods for this purpose are hereby defined as:

- a. food, drink and alcoholic drink;
- b. tobacco, newspapers, magazines and confectionary;
- c. stationary an paper goods;
- d. toilet requisites and cosmetics;
- e. household cleaning materials;
- f. other retail goods as may be determined in writing to Belfast City Council Planning Authority as generally falling within the category of 'convenience goods'.

Of the net retail floorspace not less than 30% [543 sqm] of the sales area shall be used only for the retail sale of bulky comparison goods and for no other purpose. Bulky comparison goods for this purpose are hereby defined as:

- a. DIY materials, products and equipment;
- b. Garden materials, plants and equipment;
- c. Furniture and soft furnishings, carpets and floor coverings and electrical goods;
- d. Such other items as may be determined in writing by the Belfast City Council Planning Authority as generally falling within the category of "bulky goods".

Of the net retail floorspace not more than 11.5% [208 sqm] of the sales area shall be used only for the retail sale of non bulky comparison goods and for no other purpose.

Reason: To enable the Council to control the nature and scale of retailing to be carried out at this location.

ANNEX	
Date Valid	24th January 2014
Date First Advertised	14th February 2014
Date Last Advertised	
<p>Details of Neighbour Notification (all addresses)</p> <p>The Owner/Occupier, 1 Depot Road, Sydenham Intake, Belfast, Down,,</p> <p>The Owner/Occupier, 302 Airport Road West Sydenham Intake Belfast</p> <p>The Owner/Occupier, 306 Airport Road West Sydenham Intake Belfast Robin Newton MBE MLA 59 Castlereagh Road Ballymacarret Belfast</p> <p>The Owner/Occupier, Tesco Filling Station, Knocknagoney Road, Knocknagoney, Belfast, Down, BT4 2PW,</p> <p>The Owner/Occupier, Unit 1, 304 Airport Road West, Sydenham Intake, Belfast, Down, BT3 9EJ,</p> <p>The Owner/Occupier, Unit 10, 304 Airport Road West, Sydenham Intake, Belfast, Down, BT3 9EJ,</p> <p>The Owner/Occupier, Unit 11, 304 Airport Road West, Sydenham Intake, Belfast, Down, BT3 9EJ,</p> <p>The Owner/Occupier, Unit 2, 304 Airport Road West, Sydenham Intake, Belfast, Down, BT3 9EJ,</p> <p>The Owner/Occupier, Unit 3, 304 Airport Road West, Sydenham Intake, Belfast, Down, BT3 9EJ,</p> <p>The Owner/Occupier, Unit 4, 304 Airport Road West, Sydenham Intake, Belfast, Down, BT3 9EJ,</p> <p>The Owner/Occupier, Unit 5, 304 Airport Road West, Sydenham Intake, Belfast, Down, BT3 9EJ,</p> <p>The Owner/Occupier, Unit 6, 304 Airport Road West, Sydenham Intake, Belfast, Down, BT3 9EJ,</p> <p>The Owner/Occupier, Unit 7, 304 Airport Road West, Sydenham Intake, Belfast, Down, BT3 9EJ,</p> <p>The Owner/Occupier, Unit 8, 304 Airport Road West, Sydenham Intake, Belfast, Down, BT3 9EJ,</p> <p>The Owner/Occupier, Unit 9, 304 Airport Road West, Sydenham Intake, Belfast, Down, BT3 9EJ, Judith Cochrane MLA</p>	
Date of Last Neighbour Notification	
Date of EIA Determination	

ES Requested	Yes /No
<p>Planning History</p> <p>Ref ID: Z/2006/1216/F Proposal: Erection of a new 29,000sqm retail development for the sale and display of bulky furniture, and homeware goods with ancillary facilities including restaurant and associated storage together with car parking, access, servicing and landscaping. Address: Land Adjacent to Holywood Exchange Retail Park, Airport Road West, Belfast. Decision: Decision Date: 22.12.2006</p> <p>Ref ID: Z/2010/1382/F Proposal: New external plant enclosure, bin store and new external vents to existing retail unit Address: Units H and J, Holywood Exchange, 303 Airport Road West, BT3 9EJ, Decision: Decision Date: 08.12.2010</p> <p>Ref ID: Z/2010/0893/F Proposal: Alterations to existing front facade Address: Belfast Harbour Estate, Site D5 Airport Road West, Belfast Units Part J & H, BT3 9ED, Decision: Decision Date: 13.09.2010</p> <p>Ref ID: Z/2008/0330/F Proposal: Minor alterations to the front and rear facades replacing sliding doors with hinged escape doors & amalgamation of units A, B, C, & D into one unit selling bulky goods. Address: Belfast Harbour Estate, Development site D5, Airport Road West Decision: Decision Date: 05.06.2008</p> <p>Ref ID: Z/2002/0719/RM Proposal: Retail park, fast food unit, associated car parking, service yards and landscaping. Address: Belfast Harbour Estate- 'Development Site D5', Airport Road West, Belfast Decision: Decision Date: 18.10.2005</p> <p>Ref ID: Z/2004/1292/F Proposal: Variation of conditions 07 & 08 of planning permission Z/1995/1088/F for the use of Unit H of the retail warehousing at Holywood Exchange for the sale of home furnishings and fashion and the inclusion of an additional 335.3 sqm of floorspace for a</p>	

mezzanine floor.

Address: Unit H, Hollywood Exchange, Airport Road West, Belfast Harbour Estate, Belfast.

Decision:

Decision Date: 29.06.2005

Ref ID: Z/2005/1927/F

Proposal: Variation of Condition 07 of planning approval Z/1995/1088.(creation of mezzanine floor in units k and l)

Address: D5 Airport Road West, Belfast Harbour Estate (Hollywood Estate)

Decision:

Decision Date: 21.08.2006

Ref ID: Z/2008/0387/F

Proposal: Variation of condition 7 of application no Z/1995/1088 to enable the installation of mezzanine floor space.

Address: Hollywood Exchange Retail Park, Airport Road, Belfast

Decision:

Decision Date: 11.07.2008

Ref ID: Z/1990/0078

Proposal: Retail Warehousing & leisure with associated car parking and service access

Address: BELFAST HARBOUR COMMISSIONERS LAND AT HOLYWOOD ROAD
BELFAST BT4

Decision:

Decision Date:

Ref ID: Z/2013/0183/F

Proposal: Removal of condition 7 of planning approval Z/2002/0719/RM

Address: Belfast Harbour Estate (D5) Airport Road West, Belfast,

Decision: PG

Decision Date: 17.06.2013

Drawing Numbers and Title

01, 02

Notification to Department (if relevant) N/A

Date of Notification to Department:

Response of Department: