

**Development Management
Addendum Officer Report
Committee Application**

Summary	
Committee Meeting Date: 14 June 2016	
Application ID: LA04/2015/0160/F	
Proposal: Variation of condition 4 (retail warehousing shall only be used for the sale of bulky goods) of planning permission Z/1990/0127 (extension to Connswater Centre to include retail warehousing, business park, housing _ car parking) to permit the sale of convenience goods and all types of comparison goods in Units 2 and 4 Connswater Retail Park (amended description).	Location: Units 2 3 and 4 Connswater Retail Park Belfast
Referral Route: Major application floorspace exceeds 1000 sqm	
Recommendation:	Approval
Applicant Name and Address: Lidl NI GmbH	Agent Name and Address: Michael Burroughs Associates 33 Shore Road Holywood BT189HX
<p>ADDENDUM REPORT</p> <p>This application was previously listed for Planning Committee on 17 May 2016. At the request of the applicant the application was withdrawn from the agenda to allow further consideration of a late submission by Michael Burroughs Associates and Stewart Beattie QC in support of the application on behalf of the applicant. The document was titled 'Briefing Note for Belfast City Council Planning Committee'</p> <p>Annex A of this Addendum details the legal advice of the Town Solicitor following consideration of the Briefing Note.</p> <p>Annex B of this Addendum attaches the case officer report which was published for consideration by the Planning Committee on 10 May 2016.</p> <p>Members should read Annex A in response to the consideration in the Case Officers report contained in Annex B.</p> <p><u>Additional late representation</u></p>	

Letter of support – Limited shopping provision in Connswater and East Belfast – Lidl should be allowed to built a larger store at this location.

Recommendation

In view of the further legal advice provided by the Town Solicitor and the opinion of the Director of Planning and Place, having reviewed that advice and representations, should Committee be minded to approve, conditions to be attached are detailed below:

Conditions

- 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 gross floorspace of the foodstore hereby approved shall not exceed 2208 square metres when measure internally.

Reason: To enable the Council to retain control of the scale of development on the site.

- The floorspace comprised in development hereby approved and indicated on drawing 04 date stamped received 9th February 2016 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 1103 square metres 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 more than 276 square metres of the sales area shall be used only for the retail sale of bulky comparison goods and for no other purpose.
 - The retail unit hereby approved shall not be subdivided or otherwise modified or amalgamated to create fewer units without the consent of the Council in writing.
 - The permission will be personal to the applicant and will cease with the

termination of its occupation of the premises.

Reason: To enable the Council to control the nature and scale of retailing to be carried out at this location so as not to prejudice the continued and future vitality and viability of existing centres.

- No internal operations increasing the floorspace available for retail use, including the installation of mezzanine floors, shall be carried out without the prior consent of the Department.

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.

- The Development hereby approved shall operate in accordance with Service Yard Management Plan dated April 2015.

Reason: To ensure that satisfactory provision has been made for Servicing of the development in the interests of road safety and convenience of road users.

- The development hereby permitted shall not become operational until cycle parking has been provided and permanently retained in accordance with approved drawing no 02A bearing the date stamp Planning Office Received 6th August 2015.

Reason: To ensure that adequate provision has been made for cycle parking and to encourage and promote alternatives modes of transport.

- Service deliveries to the premises shall not take place between the hours of 23:00-07:00hrs.

Reason: To protect residential amenity.