

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 14 June 2016	
Application ID: LA04/2015/0712/F	
Proposal: Change of use to hot food bar takeaway on ground floor with storage to first floor, including installation of proprietary odour abatement system.	Location: 99-101 Ballygomartin Road Belfast BT13 3LD
Referral Route: Hot food takeaway	
Recommendation:	Approval with conditions
Applicant Name and Address: Mr Colin Braniff 69 Ballygomartin Road Belfast BT13 3LD	Agent Name and Address: Affordable Plans Online 22 Dhu Varren Crescent Belfast BT13 3FL
<p>Executive Summary: The site is currently vacant and was last used as a ground floor cafe. The site is located within Belfast's development limits as designated in Belfast Metropolitan Area Plan 2015. The site is within white land and is located within BT 062 Woodvale Area of Townscape Character (ATC). The site is also situated on an arterial route (AR 01/05), Shankill Road / Woodvale Road /Ballygomartin Road.</p> <p>The proposed development was assessed against the Development Plan, Strategic Planning Policy Statement and PPS 3; Addendum to PPS 6 as well as Development Control Guidance Note 4 and Parking Standards.</p> <p>The application was advertised in the local press and neighbours were notified. No representations were received. Consultees offered no objections subject to conditions.</p> <p>An Approval is recommended subject to conditions.</p>	

Case Officer Report

Site Location Plan



Representations:

Letters of Support	None Received
Letters of Objection	None Received
Number of Support Petitions and signatures	No Petitions Received
Number of Petitions of Objection and signatures	No Petitions Received

Characteristics of the Site and Area

1.0	<p>Description of Proposed Development Change of use to hot food bar takeaway on ground floor with storage to first floor, including installation of proprietary odour abatement system.</p>
2.0	<p>Description of Site The site is located at 99 –101 Ballygomartin Road, Belfast. Belfast Metropolitan Area Plan 2015 defines the site as white land within BT 062 Woodvale Area of Townscape Character (ATC). The site is also situated on an arterial route (AR 01/05), Shankill Road / Woodvale Road /Ballygomartin Road. The existing building comprises a 2 storey vacant premises with 2 storey rear return. The premises were last used as a cafe. The boundaries are undefined. There is residential development opposite, to the rear and to the side. The existing properties in the area are mainly terrace two storey dwellings.</p>

Planning Assessment of Policy and other Material Considerations	
3.0	Site History There is no relevant history on the site for consideration.
4.0	Policy Framework 4.1 Belfast Metropolitan Area Plan 2015 4.1.1 AR 01/05 Shankill Road / Woodvale Road /Ballygomartin Road 4.1.2 BT 062 Woodvale ATC 4.2 Strategic Planning Policy Statement (SPPS) 4.2.1 Good design paras 4.23 – 4.30 4.3 Planning Policy Statement (PPS) 3: Access, Movement and Parking 4.3.1 Policy AMP 1: Creating an Accessible Environment 4.4 Addendum to Planning Policy Statement (PPS) 6: Areas of Townscape Character 4.4.1 Policy ATC 2: New Development in an Area of Townscape Character
5.0	Statutory Consultees 5.1 Transport NI – No objection 5.2 Northern Ireland Water Ltd - No objection
6.0	Non Statutory Consultees 6.1 BCC Environmental Health – No objection subject to conditions
7.0	Representations The application has been neighbour notified and advertised in the local press. No representations have been received.
8.0	Other Material Considerations 8.1 DCAN 4: Restaurants, Cafes and Fast Food Outlets 8.2 Parking Standards
9.0	Assessment 9.1 The site is located within Belfast's development limits as designated in Belfast Metropolitan Area Plan 2015. The site is within white land within BT 062 Woodvale Area of Townscape Character (ATC). The site is also situated on an arterial route (AR 01/05), Shankill Road / Woodvale Road /Ballygomartin Road. The proposal is for change of use to hot food bar takeaway on ground floor with storage to first floor, including installation of proprietary odour abatement system. The application originally proposed an apartment on the upper floor however due to concerns raised by BCC Environmental Health this was amended to storage. 9.2 The key issues to be considered are: (a) Principle of hot food takeaway on the site (b) Impact on residential amenity (c) Road safety 9.3 The proposal does not include any external changes with the exception of an extraction system which must be provided prior to the implementation of the proposal should it be approved. Additionally there are two doors proposed to the rear elevation which relate to the kitchen and the bin store. There is no car parking proposed within the cartilage of the property. The reuse of the building would obviously be a visual improvement within the street scene as it is currently vacant. The current/last use was a coffee shop which is suis generuis. The proposed use is also suis generuis as per The Planning (Use Classes) Order (Northern Ireland) 2015. The principle of a cafe and hot

	<p>food takeaway is acceptable at this site since it is within the development limits of the city subject to further assessment as set out below.</p> <p>9.4 AMP 1 of PPS3: DRD Transport NI is the authoritative body on road safety and transport issues. There is no off street parking proposed as part of the development. Their consultation response dated 02/09/15 requested a parking statement demonstrating that adequate reserve parking capacity exists in the vicinity of the proposed development. This was submitted and forwarded for consideration. Transport NI stated no objections to the proposal on 01/04/16 in their final response following amendments submitted.</p> <p>ATC 2 of Addendum to PPS 6. The proposed development is within Woodvale ATC as designated within the Development Plan. The proposed development will not detract from the character, appearance or quality of the ATC and is considered acceptable within the ATC.</p> <p>9.5 DCAN 4 DCAN 4 advocates the provision of fast food outlets along radial routes subject to a series of considerations. It states that in assessing the impact of proposals for restaurants and hot food bars, a number of factors need to be taken into account i.e. noise disturbance, smells and fumes, refuse and litter, traffic considerations and car parking, and-provision for people with disabilities. BCC Environmental Health stated that proposal is structurally separate from any noise sensitive rooms within the adjacent dwelling and therefore shall not affect residential amenity by means of noise. Additionally the applicant confirmed the food bar will not operate beyond 2300 hours. It is considered reasonable to condition the open hours to 23.00 in the interests of protecting residential amenity. BCC Environmental Health confirmed that details of the proprietary odour abatement system are acceptable and recommended conditions be attached to any decision to approve.</p> <p>9.8 The proposal is considered to comply with AMP 1 of PPS 3; ATC 2 of the Addendum to PPS 6 and DCAN 4.</p> <p>9.9 The proposal is considered to be in compliance with the development plan.</p> <p>9.10 Having regard to the policy context and other material considerations above, the proposal is considered acceptable and planning permission is recommended subject to conditions.</p>
	Neighbour Notification Checked: Yes
	Summary of Recommendation: Approval subject to conditions
	<p>Conditions</p> <ol style="list-style-type: none"> 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. <p>Reason: Time Limit.</p> <ol style="list-style-type: none"> A proprietary odour abatement system shall be installed, prior to commencement of the use, as shown on approved drawing no: 06A, date stamped received 06/10/15, to suppress and disperse odours created from cooking operations on the premises. The outlet from any

extract ventilation ducting shall terminate at a height not less than 1 metre above the eaves height of the main building and it should be directed away from nearby residential premises.

Reason: In the interests of amenity

3. The extraction and ventilation system must be cleaned and maintained in accordance with the manufacturer's instructions to ensure compliance with the above condition

Reason: In the interests of amenity.

4. The hot food bar hereby permitted shall not be open for business outside the hours of 23.00pm Monday to Sunday.

Reason: To safeguard the living conditions of residents in adjoining and nearby properties.

ANNEX	
Date Valid	11th June 2015
Date First Advertised	7th August 2015
Date Last Advertised	1st April 2016
Details of Neighbour Notification (all addresses) The Owner/Occupier, 1 Glencairn Crescent,Edenderry,Belfast,Antrim,BT13 3LW, The Owner/Occupier, 103 Ballygomartin Road,Edenderry,Belfast,Antrim,BT13 3LB, The Owner/Occupier, 40 Ballygomartin Road,Edenderry,Belfast,Antrim,BT13 3LD, The Owner/Occupier, 42 Ballygomartin Road,Edenderry,Belfast,Antrim,BT13 3LD, The Owner/Occupier, 44 Ballygomartin Road,Edenderry,Belfast,Antrim,BT13 3LD, The Owner/Occupier, 6 Glencairn Crescent,Edenderry,Belfast,Antrim,BT13 3LX, The Owner/Occupier, 93 Ballygomartin Road,Edenderry,Belfast,Antrim,BT13 3LB,	
Date of Last Neighbour Notification	30th March 2016
Date of EIA Determination	
ES Requested	Yes /No
Planning History	
<p>Ref ID: Z/2003/2853/F Proposal: Change of use from retail unit to hot food take away. Address: 99 - 101 Ballygomartin Road, Edenderry, Belfast, Northern Ireland, BT13 3LB Decision Date: 04.02.2004</p> <p>Ref ID: Z/1987/0690 Proposal: Installation of concealed lighting Address: 99/101 BALLYGOMARTIN ROAD BELFAST BT13 Decision Date:</p> <p>Ref ID: Z/1976/0941 Proposal: CHANGE OF USE TO SHOP Address: 101 BALLYGOMARTIN ROAD Decision Date:</p> <p>Ref ID: Z/2009/0248/A Proposal: Erection of 1No. double-sided advertising display unit. Address: 99 Ballygomartin Road, Belfast BT13 3NE Decision Date: 07.04.2009</p> <p>Ref ID: LA04/2015/0712/F Proposal: Change of use to hot food bar takeaway on ground floor with apartment on upper floor</p>	

Address: 99-101 Ballygomartin Road, Belfast, BT13 3LD,
Decision Date:

Notification to Department (if relevant) Not Required

Date of Notification to Department:
Response of Department: