

**Development Management Officer Report
Committee Application**

| Summary | |
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| Committee Meeting Date: 26 July 2016 | Item Number: 8e |
| Application ID: LA04/2016/0819/F | |
| <p>Proposal: Vary condition 11 "The retail cash and carry buildings hereby approved shall only be operational between the hours of 07.00hrs and 21.00hrs Monday to Friday, only between the hours 08.00 to 20.00 on a Saturday, and only between the hours 12.00 to 18.00 on a Sunday or public holiday" to permit Sunday and Bank Holiday opening hours from 8.00 to 18.00 of approval Z/2014/1350/F for Storage and distribution centre with associated retail unit, customer cafe and car parking.</p> | <p>Location: Ormeau Embankment Belfast (between Ravenhill Reach and Helm Housing Association development)</p> |
| Referral Route: Application relates to an approved major application | |
| Recommendation: | Approval |
| <p>Applicant Name and Address: Asia Supermarket 189 Ormeau Road Belfast BT7 1SQ</p> | <p>Agent Name and Address: Donaldson Planning 50A High Street Holywood BT18 9AE</p> |
| <p>Executive Summary:</p> <p>Under the previous application it was considered necessary to restrict operating and servicing hours of operation in order to minimise disturbance/noise to neighbouring properties. Accordingly a condition was applied to the decision:</p> <p>11. The retail cash and carry buildings hereby approved shall only be operational between the hours of 07.00hrs and 21.00hrs Monday to Friday, only between the hours 08.00 to 20.00 on a Saturday, and only between the hours 12.00 to 18.00 on a Sunday or public holiday.</p> <p>REASON: In the interests of residential amenity.</p> <p>The application seeks variation of the Sunday and Bank holidays element to increase opening hours to 08.00 to 18.00 hours.</p> <p>The key issue is therefore whether the additional opening hours would significantly adversely impact on amenity. The agent has indicated that the existing business attracts significant trade on a Sunday morning and current operations trade in close proximity to</p> | |

dwellings without any complaints.

Whilst that may be the case, the existing operations is long established in that location (Ormeau Road) and the adjoining housing area broadly has a transient resident population as it is generally student housing.

Environmental Health had no objections to the previous application and had recommended a condition restricting deliveries and collections to between 07:00 and 11:00. They were reconsulted on the current proposal and have no objections to the revision.

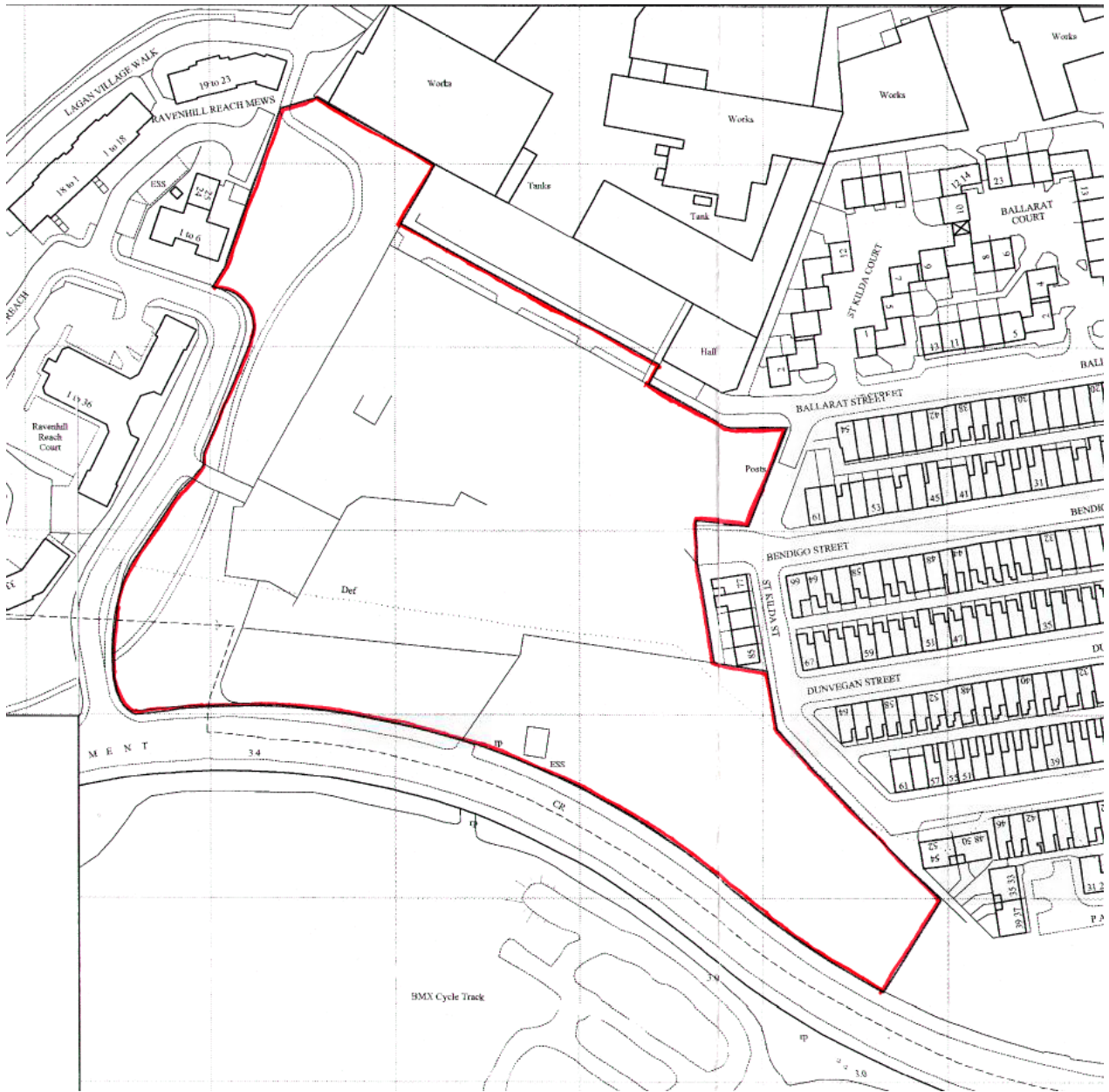
Taking account of the noise mitigations factors incorporated into the building, the proposed site layout, in addition to the stance of Environmental Health, on balance the proposal is considered acceptable.

In relation to access, traffic and parking issues, the proposals will be as approved as the proposal will not alter these aspects.

Having regard to the policy context and other material considerations above, the proposal is considered acceptable and approval is recommended.

Case Officer Report

Site Location Plan



Consultations:

| Consultation Type | Consultee | Response |
|-------------------|---------------------------------|---------------|
| Non Statutory | Env Health Belfast City Council | No objections |

Representations:

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

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| and signatures | |
| Representations from Elected representatives | None received |
| Characteristics of the Site and Area | |
| 1.0 | Description of Proposed Development |
| 1.1 | Vary condition 11 "The retail cash and carry buildings hereby approved shall only be operational between the hours of 07.00hrs and 21.00hrs Monday to Friday, only between the hours 08.00 to 20.00 on a Saturday, and only between the hours 12.00 to 18.00 on a Sunday or public holiday" to permit Sunday and Bank Holiday opening hours from 8.00 to 18.00 of approval Z/2014/1350/F for Storage and distribution centre with associated retail unit, customer cafe and car parking. |
| 2.0 | Description of the Site |
| 2.1 | The site is located off the Ormeau Embankment in East Belfast, and comprises the lands of a former education facility. The site has been cleared of buildings and structures, and has a temporary fencing approximately 2m in height erected around the frontage. The lands are largely hard surfaced, save for a landscaped open space area along the western site boundary, with a road [Ravenhill Reach] beyond. There is a fence along the northern boundary, with a factory adjacent. There is also wall/fencing along the eastern boundary with typical terraced dwellings beyond. The site is generally level in terms of topography. |
| 2.2 | There are residential properties to the east and a factory to the rear [north] of the site. Opposite is a public park and playing fields. |
| 3.0 | Planning History |
| | Z/2012/1213/F Proposal: Proposed storage and distribution centre with associated retail unit, customer cafe and car parking. Address: Ormeau Embankment, Belfast (between Ravenhill Reach and Helm Housing Association development), Approved 18.06.2014 |
| 4.0 | Policy Framework |
| | Regional Development Strategy (RDS); Strategic Planning Policy Statement (SPPS) |
| 5.0 | Statutory Consultees |
| | None |
| 6.0 | Non Statutory Consultees |
| | Environmental Health – no objections |
| 7.0 | Representations |

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| | <p>The application has been neighbour notified and advertised in the local press. No letters of objection have been received.</p> |
| 8.0 | Planning Assessment of Policy and Other Material Considerations |
| 8.1 | <p>The key issue in the assessment of the proposal is the impact on residential amenity. The proposal seeks variation of a planning condition attached to approval Z/2014/1350/F to increase operating hours on Sundays and bank holidays.</p> |
| 8.2 | <p>The SPPS 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.</p> |
| 8.3 | <p>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, 4, and 8 remain applicable under 'transitional arrangements'.</p> <p>Amenity Considerations</p> |
| 8.4 | <p>Under the previous application it was considered necessary to restrict operating and servicing hours of operation in order to minimise disturbance/noise to neighbouring properties. Accordingly a condition was applied to the decision:</p> <p><i>11. The retail cash and carry buildings hereby approved shall only be operational between the hours of 07.00hrs and 21.00hrs Monday to Friday, only between the hours 08.00 to 20.00 on a Saturday, and only between the hours 12.00 to 18.00 on a Sunday or public holiday.</i></p> <p>REASON: In the interests of residential amenity.</p> |
| 8.5 | <p>The application seeks variation of the Sunday and Bank holidays element to increase opening hours to 08.00 to 18.00 hours.</p> |
| 8.6 | <p>The key issue is therefore whether the additional opening hours would significantly adversely impact on amenity. The agent has indicated that the existing business attracts significant trade on a Sunday morning and current operations trade in close proximity to dwellings without any complaints. Whilst that may be the case, the existing operations is long established in that location (Ormeau Road) and the adjoining housing area broadly has a transient resident population as it is generally student housing.</p> |
| 8.7 | <p>Environmental Health has no objections to the previous application and had recommended a condition restricting deliveries and collections to between 07:00 and 11:00. They were reconsulted on the current proposal and have no</p> |

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| 8.8 | objections to the revision. Taking account of the noise mitigations factors incorporated into the building, the proposed site layout, in addition to the stance of Environmental Health, on balance the proposal is considered acceptable. |
| 8.9 | In relation to access, traffic and parking issues, the proposal will not alter these aspects and will remain as previously approved. |
| 9.0 | Summary of Recommendation: Approval |
| 9.1 | Having regard to the policy context and other material considerations above, the proposal is considered acceptable. |
| 10.0 | Conditions and Informatives |
| <p><u>Conditions</u></p> <p>The retail cash and carry buildings hereby approved shall only be operational between the hours of 07.00hrs and 21.00hrs Monday to Friday, only between the hours 08.00 to 20.00 on a Saturday, and only between the hours 08.00 to 18.00 on a Sunday or public holiday.</p> <p>REASON: In the interests of residential amenity.</p> <p><u>Informatives</u></p> <p>All other conditions set out under Z/2014/1350/F must be complied with.</p> | |
| <p>Signature(s)</p> <p>Date:</p> | |

| ANNEX | |
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| Date Valid | 19th April 2016 |
| Date First Advertised | 13th May 2016 |
| Date Last Advertised | |
| <p>Details of Neighbour Notification (all addresses)</p> <p>The Owner/Occupier, 1 Ravenhill Reach Court,Ballymacarret,Belfast,Down,BT6 8RD, The Owner/Occupier, 1 Ravenhill Reach,Ballymacarret,Belfast,Down,BT6 8RA, The Owner/Occupier, 10 Ravenhill Reach Court,Ballymacarret,Belfast,Down,BT6 8RD, The Owner/Occupier, 11 Ravenhill Reach Court,Ballymacarret,Belfast,Down,BT6 8RD, The Owner/Occupier, 12 Ravenhill Reach Court,Ballymacarret,Belfast,Down,BT6 8RD, The Owner/Occupier, 13 Ravenhill Reach Court,Ballymacarret,Belfast,Down,BT6 8RD, The Owner/Occupier, 14 Ravenhill Reach Court,Ballymacarret,Belfast,Down,BT6 8RD, The Owner/Occupier, 15 Ravenhill Reach Court,Ballymacarret,Belfast,Down,BT6 8RD, The Owner/Occupier, 16 Ravenhill Reach Court,Ballymacarret,Belfast,Down,BT6 8RD, The Owner/Occupier, 17 Ravenhill Reach Court,Ballymacarret,Belfast,Down,BT6 8RD, The Owner/Occupier, 18 Ravenhill Reach Court,Ballymacarret,Belfast,Down,BT6 8RD, The Owner/Occupier, 19 Ravenhill Reach Court,Ballymacarret,Belfast,Down,BT6 8RD, The Owner/Occupier, 19 Ravenhill Reach Mews,Ballymacarret,Belfast,Down,BT6 8RE, The Owner/Occupier, 2 Ravenhill Reach Court,Ballymacarret,Belfast,Down,BT6 8RD, The Owner/Occupier, 2 Ravenhill Reach,Ballymacarret,Belfast,Down,BT6 8RA, The Owner/Occupier, 2 St. Kilda Court,Ballymacarret,Belfast,Down,BT6 8FN, The Owner/Occupier, 20 Ormeau Embankment,Ballynafoy,Belfast,Down,BT6 8PJ, The Owner/Occupier, 20 Ravenhill Reach Court,Ballymacarret,Belfast,Down,BT6 8RD, The Owner/Occupier, 20 Ravenhill Reach Mews,Ballymacarret,Belfast,Down,BT6 8RE, The Owner/Occupier, 21 Ravenhill Reach Court,Ballymacarret,Belfast,Down,BT6 8RD,</p> | |

The Owner/Occupier,
 21 Ravenhill Reach Mews, Ballymacarret, Belfast, Down, BT6 8RE,
 The Owner/Occupier,
 22 Ravenhill Reach Court, Ballymacarret, Belfast, Down, BT6 8RD,
 The Owner/Occupier,
 22 Ravenhill Reach Mews, Ballymacarret, Belfast, Down, BT6 8RE,
 The Owner/Occupier,
 23 Ravenhill Reach Court, Ballymacarret, Belfast, Down, BT6 8RD,
 The Owner/Occupier,
 23 Ravenhill Reach Mews, Ballymacarret, Belfast, Down, BT6 8RE,
 The Owner/Occupier,
 24 Ravenhill Reach Court, Ballymacarret, Belfast, Down, BT6 8RD,
 The Owner/Occupier,
 24 Ravenhill Reach Mews, Ballymacarret, Belfast, Down, BT6 8RE,
 The Owner/Occupier,
 25 Ravenhill Reach Court, Ballymacarret, Belfast, Down, BT6 8RD,
 The Owner/Occupier,
 25 Ravenhill Reach Mews, Ballymacarret, Belfast, Down, BT6 8RE,
 The Owner/Occupier,
 26 Ravenhill Reach Court, Ballymacarret, Belfast, Down, BT6 8RD,
 The Owner/Occupier,
 27 Ravenhill Reach Court, Ballymacarret, Belfast, Down, BT6 8RD,
 The Owner/Occupier,
 28 Ravenhill Reach Court, Ballymacarret, Belfast, Down, BT6 8RD,
 The Owner/Occupier,
 29 Ravenhill Reach Court, Ballymacarret, Belfast, Down, BT6 8RD,
 The Owner/Occupier,
 3 Ravenhill Reach Court, Ballymacarret, Belfast, Down, BT6 8RD,
 The Owner/Occupier,
 3 Ravenhill Reach, Ballymacarret, Belfast, Down, BT6 8RA,
 The Owner/Occupier,
 30 Ravenhill Reach Court, Ballymacarret, Belfast, Down, BT6 8RD,
 The Owner/Occupier,
 31 Ravenhill Reach Court, Ballymacarret, Belfast, Down, BT6 8RD,
 The Owner/Occupier,
 32 Ravenhill Reach Court, Ballymacarret, Belfast, Down, BT6 8RD,
 The Owner/Occupier,
 33 Park Parade, Ballynafoy, Belfast, Down, BT6 8GG,
 The Owner/Occupier,
 33 Ravenhill Reach Court, Ballymacarret, Belfast, Down, BT6 8RD,
 The Owner/Occupier,
 34 Ravenhill Reach Court, Ballymacarret, Belfast, Down, BT6 8RD,
 The Owner/Occupier,
 35 Park Parade, Ballynafoy, Belfast, Down, BT6 8GG,
 The Owner/Occupier,
 35 Ravenhill Reach Court, Ballymacarret, Belfast, Down, BT6 8RD,
 The Owner/Occupier,
 36 Ravenhill Reach Court, Ballymacarret, Belfast, Down, BT6 8RD,
 The Owner/Occupier,
 37 Park Parade, Ballynafoy, Belfast, Down, BT6 8GG,

The Owner/Occupier,
39 Park Parade,Ballynafoy,Belfast,Down,BT6 8GG,
The Owner/Occupier,
4 Ravenhill Reach Court,Ballymacarret,Belfast,Down,BT6 8RD,
The Owner/Occupier,
4 Ravenhill Reach,Ballymacarret,Belfast,Down,BT6 8RA,
The Owner/Occupier,
5 Ravenhill Reach Court,Ballymacarret,Belfast,Down,BT6 8RD,
The Owner/Occupier,
5 Ravenhill Reach,Ballymacarret,Belfast,Down,BT6 8RA,
The Owner/Occupier,
52 Carrington Street,Ballynafoy,Belfast,Down,BT6 8GF,
The Owner/Occupier,
54 Carrington Street,Ballynafoy,Belfast,Down,BT6 8GF,
The Owner/Occupier,
6 Ravenhill Reach Court,Ballymacarret,Belfast,Down,BT6 8RD,
The Owner/Occupier,
6 Ravenhill Reach,Ballymacarret,Belfast,Down,BT6 8RA,
The Owner/Occupier,
61 Bendigo Street,Ballymacarret,Belfast,Down,BT6 8GD,
The Owner/Occupier,
61 Carrington Street,Ballymacarret,Belfast,Down,BT6 8GF,
The Owner/Occupier,
62 Dunvegan Street,Ballymacarret,Belfast,Down,BT6 8GE,
The Owner/Occupier,
64 Dunvegan Street,Ballymacarret,Belfast,Down,BT6 8GE,
The Owner/Occupier,
65 Dunvegan Street,Ballymacarret,Belfast,Down,BT6 8GE,
The Owner/Occupier,
66 Bendigo Street,Ballymacarret,Belfast,Down,BT6 8GD,
The Owner/Occupier,
67 Dunvegan Street,Ballymacarret,Belfast,Down,BT6 8GE,
The Owner/Occupier,
7 Ravenhill Reach Court,Ballymacarret,Belfast,Down,BT6 8RD,
The Owner/Occupier,
77 St. Kilda Street,Ballymacarret,Belfast,Down,BT6 8FZ,
The Owner/Occupier,
79 St. Kilda Street,Ballymacarret,Belfast,Down,BT6 8FZ,
The Owner/Occupier,
8 Ravenhill Reach Court,Ballymacarret,Belfast,Down,BT6 8RD,
The Owner/Occupier,
81 St. Kilda Street,Ballymacarret,Belfast,Down,BT6 8FZ,
The Owner/Occupier,
83 St. Kilda Street,Ballymacarret,Belfast,Down,BT6 8FZ,
The Owner/Occupier,
85 St. Kilda Street,Ballymacarret,Belfast,Down,BT6 8FZ,
The Owner/Occupier,
9 Ravenhill Reach Court,Ballymacarret,Belfast,Down,BT6 8RD,
The Owner/Occupier,
Apartment 1 ,1 Coates Row,Ballynafoy,BELFAST,Co. Down,BT6 8FP

The Owner/Occupier,
 Apartment 10 ,1 Coates Row,Ballynafoy,BELFAST,Co. Down,BT6 8FP
 The Owner/Occupier,
 Apartment 11 ,1 Coates Row,Ballynafoy,BELFAST,Co. Down,BT6 8FP
 The Owner/Occupier,
 Apartment 12 ,1 Coates Row,Ballynafoy,BELFAST,Co. Down,BT6 8FP
 The Owner/Occupier,
 Apartment 13 ,1 Coates Row,Ballynafoy,BELFAST,Co. Down,BT6 8FP
 The Owner/Occupier,
 Apartment 14 ,1 Coates Row,Ballynafoy,BELFAST,Co. Down,BT6 8FP
 The Owner/Occupier,
 Apartment 15 ,1 Coates Row,Ballynafoy,BELFAST,Co. Down,BT6 8FP
 The Owner/Occupier,
 Apartment 16 ,1 Coates Row,Ballynafoy,BELFAST,Co. Down,BT6 8FP
 The Owner/Occupier,
 Apartment 17 ,1 Coates Row,Ballynafoy,BELFAST,Co. Down,BT6 8FP
 The Owner/Occupier,
 Apartment 18 ,1 Coates Row,Ballynafoy,BELFAST,Co. Down,BT6 8FP
 The Owner/Occupier,
 Apartment 19 ,1 Coates Row,Ballynafoy,BELFAST,Co. Down,BT6 8FP
 The Owner/Occupier,
 Apartment 2 ,1 Coates Row,Ballynafoy,BELFAST,Co. Down,BT6 8FP
 The Owner/Occupier,
 Apartment 20 ,1 Coates Row,Ballynafoy,BELFAST,Co. Down,BT6 8FP
 The Owner/Occupier,
 Apartment 21 ,1 Coates Row,Ballynafoy,BELFAST,Co. Down,BT6 8FP
 The Owner/Occupier,
 Apartment 22 ,1 Coates Row,Ballynafoy,BELFAST,Co. Down,BT6 8FP
 The Owner/Occupier,
 Apartment 3 ,1 Coates Row,Ballynafoy,BELFAST,Co. Down,BT6 8FP
 The Owner/Occupier,
 Apartment 4 ,1 Coates Row,Ballynafoy,BELFAST,Co. Down,BT6 8FP
 The Owner/Occupier,
 Apartment 5 ,1 Coates Row,Ballynafoy,BELFAST,Co. Down,BT6 8FP
 The Owner/Occupier,
 Apartment 6 ,1 Coates Row,Ballynafoy,BELFAST,Co. Down,BT6 8FP
 The Owner/Occupier,
 Apartment 7 ,1 Coates Row,Ballynafoy,BELFAST,Co. Down,BT6 8FP
 The Owner/Occupier,
 Apartment 8 ,1 Coates Row,Ballynafoy,BELFAST,Co. Down,BT6 8FP
 The Owner/Occupier,
 Apartment 9 ,1 Coates Row,Ballynafoy,BELFAST,Co. Down,BT6 8FP
 The Owner/Occupier,
 Lagan Village Hall,15 Ballarat Street,Ballymacarret,Belfast,Down,BT6 8FX,
 The Owner/Occupier,
 Nursery,Ormeau Embankment,Ballymacarret,Belfast,Down,,
 The Owner/Occupier,
 Ormeau Building,Ormeau Embankment,Ballynafoy,Belfast,Down,,
 The Owner/Occupier,
 Ormeau Building,Ormeau Embankment,Ballynafoy,Belfast,Down,BT6 8GG,

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|---|---------------|
| <p>The Owner/Occupier, Ormeau Building,Ormeau Embankment,Ballynafoy,Belfast,Down,BT6 8GZ, The Owner/Occupier, Ormeau Building,Ormeau Embankment,Ballynafoy,Belfast,Down,BT6 8GZ, The Owner/Occupier, Tennents Textiles,Ravenhill Road,Ballymacarret,Belfast,Down,BT6 8DP, The Owner/Occupier, Tennents Textiles,Ravenhill Road,Ballymacarret,Belfast,Down,BT6 8DP, The Owner/Occupier, The Close,Ravenhill Reach,Ballynafoy,Belfast,Down,BT6 8RB,</p> | |
| Date of Last Neighbour Notification | 12th May 2016 |
| Date of EIA Determination | N/A |
| ES Requested | No |
| <p>Planning History</p> <p>Ref ID: Z/2010/0064/F Proposal: Erection of residential development comprising of 47 dwellings, including 25 terraced dwellings and 22 apartments Address: Lands at the corner of Ormeau Embankment and Ravenhill Road, adjacent to Park Parade. Decision: MAR Decision Date: 30.11.2010</p> <p>Ref ID: LA04/2016/0821/DC Proposal: Discharge of conditions 15 and 16 - Z/2014/1350/F Address: Ormeau Embankment, Belfast (between Ravenhill Reach and Helm Housing Association development), Decision: Decision Date:</p> <p>Ref ID: Z/2012/1213/F Proposal: Proposed storage and distribution centre with associated retail unit, customer cafe and car parking. Address: Ormeau Embankment, Belfast (between Ravenhill Reach and Helm Housing Association development), Decision: PG Decision Date: 18.06.2014</p> <p>Ref ID: Z/2014/1350/F Proposal: Storage and distribution centre with associated retail unit, customer cafe and car parking Address: Ormeau Embankment, Belfast (between Ravenhill Reach and Helm Housing Association development),</p> | |

Decision: PG
Decision Date: 24.11.2015

Notification to Department (if relevant) – N/A

Date of Notification to Department:
Response of Department: