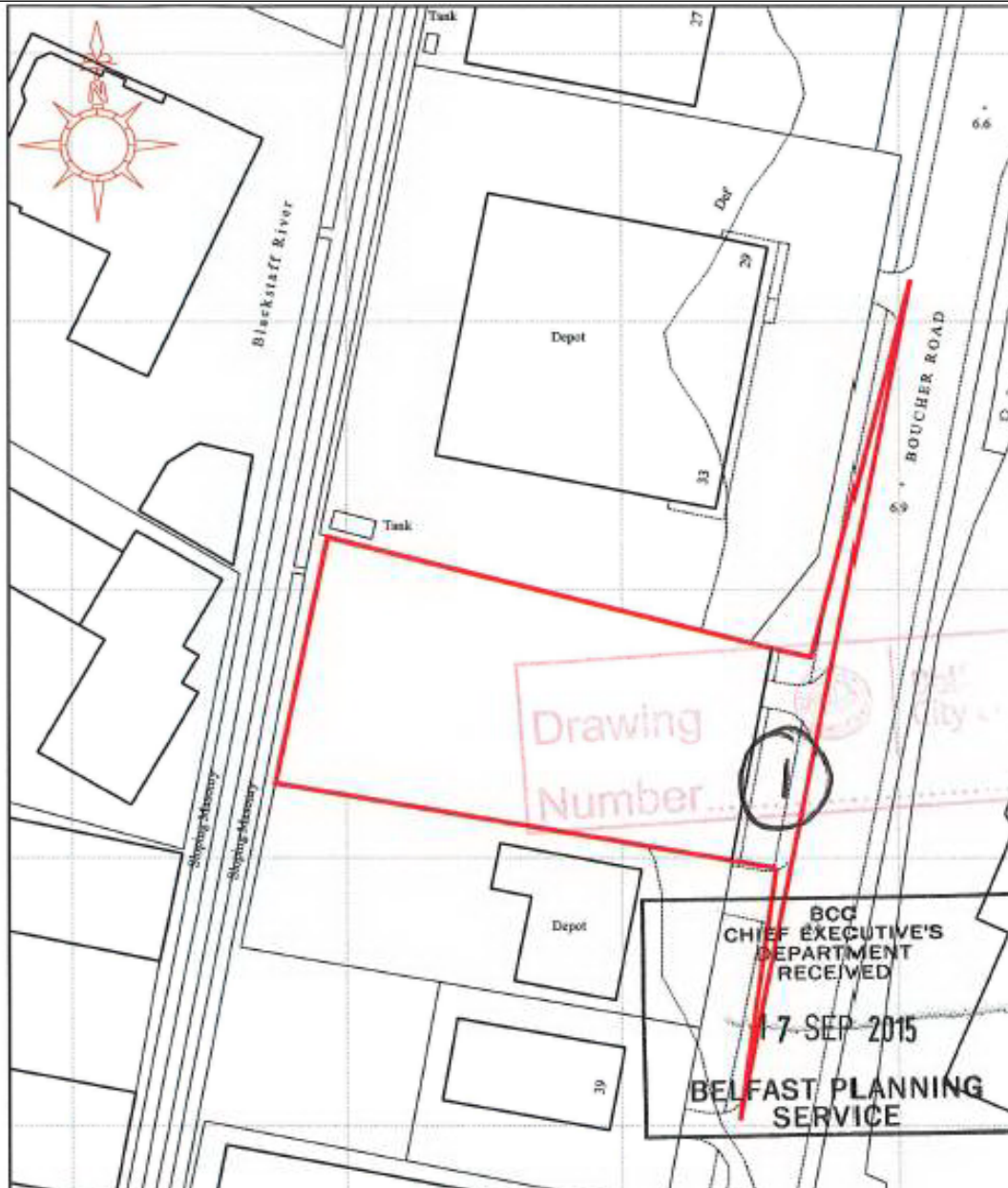


Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 16 August 2016	Item Number: 8 p
Application ID: LA04/2015/1367/F	
Proposal: Erection of Drive-Thru Restaurant including a proprietary odour abatement system, Drive-Thru lane, car parking and associated service yard	Location: 35 Boucher Road Belfast BT12 6HR
Referral Route: Hot food restaurant	
Recommendation: Approval subject to conditions	
Applicant Name and Address: Scotco Eastern Ltd Lesley House 605 Lisburn Road Belfast BT9 7GS	Agent Name and Address: Coogan and Co Architects Ltd 144 Upper Lisburn Road Belfast BT10 0BG
<p>Executive Summary:</p> <p>This application seeks full planning permission for the erection of Drive-Thru Restaurant including a proprietary odour abatement system, Drive-Thru lane, car parking and associated service yard.</p> <p>The key issues are</p> <ul style="list-style-type: none"> (a) Principle of drive thru restaurant (b) impact on neighbouring amenity (c) Road safety and parking <p>The site is located within Belfast's development limits as designated in Belfast Metropolitan Area Plan 2015. The proposal was assessed against the SPPS, PPS 3 and DCAN 4; DCAN 15 and Parking Standards. The proposal complies with this policy and guidance.</p> <p>Consultees had no objections to the proposal subject to relevant conditions and informatives to be attached to the decision notice should approval be granted.</p> <p>One representation was received raising the issue of litter and vermin and this is considered in the case officer report. It is recommended that the application is approved.</p>	

Case Officer Report

Site Location Plan



Representations:

Letters of Support	None Received
Letters of Objection	One 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 Erection of Drive-Thru Restaurant including a proprietary odour abatement system, Drive-Thru lane, car parking and associated service yard</p>
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2.0	<p>Description of Site</p> <p>The site is located at 35 Boucher Road, Belfast. Belfast Metropolitan Area Plan 2015 defines the site as white land (unzoned). There is an existing KFC drive thru restaurant with car parking on the site at present. The western (rear) and southern (side) boundaries are defined by wooden fencing. The roadside boundary is largely undefined. The area is characterised largely by retail stores and warehouses.</p>
Planning Assessment of Policy and other Material Considerations	
3.0	<p>Site History</p> <p>There is no relevant history on the site for consideration.</p>
4.0	<p>Policy Framework</p> <p>4.1 Belfast Metropolitan Area Plan 2015</p> <p>4.1.1 Unzoned land</p> <p>4.2 Strategic Planning Policy Statement (SPPS)</p> <p>4.2.1 Good design paras 4.23 – 4.30</p> <p>4.3 Planning Policy Statement (PPS) 3: Access, Movement and Parking</p> <p>4.3.1 Policy AMP 1: Creating an Accessible Environment</p> <p>4.3.2 Policy AMP 6: Transport Assessment</p>
5.0	<p>Statutory Consultees</p> <p>5.1 Transport NI – No objection subject to conditions</p> <p>5.2 Northern Ireland Water Ltd - No objection</p>
6.0	<p>Non Statutory Consultees</p> <p>6.1 BCC Environmental Health – No objection subject to conditions</p>
7.0	<p>Representations</p> <p>The application has been neighbour notified and advertised in the local press. One representation was been received.</p>
8.0	<p>Other Material Considerations</p> <p>8.1 DCAN 4: Restaurants, Cafes and Fast Food Outlets</p> <p>8.2 DCAN 15: Vehicular Access Standards</p> <p>8.3 Parking Standards</p>
9.0	<p>Assessment</p> <p>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 along Boucher Road. The proposal is for Erection of Drive-Thru Restaurant including a proprietary odour abatement system, Drive-Thru lane, car parking and associated service yard.</p> <p>9.2 The key issues are</p> <p>(a) Principle of drive thru restaurant</p> <p>(b) impact on neighbouring amenity</p> <p>(c) Road safety and parking</p> <p>9.3 One representation was received from Kennedy and Morrison who are based directly adjacent to the site which raised the following issues:</p> <p>(a) risk of vermin</p> <p>(b) litter generation</p> <p>These matters will be considered throughout the assessment in accordance with current legislation and planning policy, however some of these are outside of the remit of the</p>

planning authority.

9.3 The application proposes a single storey drive thru restaurant with indoor seated area. A re-configuration of the existing car park is proposed also. The proposed use is suis generis as per The Planning (Use Classes) Order (Northern Ireland) 2015. The use has already been established on the site with the existing drive thru and therefore the principal of development is acceptable. The proposed building itself is of a contemporary design and shows varying heights on the roof with the highest point being 8m from finished floor level. The proposed external materials are dark grey coloured aluminium cladding as well as dark grey trocal roofing and silver seam roofing. These are considered acceptable for the area. Bin storage is shown located to the rear of the building with a total of 3 bins indicated.

9.4 AMP 1 and AMP 6 of PPS3, and DCAN 15

DRD Transport NI is the authoritative body on road safety and transport issues. Off street parking is proposed as part of the development. Their consultation response dated 08/01/16 requested additional information to be detailed in the Transport Assessment Form as well as technical changes to the plans. These were submitted and forwarded for consideration, however further technical amendments were requested on 14/04/16. Transport NI stated no objections to the proposal; subject to conditions should approval be granted, on 02/06/16 in their final response following consideration of further amendments.

9.5 DCAN 4

DCAN 4 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. Noise of deliveries/equipment is an important consideration, particularly at late night opening times, however given the non residential character of the area the impact is not likely to be detrimental. BCC Environmental Health stated no objections to the proposal on 09/12/15 subject to conditions stating the flue is retained at a height of 1m above the eaves of the original building and also the extraction and ventilation system must be cleaned and maintained in accordance with relevant guidance. Details of the flue itself were submitted and forwarded to BCC Environmental Health for consideration and they responded on 08/04/16 with no objections and reiterated the previously mentioned conditions. BCC Environmental Health is the authoritative body on litter also and offered no objections to the bin storage facilities shown on the plans (which indicate 3 bins to the rear of the restaurant). This should be conditioned to be retained as such should approval be granted.

9.6 The proposal is considered to comply with AMP 1 and AMP 6 of PPS 3; DCAN 4; DCAN 15 and Parking Standards.

9.9 The proposal is considered to be in compliance with the development plan.

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.

Conditions

1. 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.

2. A proprietary odour abatement system shall be installed prior to commencement of the use hereby approved to suppress and disperse odours created from cooking operations on the premises. The outlet from any extract ventilation shall terminate 1m above the eaves at roof level as detailed in approved drawing no 04B, date stamped received 03/03/16.

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 Condition 2.

Reason: In the interests of amenity.

4. A minimum of three litter bins will be provided to the rear of the premises at all times, as indicated on approved drawing no 03B, date stamped received on 27/04/16.

Reason: In the interest of visual amenity and public health

5. The development hereby permitted shall not become operational until the hard surfaced areas have been constructed and permanently marked in accordance with the approved Drawing No.03B, date stamped received 27/04/16 to provide adequate facilities for parking servicing and circulating 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.

Reason: To ensure that adequate provision has been made for parking, servicing and traffic circulation within the site.

ANNEX	
Date Valid	15th October 2015
Date First Advertised	27th November 2015
Date Last Advertised	25th March 2016
Details of Neighbour Notification (all addresses) The Owner/Occupier, 26-28,Apollo Road,Malone Lower,Belfast,Antrim,BT12 6HP, The Owner/Occupier, 29-33,Boucher Road,Ballymurphy,Belfast,Antrim,BT12 6QF, The Owner/Occupier, 37 Boucher Road,Ballymurphy,Belfast,Antrim,BT12 6HR, The Owner/Occupier, Unit 3,26-28,Apollo Road,Malone Lower,Belfast,Antrim,BT12 6HP, Joan McCoy White Ink Architects, 4th Floor, 21 Talbot Street, Cathedral Quarter, Belfast, BT1 2LD	
Date of Last Neighbour Notification	13th May 2016
Date of EIA Determination	
ES Requested	No
Planning History Ref ID: Z/1991/0067 Proposal: Erection of illuminated pylon sign. Address: HONDA, 35 BOUCHER ROAD, BELFAST BT12 Decision: Decision Date: Ref ID: Z/2008/0368/F Proposal: Demolition of existing car workshop and change of use from car showroom to drive through restaurant with associated car parking. Existing showroom to have elevational amendments/new roof. Address: 35 Boucher Road, Ballymurphy, Belfast, BT12 Decision: Decision Date: 19.08.2008 Ref ID: Z/1998/0918 Proposal: Erection of 12 no. signs including fascia signs, totem sign and directional signs Address: 35 BOUCHER ROAD BELFAST BT12 Decision: Decision Date:	

Ref ID: Z/2008/2252/A
Proposal: Erection of 10 metre gantry sign
Address: 35 Boucher Road, Belfast, BT12
Decision:
Decision Date: 15.05.2009

Ref ID: Z/1997/0583
Proposal: Signage for car showroom.
Address: 35 BOUCHER ROAD, BELFAST BT12
Decision:
Decision Date:

Ref ID: Z/1997/0280
Proposal: Signage for car showroom
Address: 35 BOUCHER ROAD BELFAST BT12
Decision:
Decision Date:

Ref ID: Z/2009/0045/F
Proposal: Change of use from car showroom to drive-through restaurant with associated car parking. (Amendments to previously approved scheme Z/2008/0368/F)
Address: 35 Boucher Road, Belfast, BT12 6HR
Decision:
Decision Date: 13.03.2009

Ref ID: Z/2007/2035/F
Proposal: Demolition of existing car showroom and erection of fast food restaurant with retail warehouse and associated car parking
Address: 35 Boucher Road, Ballymurphy, Belfast, BT12 6HR
Decision:
Decision Date: 06.11.2009

Ref ID: Z/2006/1791/A
Proposal: Erection of signs for car dealership including fascia, pylon, free standing and internally illuminated box signs.
Address: Isaac Agnew, 35 Boucher Way, Belfast, BT12 6HR
Decision:
Decision Date: 04.10.2006

Ref ID: Z/1994/0713
Proposal: Gantry sign
Address: BOUCHER ROAD BELFAST BT12
Decision:
Decision Date:

Ref ID: Z/1998/0856
Proposal: Erection of logo signs and 4.8m totem sign

Address: 37 BOUCHER ROAD BELFAST BT12

Decision:

Decision Date:

Ref ID: LA04/2015/1367/F

Proposal: Erection of Drive-Thru Restaurant with a Drive-Thru lane, car parking and associated service yard

Address: 35 Boucher Road, Belfast, BT12 6HR,

Decision:

Decision Date:

Notification to Department (if relevant): N/A

Notification from Elected Members: N/A