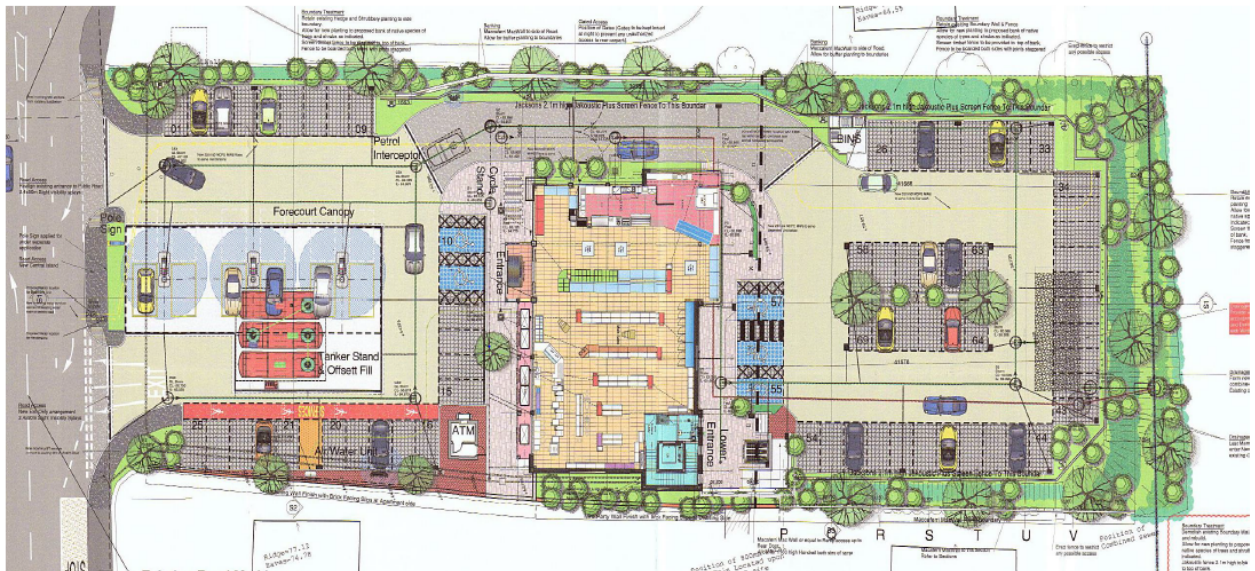
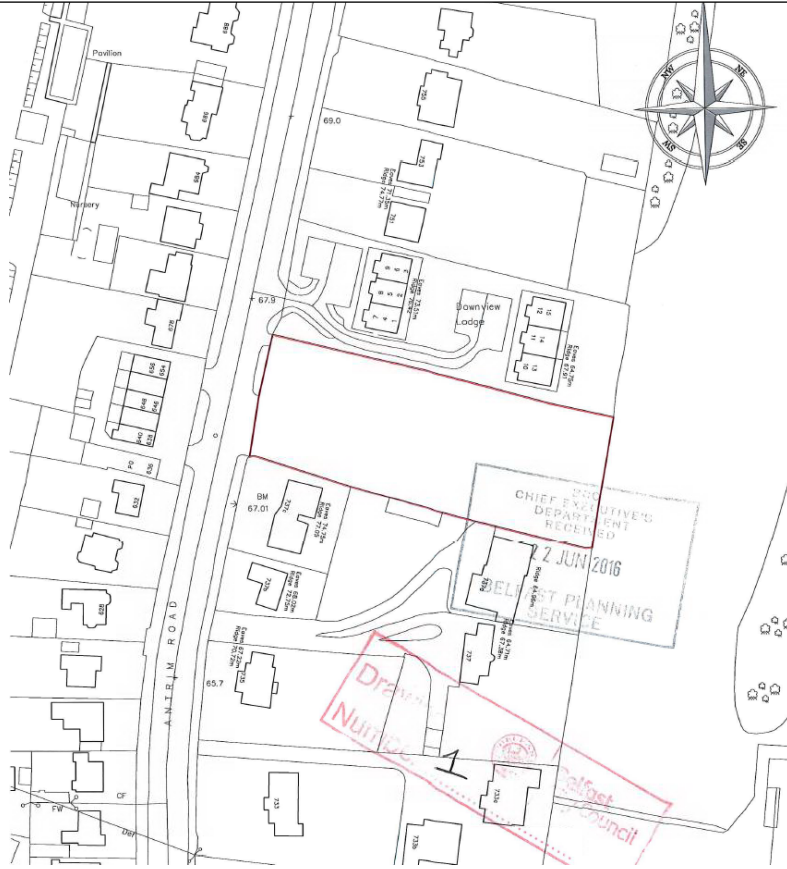


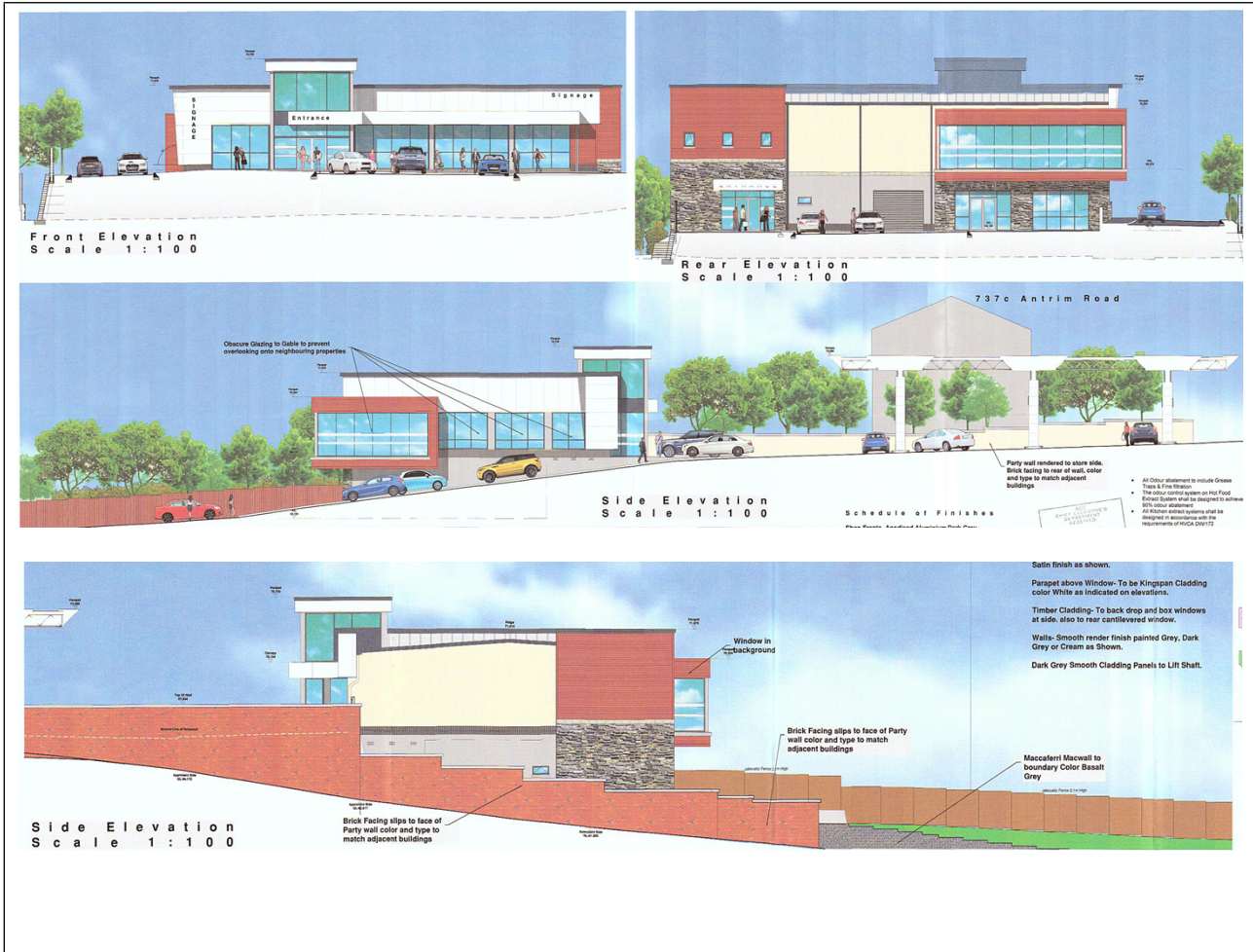
## Development Management Officer Report Committee Application

<b>Summary</b>	
<b>Committee Meeting Date:</b> 11 April 2017	<b>Item Number:</b>
<b>Application ID:</b> LA04/2016/1366/F	<b>Target Date:</b>
<b>Proposal:</b> Petrol filling station and associated convenience store including ATM, forecourt canopy, odour abatement system, basement storage and self-contained retail unit	<b>Location:</b> 739 Antrim Road, Belfast
<b>Referral Route: Large Scale Commercial Development</b>	
<b>Recommendation:</b>	Approval subject to conditions
<b>Applicant Name and Address:</b> Charioteer Ltd 7 Broomhill Park Belfast	<b>Agent Name and Address:</b> Clarman and Co Unit 1 33 Dungannon Road Coalisland BT71 4HP
<p><b>Executive Summary:</b></p> <p>The application seeks full planning permission for a petrol filling station and associated convenience store including ATM, forecourt canopy, odour abatement system, basement storage and self-contained retail unit</p> <p>The main issues to be considered in this case are:</p> <ul style="list-style-type: none"> <li>(a) Road safety</li> <li>(b) Design and layout</li> <li>(c) Impact on residential amenity</li> <li>(d) Flood risk</li> </ul> <p>The site is located within Belfast's development limits as designated in Belfast Metropolitan Area Plan 2015. The site is not zoned. The application has been assessed against relevant planning policies including BMAP, the Strategic Planning Policy Statement (SPPS), PPS 3: Access, Movement and Parking, PPS 15 Flood Risk and associated supplementary guidance.</p> <p>In accordance with the requirements of the SPPS, a sequential test looking at possible alternative sites in, and on the edge of, Belfast City Centre for the proposal was submitted. On the basis of the information provided, it is considered that the proposal complies with the SPPS.</p> <p>All relevant neighbours were notified and the proposal was advertised in the local press. No representation were received.</p> <p>All consultees offered no objections in principle to the proposal.</p> <p>It is recommended that the application is approved subject to conditions as set out in the report</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 Description of Proposed Development**

1.1 Petrol filling station (PFS) and associated convenience store including ATM, forecourt canopy, odour abatement system, basement storage and self-contained retail unit. The development has commenced on site.

**2.0 Description of Site**

2.1 The site is located at 739 Antrim, Belfast and is not zoned in the Belfast Metropolitan Area Plan 2015 (BMAP). There is an Urban Landscape Wedge (BT 080 Bellevue/Fortwilliam), Local Landscape Policy Area (LLPA BT 090 Belfast Castle/Fortwilliam) and an area of open space to the rear of the site abutting the eastern boundary. Fortwilliam Golf Club is directly to the rear of the site (to the east) with apartments to the immediate north and south of the site. There is a row of commercial shops opposite. The site is rectangular in shape and slopes away from the Antrim Road towards the rear. The site was previously developed for a bar/restaurant but the building has been demolished. Development has commenced on site. The boundaries of the site are defined by fencing with semi-mature vegetation providing a degree of screening.

## **Planning Assessment of Policy and Other Material Considerations**

### **3.0 Site History**

There is relevant site history under:

Z/2014/0030/F - Proposed Petrol Filling Station including forecourt and canopy with associated supermarket, basement storage, cafe, ATM and parking – Permission granted – 03/02/15

### **4.0 Policy Framework**

4.1 Belfast Metropolitan Area Plan 2015

4.1.1 Site not zoned

4.2 Strategic Planning Policy Statement (SPPS)

4.2.1 Good design paras 4.23 – 4.30

4.2.2 Town Centres and Retailing paras. 6.272 - 6.283

4.3 Planning Policy Statement (PPS) 3: Access, Movement and Parking

4.3.1 Policy AMP 1: Creating an Accessible Environment

4.3.2 Policy AMP 2: Access to Public Roads

4.4.3 Policy AMP 7: Car Parking and Servicing Arrangements

4.5 Planning Policy Statement (PPS) 15: Planning and Flood Risk

4.5.1 Policy FLD 3 - Development and Surface Water (Pluvial) Flood Risk Outside Flood Plains

### **5.0 Statutory Consultees**

5.1 Transport NI – No objection subject to conditions

5.2 Northern Ireland Water Ltd - No objection

5.3 DoI Rivers Agency – 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 were received.

### **8.0 Other Material Considerations**

8.1 DCAN 15: Vehicular Access Standards

8.1.1 Paras 4.1 and 4.2

8.2 Parking Standards

### **9.0 Assessment**

#### **Principle of development**

9.1 Planning permission was previously granted on the site for a similar proposal - Proposed Petrol Filling Station including forecourt and canopy with associated supermarket, basement storage, cafe, ATM and parking. This permission is still live and establishes the principle of development on the site.

9.2 The main issues to be considered are:

- (a) Road safety
- (b) Design and layout
- (c) Impact on residential amenity
- (d) Flood risk

#### **9.3 Access, Parking and Road Safety**

The overall site layout and entrance details do not vary significantly from those of the extant approval. The site is accessed from the Antrim Road with a separate access and egress for entrance and exit. The building is set back from the road making provision for a forecourt and 25

parking spaces to the front of it and 6 spaces for cars waiting at the fuel pumps. A further 44 parking spaces are provided to the rear of the building. The current proposal makes provision for an additional 7 car parking spaces when compared with the extant approval. Provision is also made for 8 cycle parking spaces to the front of the building. DFI Transport NI are the authoritative body on road safety and transport issues. During the processing of the application Transport NI requested additional information in their response dated 01/08/16. On 15/11/16 the Agent submitted a Travel Plan, Swept Path Analysis and Service Management Plan and TNI offered no further objections to the proposal, replying to consultation on 06/02/17 with suggested conditions should approval be granted. The proposal will not prejudice road safety or inconvenience the flow of traffic in their opinion. The proposal therefore complies with Policies AMP 1, 2, 7 of PPS 3 Parking Standards and DCAN 15.

### **Retail Impact**

9.4 Paras 6.272 - 6.283 of the SPPS provides the context for Town Centres and Retailing. Part 9 regulation 32 and associated Schedule of The Planning (Local Development Plan) Regulations (Northern Ireland) 2015 states: 'during the transitional period a departmental development plan shall operate as the local development plan for the area for which it is made and shall be treated for the purposes of the 2011 Act and any other enactment relating to planning as being the local development plan for the area'. A full retail impact assessment is not required since the proposal is not above the threshold of 1000 sqm external floorspace as detailed within para 6.283 of the SPPS. Additionally the Council has an up to date LDP and therefore an assessment of need is not required. A sequential test as per para 6.280 of the SPPS was received on 22/06/16.

9.5 The SPPS states that planning authorities will require applications for main town centre uses to be considered in the following order of preference; primary retail core, town centres, edge of centre and out of centre locations only where sites are accessible by a choice of good public transport modes. The Retail Statement states that within the catchment area of the site (5 minute drive time) there are no designated town centres. The statement highlights that there is however a nearby District Centre in Newtownabbey at the Abbey Centre which has a PFS and there is another PFS in Glengormley which is designated as a local centre. The statement further states that there is no primary retail core, town centre or edge of centre within the proposal's catchment area and the proposal meets the fourth location preference in that it is an out of town location with good access to public transport and is served by Metro and Ulsterbus Services.

9.6 Taking account of the sequential test it is considered that the proposal complies with the SPPS. Furthermore the recent planning history for a similar development is given determining weight and the proposal is considered acceptable.

### **Design and Layout**

9.7 The overall design and layout does not differ significantly from the extant approval. The proposed development will reconfigure the forecourt to the front of the site as well as parking to the rear of the site. The proposed scheme has 977 sqm gross external area, which is 51.8 sqm more than previously approved. The building is split level with the basement comprising 363.7 sqm of gross floorspace, an increase of 91.9 sqm from the previous approval. The ground floor comprises 516.16sqm of gross floorspace, which is a decrease of 137.24 sqm from that approved. The proposal adds a second self contained retail unit in the basement with direct access from the rear car park which measures 114.4 sqm. This is a minor increase in floorspace from what was approved (i.e. approximately 52 sqm) and on balance is acceptable.

9.8 The proposed building is in the same position as the extant permission and external materials remain unchanged with the pumps and canopy to the front as before. The external materials include a mix of finishes such as smooth render finish painted grey/cream, timber cladding, grey/white cladding, dark grey aluminium shopfronts and grey stone. The proposal respects the topography of the site as before in that a split level building is proposed however there will be some cutting in required. Proposed glazing along the northern (side) elevation is to be fitted with

obscure glazing to prevent any overlooking into neighbouring properties and will be conditioned to be permanently retained.

9.9 An acoustic fence (2.1m high) along the access to the car park and around the car park is proposed to mitigate any transmission of noise into the neighbouring property. The existing boundary wall along part of the southern boundary has been demolished and is to be replaced with a red brick wall to match the adjacent apartment building (No. 737C Antrim Road) which is considered acceptable.

9.10 As per the previous approval a condition shall be attached should approval be granted ensuring that gates leading to the rear car park shall be kept closed at night to prevent any unauthorised entry and to protect residential amenity.

### **Flood Risk**

9.11 A Drainage Assessment was submitted by the Agent on 09/01/17 and forwarded to Rivers Agency for comment. They responded on 18/02/17 stating in this case Polices FLD 1, 2, 4 and 5 do not apply. They stated with respect to FLD 3 they had no reason to disagree with the conclusions of the Drainage Assessment by Sheehy Consulting however the responsibility for justifying the flood risk assessment and accepting any flood risk rests with the developer and their professional advisors. They suggested a number of informatives to be included on the decision notice should permission be granted.

### **Conclusion**

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

9.12 Having regard to the policy context and other material considerations above, the proposal is considered acceptable and it is recommended that the delegated authority is given to the Director of Planning & Place to approve the application with conditions with the final framing and wording of conditions to be delegated.

### **10.0 Summary of Recommendation: Approval with conditions**

**Neighbour Notification Checked: Yes**

#### **Conditions:**

1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.

2. The development hereby permitted shall not become operational until the vehicular accesses, including visibility splays and any forward sight distance, have been constructed in accordance with the approved layout Drawing No. 06 'Site Plan, Visibility Splays' 3055-01-03' bearing the Belfast City Council Planning Office date stamp 22 June 2016. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250 mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter.

Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.

3. The development hereby permitted shall not become operational until hard surfaced area have been constructed in accordance with the approved layout Drawing No. 04A, bearing the Belfast City Council Planning Office date stamp 21 March 2017, 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 than for the parking and movement of vehicles.

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

4. The development hereby permitted shall operate in accordance with the approved Service Management Plan bearing the Belfast City Council Planning Office date stamp 15 November 2016.

Reason: in the interests of road safety and the convenience of road users.

5. The development hereby permitted shall operate in accordance the approved Travel Plan bearing the Belfast City Council Planning Office date stamp 15 November 2016. This includes provision of the Translink TaxSmart Initiative and the Bike2Work Initiative or equivalent measures agreed by Transport NI.

Reason: To encourage the use of alternative modes of transport to the private car in accordance with the Transportation Principles.

6. 8 No. cycle parking spaces shall be provided and permanently retained to the immediate front of the proposed development for use by visitors to the development.

Reason: to encourage the use of alternative modes of transport for development users.

7. The Petrol Filling Station, associated convenience store and self-contained retail unit shall operate between 07:00 Hours and 23.00 Hours Sunday to Saturday.

Reason: In the interests of residential amenity.

8. Deliveries and collections by commercial vehicles shall only be made to and from the site between 07:00 Hours and 23:00 Hours Monday to Sundays.

Reason: In the interests of residential amenity.

9. A proprietary odour abatement system shall be installed to suppress and disperse odours created from cooking operations on the premises. The outlet from any extract ventilation shall terminate as detailed in approved Drawing No.9A date stamped received 4 January 2017 by Clarman Architects. 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 residential amenity.

10. The gates at the entrance to the rear car parking area as indicated on approved drawing 03, date stamped received 22 June 2016, shall remain closed between 2300 hours and 0700 hours.

Reason: In the interests of residential amenity.

11. A 2.1m high Jacksons Jakoustic plus screen fencing shall erected along the boundary with property 737a Antrim Road as indicated on approved drawing no 09B, date stamped received 21st March 2017 prior to the use becoming operational.

Reason: In the interest of residential amenity.

12. All hard and soft landscape works shall be carried out in accordance with approved drawing

no. 04A date stamped received 21st March 2017 and the appropriate British Standard or other recognised Codes of Practice. The works shall be carried out prior to the operation of any part of the development.

Reason: To ensure the provision, establishment and maintenance of a high standard of landscape.

13. The existing natural screenings along the northern and eastern boundaries as indicated on approved drawing no 04A date stamped received 21st March 2017, shall be retained.

Reason: In the interests of residential amenity.

14. If within a period of 5 years from the date of the planting of any tree, shrub or hedge, that tree, shrub or hedge is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Council, seriously damaged or defective, another tree, shrub or hedge of the same species and size as that originally planted shall be planted at the same place, unless the Council gives its written consent to any variation.

Reason: To ensure the provision, establishment and maintenance of a high standard of landscape.

15. The proposed party wall on the southern boundary as indicated on approved drawing no 09B, date stamped received 21st March 2017 shall be built in accordance with the plans.

Reason: In the interests of residential amenity.

16. The proposed windows on approved drawing No 09B, date stamped received 21st March 2017, shall be fitted with obscure glass. These windows shall be permanently retained and in the event of breakage shall be replaced with obscure glass to the satisfaction of the Council.

Reason: In the interests of amenity.

17. The net retail floorspace hereby approved shall not be sub-divided into independent units without the prior consent of the Council.

Reason: To control the nature, range and scale of retailing activity to be carried out at this location.

18. No internal operations increasing the floorspace available for retail use, including the construction of, or extension to mezzanine floors, shall be carried out without the prior consent of the Council.

Reason: To control the nature, range and scale of retailing activity to be carried out at this location.

Notification to Department (if relevant) N/A

Representations from elected members:  
None



<b>ANNEX</b>	
<b>Date Valid</b>	22nd June 2016
<b>Date First Advertised</b>	15th July 2016
<b>Date Last Advertised</b>	27th January 2017
<b>Details of Neighbour Notification</b> (all addresses)	
<p>The Owner/Occupier, 1 Downview Lodge,Green Castle,Belfast,Antrim,BT15 4DU,  The Owner/Occupier, 10 Downview Lodge,Green Castle,Belfast,Antrim,BT15 4DU,  The Owner/Occupier, 13 Downview Lodge,Green Castle,Belfast,Antrim,BT15 4DU,  The Owner/Occupier, 4 Downview Lodge,Green Castle,Belfast,Antrim,BT15 4DU,  The Owner/Occupier, 638 Antrim Road,Green Castle,Belfast,Antrim,BT15 5GP,  The Owner/Occupier, 638A Antrim Road,Green Castle,Belfast,Antrim,BT15 5GP,  The Owner/Occupier, 638B Antrim Road,Green Castle,Belfast,Antrim,BT15 5GP,  The Owner/Occupier, 640 Antrim Road,Green Castle,Belfast,Antrim,BT15 5GP,  The Owner/Occupier, 642 Antrim Road,Green Castle,Belfast,Antrim,BT15 5GP,  The Owner/Occupier, 646 Antrim Road, Belfast  The Owner/Occupier, 648 Antrim Road,Green Castle,Belfast,Antrim,BT15 5GP,  The Owner/Occupier, 652 Antrim Road,Green Castle,Belfast,Antrim,BT15 5GP,  The Owner/Occupier, 654 Antrim Road,Green Castle,Belfast,Antrim,BT15 5GP,  The Owner/Occupier, 654-656,Antrim Road,Green Castle,Belfast,Antrim,BT15 5GP,  The Owner/Occupier, 656 Antrim Road,Green Castle,Belfast,Antrim,BT15 5GP,  The Owner/Occupier, 678 Antrim Road,Green Castle,Belfast,Antrim,BT15 5GP,  The Owner/Occupier, 7 Downview Lodge,Green Castle,Belfast,Antrim,BT15 4DU,  The Owner/Occupier, 737A Antrim Road,Green Castle,Belfast,Antrim,BT15 4EL,  The Owner/Occupier, Flat 1, Ardriugh Court,737C Antrim Road,Green Castle,Belfast,Antrim,BT15 4EL,  The Owner/Occupier, Flat 2, Ardriugh Court,737C Antrim Road,Green Castle,Belfast,Antrim,BT15 4EL,  The Owner/Occupier, Flat 3, Ardriugh Court,737C Antrim Road,Green Castle,Belfast,Antrim,BT15 4EL,  The Owner/Occupier, Flat 4, Ardriugh Court,737C Antrim Road,Green Castle,Belfast,Antrim,BT15 4EL,  The Owner/Occupier, Flat 5, Ardriugh Court,737C Antrim Road,Green Castle,Belfast,Antrim,BT15 4EL,  The Owner/Occupier, Flat 6, Ardriugh Court,737C Antrim Road,Green Castle,Belfast,Antrim,BT15 4EL,  The Owner/Occupier, Flat 6,Ardriugh Court 737c,Antrim Road,Green Castle,Belfast,Antrim,BT15 4EL,</p>	
<b>Date of Last Neighbour Notification</b>	23rd March 2017
<b>Date of EIA Determination</b>	
<b>ES Requested</b>	Yes /No

## Planning History

Ref ID: Z/2014/0030/F

Proposal: Proposed Petrol Filling Station including forecourt and canopy with associated supermarket , basement storage, cafe, ATM and parking. (Amended Plans Received)

Address: 739 Antrim Road, Belfast,

Decision: PG

Decision Date: 17.02.2015

Ref ID: Z/2001/1314/F

Proposal: Refurbishments and alterations including extension to existing licensed premises.

Address: The Shaftesbury Inn, Antrim Road, Belfast

Decision:

Decision Date: 21.02.2002

Ref ID: Z/1978/0555

Proposal: EXTENSION TO PUBLIC HOUSE

Address: SHAFTESBURY INN, 739-745 ANTRIM ROAD

Decision:

Decision Date:

Ref ID: Z/2006/2771/F

Proposal: Demolition of existing buildings and erection of a residential development of 57 No. apartments with associated landscaping and underground car park (Amended Plans).

Address: 739-745 Antrim Road, Belfast, BT15 4EL

Decision:

Decision Date: 10.07.2008

Ref ID: Z/1992/2531

Proposal: Reinstatement of fire damaged premises with extension

Address: THE SHAFTESBURY INN, 741 ANTRIM ROAD BELFAST BT15

Decision:

Decision Date: