

## Development Management Report Committee Application

Summary	
<b>Committee Meeting Date:</b> 16 May 2017	:
<b>Application ID:</b> LA04/2017/0231/F	
<b>Proposal:</b> Variation of condition 2 (gross floorspace restriction) and condition 3 (net retail floorspace restriction) of planning permission LA04/2015/0160/F (variation of condition to permit sales of convenience goods and all types of comparison goods) to remove reference to approved floor plan to allow for reconfiguration of the ground floor layout and an increase to the overall gross floorspace	<b>Location:</b> Units 2, 3 and 4 Connswater Retail Park, Belfast
<b>Referral Route:</b> Committee - Variation of condition relating to a major development	
<b>Recommendation:</b>	Approval
<b>Applicant Name and Address:</b> Lidl Northern Ireland GmbH Dundrod Road Nutts Corner Crumlin BT29 4SR	<b>Agent Name and Address:</b> MBA Planning 4 College House Citylink Business Park Belfast BT12 4HQ
<b>Executive Summary:</b>  This application seeks permission for the variation of condition 2 (gross floorspace restriction) and condition 3 (net retail floorspace restriction) of planning permission LA04/2015/0160/F (variation of condition to permit sales of convenience goods and all types of comparison goods) to remove reference to approved floor plan to allow for the reconfiguration of the ground floor layout and an increase to the overall gross floorspace from 2208 square metres to 2315 square metres at Units 2, 3 and 4 at Connswater Retail Park.  The key issues in the assessment of the proposed development include: <ul style="list-style-type: none"> <li>- Retail Impact</li> <li>- Access, Parking and Transport</li> <li>- Impact on amenity of neighbouring properties</li> </ul> Previous applications Z/2014/1070/F and LA04/2015/0160/F established the basis for a supermarket to trade from Units 2, 3 and 4. The proposal would only result in a small increase to the gross floorspace of the foodstore by 107 square metres and there would be no change to the net retail floorspace agreed under application LA04/2015/0160/F	

which was supported by a Retail Impact Assessment. It was determined under that application that this scale of development would not have an adverse impact upon existing centres. Furthermore, there has been no change in planning policy since the determination of the previous application. This proposal would result in no greater impact on existing centres and is therefore considered to be acceptable with regards to the SPPS.

The objective of condition 3 of application LA04/2015/0160/F is to restrict the net retail floorspace and the type of goods to be sold within the foodstore. Reference to the approved floor plan within this condition is not necessary for this to be achieved and as such there is no objection to its removal.

The proposal would result in no intensification in activity over and above that previously deemed acceptable under application LA04/2015/0160/F, it would retain the same access arrangements and a sufficient level of on-site parking would be provided and as such it is considered compliant with the requirements of PPS3 and associated guidance. Furthermore, it would not result in any detriment to the amenity of neighbouring properties in accordance with the SPPS.

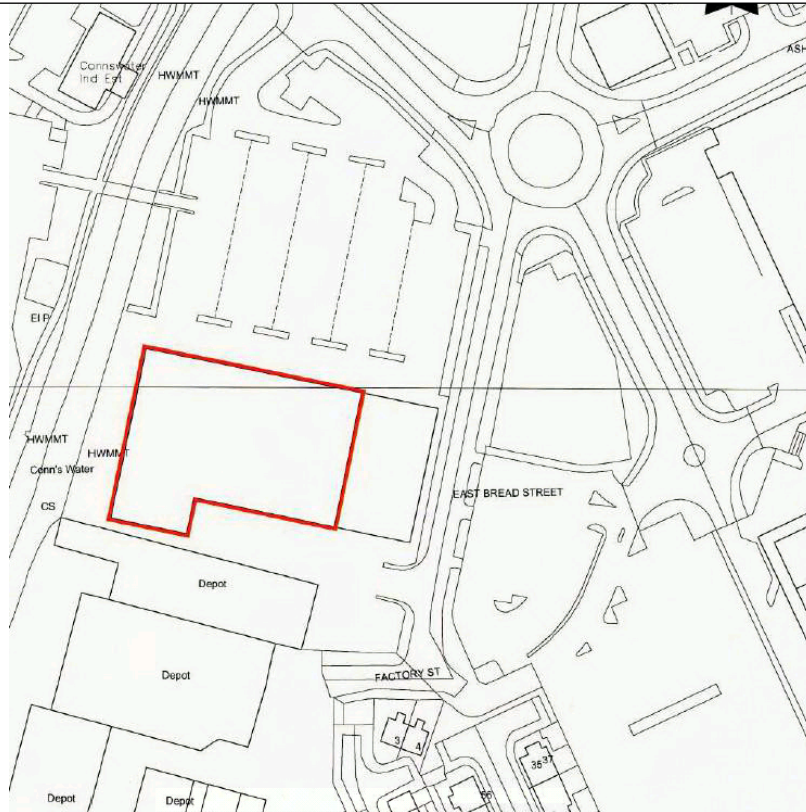
No representations have been received on the proposal.

**Recommendation**

Approve subject to the conditions set out in Section 10 of this report. Delegation of Final Conditions to the Director of Planning and Place Requested.

## Case Officer Report

### Site Location Plan



<p><b>1.0</b></p>	<p><b>Description of Proposed Development</b>  This application seeks planning permission for the variation of condition 2 (gross floorspace restriction) and condition 3 (net retail floorspace restriction) of planning permission LA04/2015/0160/F (variation of condition to permit sales of convenience goods and all types of comparison goods) to remove reference to approved floor plan to allow for the reconfiguration of the ground floor layout and an increase to the overall gross floorspace from 2208 square metres to 2315 square metres.</p>
<p><b>2.0</b></p>	<p><b>Description of Site</b>  The site is located within Connswater Retail Park in east Belfast and comprises three empty retail warehouse units constructed from brick with sheet metal cladding and roofing. There is a surface level car park to the front of the site, with a Poundland retail store immediately adjacent. To the rear there is a typical service yard area. To the north of the site there is the Connswater River with further retail warehouse type units beyond.</p>
<p><b>Planning Assessment of Policy and other Material Considerations</b></p>	
<p><b>3.0</b></p>	<p><b>Site History</b>  Z/1990/0127 – Extension to Connswater Centre to include retailing, retail warehousing, business park, housing and car parking – Granted 15.10.1991   Z/2014/1070/F - Proposed erection of retail unit to replace fire damaged unit including repairs to roofs of adjoining units and all associated works – Granted 22.01.2015 (Unit 3)   LA04/2015/0160/F - 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 &amp; car parking) to permit the</p>

	<p>sale of convenience goods and all types of comparison goods in Units 2 and 4 Connswater Retail Park (amended description) – Granted 20.07.2016</p> <p>LA04/2015/0161/F - Alterations to elevations of retail units 2, 3 and 4 involving recladding of front elevation using alucobond and render, glazed curtain walling along west elevation, new entrance pod and trolley park, loading bay, condenser units and relocation of fire escape doors – Granted 22.08.2016</p> <p>LA04/2016/1660/F - Erection of 1 no. coffee/restaurant pod, with external seating area, reconfiguration of car parking and all other associated site works – Granted 05.01.2017</p> <p>LA04/2016/1996/F - Proposed landscaping works to include resurfacing, additional planting, light columns, litter bins and cycle stands, and reconfiguration of car parking (reduction of 3No. spaces) – Granted 01.11.2016</p> <p>LA04/2016/2690/A - Internally illuminated pole sign, 3 no billboard signs, poster display sign and 2 no new internally illuminated shop signage to façade – Granted 02.03.2017</p> <p>LA04/2017/0396/F - Alterations to elevations of retail units 2, 3 and 4 involving re-cladding of north and west elevations using alucobond and render, glazed curtain walling along north and west elevations, new entrance pod, new door and window openings, and provision of condenser units, loading bay and trolley bay– Granted 26.04.2017</p>
<b>4.0</b>	<b>Policy Framework</b>
<b>4.1</b>	Belfast Metropolitan Area Plan 2015
<b>4.2</b>	Regional Development Strategy Strategic Planning Policy Statement for Northern Ireland Planning Policy Statement 3 - Access, Movement and Parking Planning Policy Statement 15 – Planning and Flood Risk
<b>5.0</b>	<b>Statutory Consultees</b> None required
<b>6.0</b>	<b>Non-Statutory Consultees</b> None required
<b>7.0</b>	<b>Representations</b> None received  No representations received from Elected Members
<b>8.0</b>	<b>Other Material Considerations</b> DCAN 15 – Vehicular Access Standards

<b>9.0</b>	<b>Assessment</b>
<b>9.1</b>	Previous applications Z/2014/1070/F and LA04/2015/0160/F established the basis for a supermarket to trade from Units 2, 3 and 4. There was also a related application under LA04/2015/0161/F which granted planning permission for alterations to the elevations of the retail units, new entrance pod and trolley park, loading bay, condenser units and relocation of fire escape doors to accommodate the needs of a new supermarket trader.
<b>9.2</b>	Since the granting of the 2015 permissions, the specifications of the applicant have now changed. Recently planning permission has been granted under application LA04/2017/0396/F to allow for further changes to the site layout and existing building. As part of these changes, it is proposed to enclose the main entrance to the building which results in an increase to the gross floorspace of the building and as such condition 2 of planning approval LA04/2015/0160/F which restricts this to 2,208 square metres is required to be varied. The applicant is also seeking to remove reference to the approved plan in Condition 3 to allow for the reconfiguration of the ground floor layout.
<b>9.3</b>	Based on the above, the key issues in the assessment of the proposed development include: <ul style="list-style-type: none"> <li>- Retail Impact</li> <li>- Access, Parking and Transport</li> <li>- Impact on amenity of neighbouring properties</li> </ul>
<b>9.4</b>	<b>Retail Impact</b> This proposal would only result in an increase to the gross floorspace by 107 square metres to the foodstore. There would be no change to the net retail floorspace for the sale of convenience goods (1103 square metres) and to the net retail floorspace for the sale of comparison goods (276 square metres) as agreed under application LA04/2015/0160/F. The previous application LA04/2015/0160/F was supported by a Retail Impact Assessment based upon the net retail floorspace cited above and it was determined that this scale of development would not have an adverse impact upon existing centres. Furthermore, there has been no change in planning policy since the determination of the previous application. As such this proposal would result in no greater retail impact on protected centres and is considered to be acceptable with regards to the SPPS.
<b>9.5</b>	The objective of condition 3 of application LA04/2015/0160/F is to restrict the net retail floorspace and the type of goods to be sold within the foodstore. Reference to the approved floor plan within this condition is not necessary for this to be achieved and as such there is no objection to its removal.
<b>9.6</b>	<b>Access, Parking and Transport</b> The proposal would not result in an intensification in vehicular activity over and above that previously deemed acceptable under application LA04/2015/0160/F. The same access arrangements would remain. A sufficient level of parking would be provided on site to accommodate the proposed development in accordance with the requirements of the Parking Standards. Transport NI were consulted on the proposed alterations to the building and site layout under application LA04/2017/0396/F and had no objection. Accordingly, the proposal is considered compliant with the requirements of PPS3 and associated guidance.
<b>9.7</b>	<b>Impact on amenity of neighbouring properties</b> The proposal would result in no intensification in use over and above that previously deemed acceptable under application LA04/2015/0160/F. It is therefore considered that it would not result in any detriment to the amenity of neighbouring properties in accordance with the SPPS.
<b>10.0</b>	<b>Conditions:</b>

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. The gross floorspace of the foodstore hereby approved shall not exceed 2,315 square metres when measure internally.

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

3. The building outlined in red on approved drawing 01 date stamped received 23<sup>rd</sup> March 2017 shall only be used for the retail sale of the items listed hereunder and for no other use within Class A1 of the Schedule to the Planning (Use Classes) Order (NI) Order 2015.

Of the net retail floorspace of the building 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 and 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 of the building not more than 276 square metres of the sales area shall be used only for the retail sale of comparison goods and for no other purpose.

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.

4. The retail unit hereby approved shall not be subdivided or otherwise modified or amalgamated to create fewer units without the consent of the Local Planning Authority in writing.

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.

5. 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 Local Planning Authority.

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.

	<p>6. The Development hereby approved shall operate in accordance with Service Yard Management Plan dated April 2015.</p> <p>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.</p> <p>7. 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.</p> <p>Reason: To ensure that adequate provision has been made for cycle parking and to encourage and promote alternatives modes of transport.</p> <p>8. Service deliveries to the premises shall not take place between the hours of 23:00-07:00hrs.</p> <p>Reason: To protect residential amenity.</p> <p>9. This permission shall be personal to the applicant and shall cease with the termination of its occupation of the premises.</p> <p>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.</p>
<p><b>Neighbour Notification Checked</b></p>	<p>Yes</p>

<b>ANNEX</b>	
<b>Date Valid</b>	30th January 2017
<b>Date First Advertised</b>	17th February 2017
<b>Date Last Advertised</b>	31st March 2017
<b>Details of Neighbour Notification</b> (all addresses)	
<p>The Owner/Occupier,  2 Bloomfield Street,Ballyhackamore,Belfast,Down,BT5 5AU,  The Owner/Occupier,  4 Bloomfield Street,Ballyhackamore,Belfast,Down,BT5 5AU,  The Owner/Occupier,  Connswater Ind Est,Connswater Link,Ballymacarret,Belfast,Down,BT5 4AF,  The Owner/Occupier,  Connswater Link,Ballymacarret,Belfast,Down,,  The Owner/Occupier,  Connswater Retail Park,Factory Street,Ballyhackamore,Belfast,Down,BT5 5DL,  The Owner/Occupier,  UNIT 1,Connswater Retail Park,Factory Street,Ballyhackamore,Belfast,Down,BT5 5DL,  The Owner/Occupier,  UNIT 1-2,Bloomfield Commercial Centre,5 Factory  Street,Ballyhackamore,Belfast,Down,BT5 5AW,  The Owner/Occupier,  UNIT 29,Bloomfield Commercial Centre,5 Factory  Street,Ballyhackamore,Belfast,Down,BT5 5AW,  The Owner/Occupier,  Unit 14-15,Factory Street,Ballyhackamore,Belfast,Down,BT5 5AW,  The Owner/Occupier,  Unit 15,Bloomfield Commercial Centre,5 Factory  Street,Ballyhackamore,Belfast,Down,BT5 5AW,  The Owner/Occupier,  Unit 28,Bloomfield Commercial Centre,5 Factory  Street,Ballyhackamore,Belfast,Down,BT5 5AW,</p>	
<b>Date of Last Neighbour Notification</b>	23rd March 2017
<b>Date of EIA Determination</b>	N/A
<b>ES Requested</b>	N/A



### **Planning History**

Ref ID: Z/2014/1070/F

Proposal: Proposed erection of retail unit to replace fire damaged unit including repairs to roofs of adjoining units and all associated works

Address: Unit 3, Connswater Retail Park, Belfast, BT5 5DL,

Decision: PG

Decision Date: 17.02.2015

Ref ID: Z/1989/0655

Proposal: Extension to Connswater Shopping Centre to include retailing, business park, housing and car parking

Address: CONNSWATER INDUSTRIAL ESTATE EAST BREAD STREET, BELFAST BT5

Decision:

Decision Date:

Ref ID: Z/2009/0382/F

Proposal: Variation of condition 04 of planning permission Z/1990/0127.

Address: Unit 2, Connswater Retail Park, Connswater, BT05 5AA.

Decision:

Decision Date: 14.05.2009

Ref ID: Z/1997/0304

Proposal: Erection of three retail warehouses

Address: ARCHES RETAIL PARK ALBERTBRIDGE ROAD BELFAST BT5

Decision:

Decision Date:

Ref ID: Z/2005/1752/F

Proposal: Demolition of 3 no. existing retail units, construction of 2 no. new retail units and re-cladding of 6 no. existing retail units and amendment to previously approved extension to unit 11 (ref. Z/2002/0966/F)

Address: Connswater Retail Park, Albertbridge Road, Belfast

Decision:

Decision Date: 03.07.2006

Ref ID: LA04/2017/0229/F

Proposal: Alterations to elevations of retail units 2, 3 and 4 involving re-cladding of north and west elevations using alucobond and render, glazed curtain walling along north and west elevations, new entrance pod new door and window openings, and provision of condenser units, loading bay and trolley bay 9to supersede permission

LA04/2015/0161/F

Address: Units 2, 3 and 4 Connswater Retail Park, Connswater Link, Belfast,

Decision:

Decision Date:

Ref ID: LA04/2016/1996/F

Proposal: Proposed landscaping works to include resurfacing, additional planting, light columns, litter bins and cycle stands, and reconfiguration of car parking (reduction of 3No. spaces).

Address: Lands immediately adjacent to and north of, units 1 and 2 Connswater Retail Park, and lands approximately 30 metres, north-west of Connswater Shopping Centre, Newtownards Road, Belfast, BT5 5LP,

Decision: PG

Decision Date: 09.11.2016

Ref ID: LA04/2015/0161/F

Proposal: Alterations to elevations of retail units 2, 3 and 4 involving recladding of front elevation using alucobond and render, glazed curtain walling along west elevation, new entrance pod and trolley park, loading bay, condenser units and relocation of fire escape doors.

Address: Units 2, 3 and 4 Connswater Retail park, 3 Connswater Link, Belfast, BT5 5DL,

Decision: PG

Decision Date: 22.08.2016

Ref 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).

Address: Units 2, 3 and 4 Connswater Retail Park Belfast,

Decision: PG

Decision Date: 20.07.2016

**Drawing Numbers and Title**

01