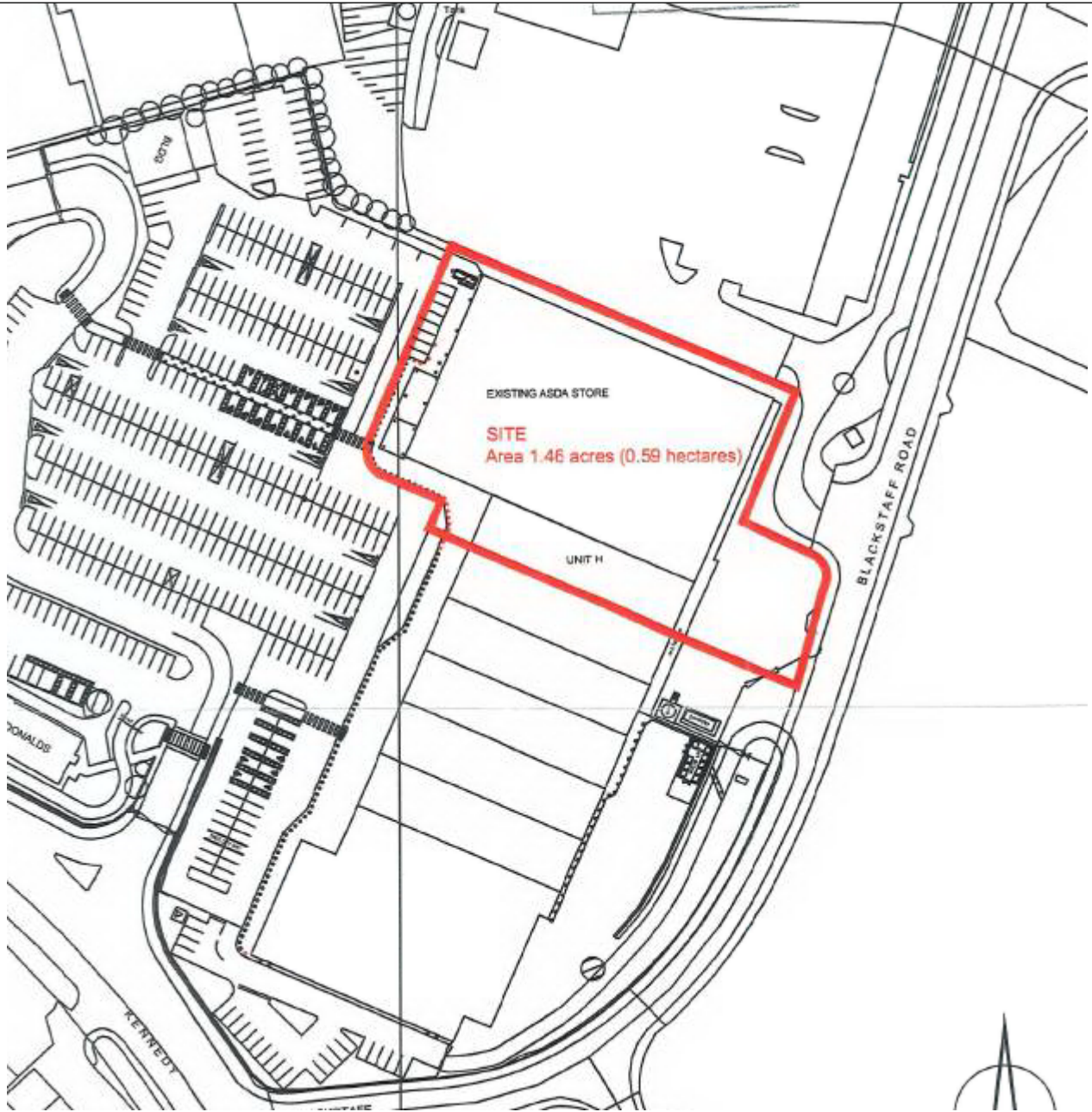


## Development Management Officer Report Committee Application

<b>Summary</b>	
<b>Committee Meeting Date:</b> 12 June 2018	
<b>Application ID:</b> LA04/2018/0732/F	
<b>Proposal:</b> Amalgamation of existing ASDA and adjacent retail unit to facilitate extension to existing supermarket; external alterations and improvements	<b>Location:</b> ASDA Westwood Superstore Unit I and H Westwood Centre Kennedy Way
<b>Referral Route:</b> Major application	
<b>Recommendation:</b>	<b>Approval</b>
<b>Applicant Name and Address:</b> ASDA Stores Ltd ASDA House Southbank Great Wilson Street Leeds LS11 5AD	<b>Agent Name and Address:</b> TSA Planning 20 May Street Belfast BT1 4NL
<p><b>Executive Summary:</b> The application seeks full planning permission for the amalgamation of existing ASDA and adjacent retail unit to facilitate extension to existing supermarket; external alterations and improvements.</p> <p>The key issues are:</p> <ul style="list-style-type: none"> <li>- Principle of amalgamation of Unit H with Asda</li> <li>- Design</li> <li>- Access, Movement, Parking and Transportation</li> <li>- Contaminated Land</li> </ul> <p>The site is located within the Westwood Centre off Kennedy Way. The application relates to an existing Asda retail store and adjacent vacant comparison goods retail unit (Unit H) on the site.</p> <p>The proposal has been assessed against and is considered to comply with the Strategic Planning Policy Statement for Northern Ireland (SPPS), Belfast Urban Area Plan 2001 (BUAP), Draft Belfast Metropolitan Area Plan 2015 (BMAP) and Planning Policy Statement (PPS3).</p> <p>All statutory consultees have raised no issues of concern.</p> <p>Accordingly, it is recommended that the proposal is approved subject to the conditions set out in the report and it is requested that committee delegate authority to finalise wording of 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 Description of Proposed Development  
 Amalgamation of existing ASDA and adjacent retail unit to facilitate extension to existing supermarket; external alterations and improvements.

## 2.0 Description of Site

The site is located within the Westwood Centre off Kennedy Way. The application relates to an existing Asda retail store and adjacent vacant comparison goods retail unit (Unit H) on the site. Asda is to the end of a row of units, with car parking to the front and access for service vehicles to the rear. The site is mostly level. The boundaries are defined by paladin fencing. The site is adjacent to other retail uses, including B and M Bargains and Harry Corry.

## Planning Assessment of Policy and Other Material Considerations

### 3.0 Site History

There is extensive planning history which relates to the Westwood Centre however the planning history listed below relates to Unit H and Asda.

Z/1989/2443/F – Shopping centre and associated car parking –Approved – 02/09/89

Z/2009/1692/LDP - Internal alterations to facilitate the erection of a mezzanine floor within the existing supermarket premises - Permitted – 19/01/10

Z/2011/1494/F - Proposed extension and alterations to existing Westwood Centre to provide new car parking, new retail and ancillary storage incorporating a 35,000 ft sq food store - Approved – 26/11/12

LA04/2017/1399/F - Variation of condition 2 (gross floorspace restriction) of planning permission Z/2011/1494 (Proposed extension and alterations to existing Westwood Centre to provide new car parking, new retail and ancillary storage incorporating a 35,000 ft. sq. food store) to allow for the reconfiguration of Units F and G and an increase in the gross floorspace of Unit F – Approval – 17/08/17

LA04/2018/0968/F - Application under Section 54 of the Planning Act (Northern Ireland) 2011 in respect to planning permission LA04/2017/1399/F for the variation of conditions 2, 3 and 4 to allow for the reallocation of approved convenience and comparison floorspace between Unit 11 and Unit H - Current

### 4.0 Policy Framework

4.1 (Draft) Belfast Metropolitan Area Plan (BMAP) 2015 and Belfast Urban Area Plan 2001 (BUAP)

4.1.1 Westwood Centre District Centre: BT 010/5

4.1.2 Rapid Transit Route

4.2 Strategic Planning Policy Statement (SPPS)

4.2.1 Good Design paras.15-19

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 7: Car Parking and Servicing Arrangements

### 5.0 Statutory Consultees Responses

5.1 DRD Transport NI - No objection

### 6.0 Non Statutory Consultees Responses

6.1 Belfast City Council (BCC) Environmental Health - No objection

### 7.0 Representations

7.1 The application has been neighbour notified and advertised in the local press. No comments have been received.

### 8.0 Other Material Considerations

8.1 Parking Standards

### 9.0 Assessment

9.1 Following the recent Court of Appeal decision relating to BMAP, the extant development plan is now the Belfast Urban Area Plan 2001. However, given the stage at which the Draft BMAP

had reached pre-adoption through a period of independent examination, the policies within the Draft BMAP still carry weight and are a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker. The site is located inside the development limits of Belfast as shown in the draft Belfast Metropolitan Area Plan 2015, and the Westwood Centre District Centre. The site is also located adjacent to a Rapid Transit Route. Within BUAP however the site is located on unzoned land.

9.2 The proposed development will create additional retail floorspace for the existing Asda store, without creating any new retail floorspace overall by amalgamating Unit H and Asda. The use is clearly already established on the site.

9.2 The key issues are:

- Principle of amalgamation of Unit H with Asda
- Design
- Access, Movement, Parking and Transportation
- Contaminated Land

9.3 Z/1989/2443/F with the exception of the 5 year time limit for development was not subject to any planning conditions. This granted permission for the Westwood Centre itself. Z/2009/1682/LDP for Asda Stores Ltd confirmed that a full mezzanine floor could be installed in the existing Asda store which would double the size of the supermarket.

9.4 Unit H was built following the approval of Z/2011/1494/F. Condition 2 of this approval conditioned Unit H as a comparison goods retail unit with gross floorspace restricted to 849 sqm maximum, comprised of a ground floor and mezzanine level of 547 sqm and 302sqm respectively. Condition 4 of the same approval relates to a second food superstore (Unit 11) of 3251 sqm, whereby the entirety of this net retail floorspace is restricted to convenience goods. This food store is contained within Phase 2 of the District Centre redevelopment.

9.5 There is a current application (LA04/2018/0968/F) to further vary condition 2 of LA04/2017/1399/F and conditions 3 and 4 of Z/2011/1494/F, Application under Section 54 of the Planning Act (Northern Ireland) 2011 in respect to planning permission LA04/2017/1399/F to allow for the reallocation of approved convenience and comparison floorspace between Unit 11 and Unit H.

#### **Principle of amalgamation of Unit H with Asda**

9.6 The existing Asda Superstore has a gross floor area of 3934sqm of which 2531sqm comprise of net retail sales. In order to improve store layout they wish to amalgamate with Unit H adjacent which will bring an additional 500sqm net retail floor space resulting in 3031sqm of net retail floorspace (2162 sqm for convenience goods instead of 1782 sqm, and 868 sqm for comparison goods instead of 748 sqm). This will also enable Asda to provide an external 'Click and Collect' service with click and collect parking bays and click and collect lockers. This service is currently in-store.

9.7 The amalgamation will not create any additional retail floorspace overall. There are no restrictions on the size of the net sales area for the existing Asda store and by amalgamating with Unit H will provide a single level, spacious shopping environment. This wish was expressed by the community during consultation events.

9.8 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'.

9.9 Since BUAP is considered the extant plan and the site is on unzoned land, the SPPS as per para 6.280 states a sequential test should be applied. Given the advanced status of the draft BMAP purported to be adopted and the site's location within a District Centre on BMAP should be given appropriate weight in the assessment of the proposal. The SPPS goes on to state that in the absence of an up to date LDP, as is the case, the sequential test for proposed main town centre uses will apply. However having said this the proposal is for a minor extension to an established retail offer and there would be no economic or geographical rationale to seek an alternative location within the town centre. There are no vacant sites currently available within Belfast City Centre which could accommodate the resultant cumulate floorspace.

9.10 Unit H is conditioned with a restriction of 849sqm gross floorspace of comparison shopping, but no restrictions on net retail floorspace. The ground floor is proposed to be amalgamated with Asda. With the 302sqm mezzanine omitted, there is an overall net reduction in the level of comparison retail floorspace of approx. 200sqm, with 103sqm gained from the removal of dividing walls. The current application LA04/2018/0968/F seeks the variation of the condition 2 of Z/2011/1494/F to take account of these changes to the conditioned retail units.

9.11 Policy R2 of BMAP states that permission will not be granted for proposals for retail development where it would have an adverse impact on the distinctive role of the city centre as the leading regional shopping centre. The site is located within a draft District Centre. District Centres fulfil an important retail role in providing customers with convenience and choice in locations outside city and town centres. They coexist with city and town centres and fulfil a role which is complimentary to the role of the city and town centres. The SPPS notes that existing district and local centres should be retained and consolidated as a focus for local everyday shopping. As stated previously with this proposal the overall convenience floorspace is increasing, however the comparison floorspace is decreasing with the majority of floorspace from Unit H being used for convenience sales, and therefore the proposal complies with Belfast City Council's objectives and policies for retailing and town centres, in that there will be no adverse impact on the viability of the town centre.

### **Design**

9.12 There are a number of external alterations included within the proposal also:

- existing canopy to the staff entrance at Asda is to be removed
- proposed additional trolley bays
- replacement of entrance doors at Unit H to automatic doors
- aluminium flashing at Unit H
- minor changes to the colour of external rear and side elevations.

These changes are all considered minor and there will be no detrimental visual impact caused by the development. The proposal is not contrary to the principles of good design in the SPPS, in that the development is obviously compatible with its surroundings.

### **Access, Movement, Parking and Transportation**

9.13 The proposal will result in the loss of 1 car parking space to the front of the existing Asda store to allow for 2 click and collect bays. The scale of development and transport implications of the proposal were assessed by DFI Roads and they consider them to be acceptable.

Therefore the proposal complies with Policies AMP 1 and 7 of PPS 3 and Parking Standards.

### **Contaminated Land**

9.14 The site is located on and adjacent to past industrial land types that have the potential to contaminate land and pose a risk to human health. It has been confirmed however there will be no breaking of ground during the works and therefore a contaminated land assessment is not required. BCC Environmental Health responded to consultation with no objection.

## **10.0 Conclusion**

10.1 Having regard to the policy context, the proposal is considered acceptable and planning permission is recommended subject to conditions. The increase in retail floorspace is considered acceptable for the Asda store and the approved development will bring a vacant unit into use which will in turn create jobs and investment.

Should members agree with the recommendation to approve, delegated authority is requested for the Director of Planning and Building Control to finalize the wording of 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 new retail unit 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.

3. 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.

4. Not more than 868 square metres of the net retail floorspace of the retail unit hereby approved shall be used for the retail sale and display of non-bulky comparison goods.

Reason: To enable the Planning Authority to retain control over the nature, scale, and range of retail activities at this location and ensure that the role and function of protected centres are not prejudiced.

<b>ANNEX</b>	
<b>Date Valid</b>	9th March 2018
<b>Date First Advertised</b>	13th April 2018
<b>Date Last Advertised</b>	
<p><b>Details of Neighbour Notification</b> (all addresses)</p> <p>The Owner/Occupier, Asda Stores Ltd,Unit 1,Westwood Shopping Centre,Kennedy Way,Belfast,Antrim,BT11 9BQ, The Owner/Occupier, Asda Stores Ltd,Unit H,Westwood Shopping Centre,51 Kennedy Way,Belfast,Antrim,BT11 9BQ, The Owner/Occupier, B &amp; M,Unit A,Westwood Shopping Centre,51 Kennedy Way,Belfast,Antrim,BT11 9BQ, The Owner/Occupier, Carpetworld Ltd,Unit 17-18,Westwood Shopping Centre,Kennedy Way,Belfast,Antrim,BT11 9BQ, The Owner/Occupier, Harry Corry Ltd,Westwood Shopping Centre,Kennedy Way,Belfast,Antrim,BT11 9BQ, The Owner/Occupier, Office,Westwood Shopping Centre,51 Kennedy Way,Belfast,Antrim,BT11 9BQ, The Owner/Occupier, Safeway Stores Plc,Westwood Shopping Centre,Kennedy Way,Belfast,Antrim,BT11 9BQ, The Owner/Occupier, The Cookie Box,Westwood Shopping Centre,Kennedy Way,Belfast,Antrim,BT11 9BQ, The Owner/Occupier, Unit 10,Westwood Shopping Centre,51 Kennedy Way,Belfast,Antrim,BT11 9BQ, The Owner/Occupier, Unit 11,Westwood Shopping Centre,51 Kennedy Way,Belfast,Antrim,BT11 9BQ, The Owner/Occupier, Unit 12,Westwood Shopping Centre,51 Kennedy Way,Belfast,Antrim,BT11 9BQ, The Owner/Occupier, Unit 14,Westwood Shopping Centre,51 Kennedy Way,Belfast,Antrim,BT11 9BQ, The Owner/Occupier, Unit 15a,Westwood Shopping Centre,51 Kennedy Way,Belfast,Antrim,BT11 9BQ, The Owner/Occupier, Unit 16/17/18,Westwood Shopping Centre,51 Kennedy Way,Belfast,Antrim,BT11 9BQ, The Owner/Occupier, Unit 19,Westwood Shopping Centre,51 Kennedy Way,Belfast,Antrim,BT11 9BQ, The Owner/Occupier, Unit 2,Westwood Shopping Centre,51 Kennedy Way,Belfast,Antrim,BT11 9BQ, The Owner/Occupier, Unit 20,Westwood Shopping Centre,51 Kennedy Way,Belfast,Antrim,BT11 9BQ, The Owner/Occupier, Unit 21,Westwood Shopping Centre,51 Kennedy Way,Belfast,Antrim,BT11 9BQ,</p>	

The Owner/Occupier,  
Unit 22, Westwood Shopping Centre, 51 Kennedy Way, Belfast, Antrim, BT11 9BQ,  
The Owner/Occupier,  
Unit 23, Westwood Shopping Centre, 51 Kennedy Way, Belfast, Antrim, BT11 9BQ,  
The Owner/Occupier,  
Unit 24, Westwood Shopping Centre, 51 Kennedy Way, Belfast, Antrim, BT11 9BQ,  
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Unit 25, Westwood Shopping Centre, 51 Kennedy Way, Belfast, Antrim, BT11 9BQ,  
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Unit 26, Westwood Shopping Centre, 51 Kennedy Way, Belfast, Antrim, BT11 9BQ,  
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Unit 27, Westwood Shopping Centre, 51 Kennedy Way, Belfast, Antrim, BT11 9BQ,  
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Unit 28, Westwood Shopping Centre, 51 Kennedy Way, Belfast, Antrim, BT11 9BQ,  
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Unit 29, Westwood Shopping Centre, 51 Kennedy Way, Belfast, Antrim, BT11 9BQ,  
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Unit 3, Westwood Shopping Centre, 51 Kennedy Way, Belfast, Antrim, BT11 9BQ,  
The Owner/Occupier,  
Unit 4, Westwood Shopping Centre, 51 Kennedy Way, Belfast, Antrim, BT11 9BQ,  
The Owner/Occupier,  
Unit 5/6, Westwood Shopping Centre, 51 Kennedy Way, Belfast, Antrim, BT11 9BQ,  
The Owner/Occupier,  
Unit 7, Westwood Shopping Centre, 51 Kennedy Way, Belfast, Antrim, BT11 9BQ,  
The Owner/Occupier,  
Unit 8, Westwood Shopping Centre, 51 Kennedy Way, Belfast, Antrim, BT11 9BQ,  
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Unit 9, Westwood Shopping Centre, 51 Kennedy Way, Belfast, Antrim, BT11 9BQ,  
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Unit B, Westwood Shopping Centre, 51 Kennedy Way, Belfast, Antrim, BT11 9BQ,  
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Unit C, Westwood Shopping Centre, 51 Kennedy Way, Belfast, Antrim, BT11 9BQ,  
The Owner/Occupier,  
Unit D, Westwood Shopping Centre, 51 Kennedy Way, Belfast, Antrim, BT11 9BQ,  
The Owner/Occupier,  
Unit E, Westwood Shopping Centre, 51 Kennedy Way, Belfast, Antrim, BT11 9BQ,  
The Owner/Occupier,  
Unit F, Westwood Shopping Centre, 51 Kennedy Way, Belfast, Antrim, BT11 9BQ,  
The Owner/Occupier,  
Unit G, Westwood Shopping Centre, 51 Kennedy Way, Belfast, Antrim, BT11 9BQ,  
The Owner/Occupier,  
Westwood Shopping Centre, Kennedy Way, Belfast, Antrim, BT11 9BQ,

<b>Date of Last Neighbour Notification</b>	11th May 2018
<b>Date of EIA Determination</b>	
<b>ES Requested</b>	Yes /No



**Notification to Department (if relevant)**

Date of Notification to Department: N/A

Response of Department: N/A