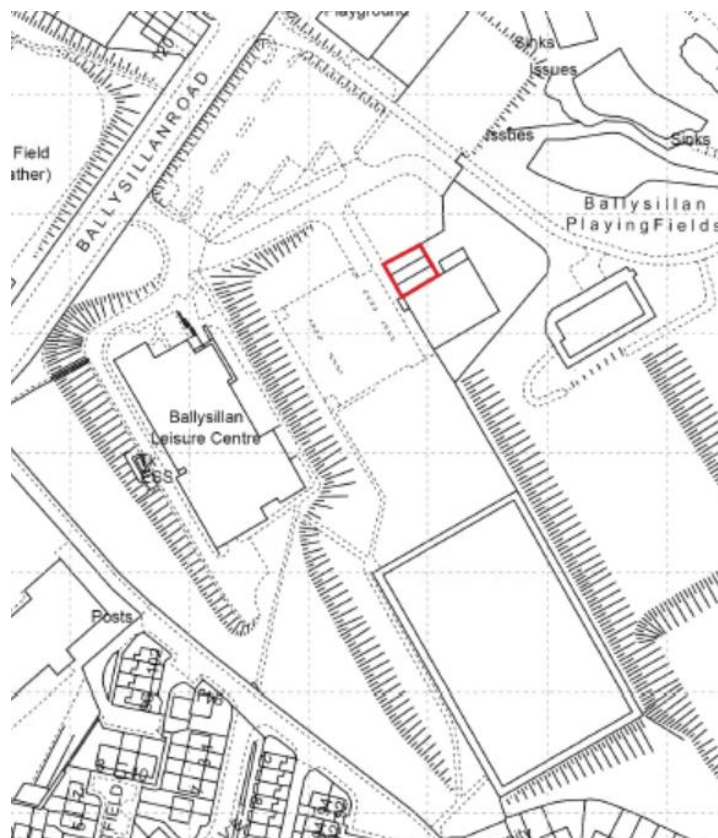


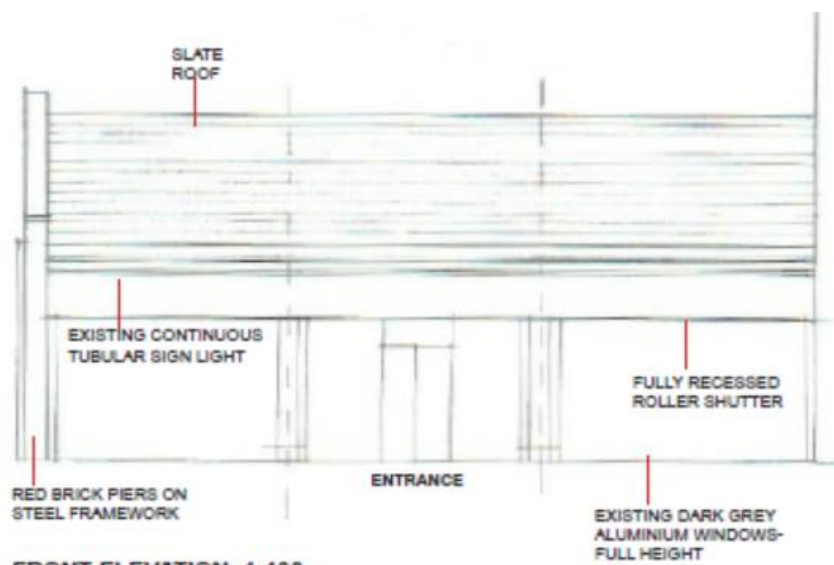
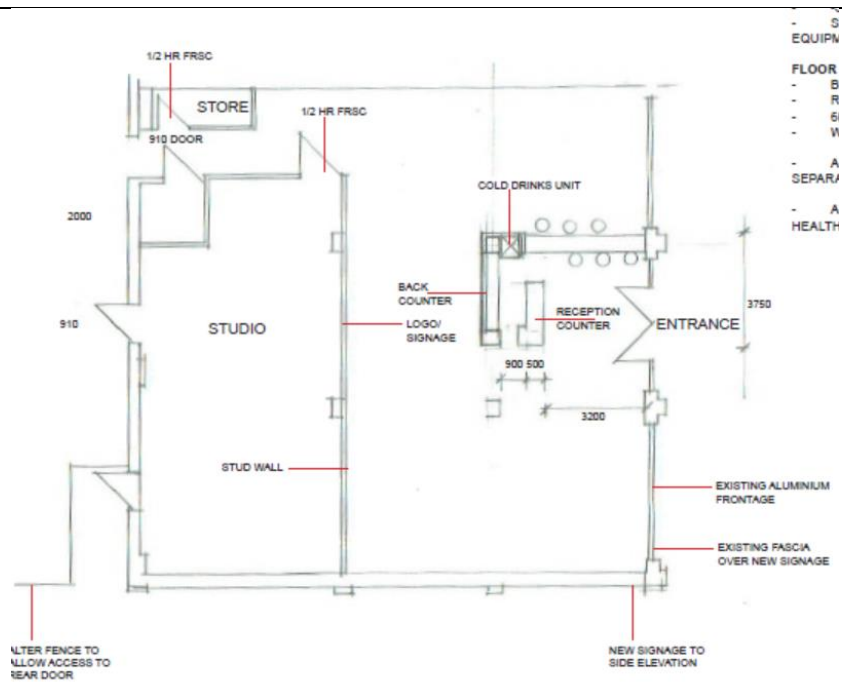
## Committee Application

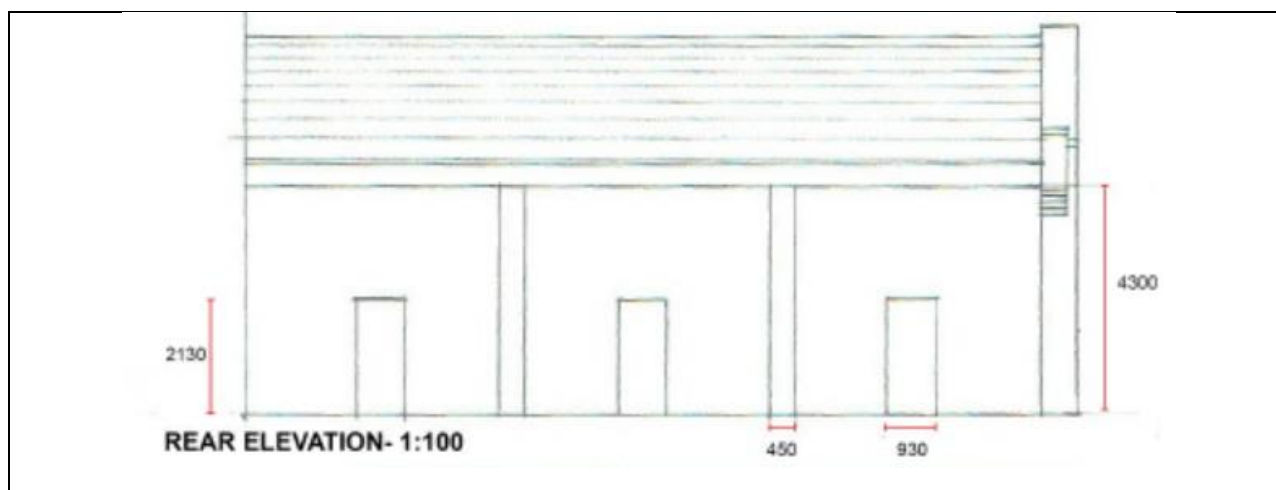
Development Management Report	
<b>Committee Date:</b> Tuesday 20 April 2021	<b>Application ID:</b> LA04/2020/2093/F
<b>Proposal:</b> Change of use from retail furniture showroom to fitness/exercise training centre and leisure.	<b>Location:</b> 71 Ballysillan Rd Ballysillan Belfast BT14 7QQ
<b>Referral Route:</b> The Council has an Estate in the land As per Scheme of Delegation 3.8.5 (d)	
<b>Recommendation:</b> Approval, subject to conditions	
<b>Applicant Name and Address:</b> Matthew Rooney 2 Mill Valley Way Belfast BT17 8LH	<b>Agent Name and Address:</b> Paul Ferguson 137 Somerton Road Belfast BT15 4DH
<p><b>Executive Summary</b></p> <p>The application seeks full planning permission for a change of use from a retail furniture showroom to a fitness/exercise training centre. The gym will consists of two main rooms, one will be the main gym space whilst the second will be a studio area used for organised classes.</p> <p>The main issues to be considered in this case are:</p> <ul style="list-style-type: none"> <li>• Principle of development</li> <li>• Impact on the character and appearance of the area</li> <li>• Impact on amenity</li> <li>• Access and Parking</li> <li>• Road safety</li> </ul> <p>The application was neighbour notified and advertised in the local press. No letters of representation have been received.</p> <p>BCC Environmental Health Services was consulted and is content with the proposal subject to an informative being attached to the decision regarding the transmission of potential noise.</p> <p>DfI Roads was also consulted and offered no objection subject to a condition being attached relating to the provision for cycle parking.</p> <p>The proposal has been assessed against and is considered to comply with the BUAP, Draft BMAP, PPS3 and the SPPS. Having regard to the development plan, relevant planning policies, and other material considerations, it is recommended that the proposal is approved.</p> <p><b>Recommendation:</b></p> <p>It is recommended that planning permission is granted with delegated authority given to the Director of Planning and Building Control to finalise the wording of conditions.</p>	

## Case Officer Report

### Site Location Plan:







## Characteristics of the Site and Area

### 1.0 Description of Proposed Development

1.1 The proposal is a change of use from a retail furniture showroom to a fitness and exercise training centre which falls under a Sui Generis as per the Planning (Use Classes) Order (Northern Ireland) 2015. The gym is located within a single storey unit and will consist of two main rooms. One will be the main gym space whilst the second will be a studio area for organised classes.

1.2 The Unit has a floor space of approx. 240sqm and is accessible via a main vehicular entrance from Ballysillan Road. The gym will be accessed via the existing doors to the unit. The front elevation to the unit has large panels of glazing with the side and rear elevations finished in brick walls.

### 2.0 Description of Site and Area

2.1 The site is an existing unit within a single storey red brick building located off the Ballysillan Road. The building is sub divided into two units, with the other unit being operated by an Iceland store. There is retail frontage on the front elevation with each of the other elevations predominantly finished with red brick. There is an associated car park to the front of the site, with playing fields and a leisure centre also located in close proximity to the site.

In the wider context of the area this section of Ballysillan Road is mixed use with a school located opposite the site, with a number of residential properties in the surrounding area.

## Planning Assessment of Policy and Other Material Considerations

### 3.0 Site History

3.1 Z/1999/2286 Ballysillan Playing Fields, adjacent to Ballysillan Leisure Centre, 71 Ballysillan Road, Belfast BT14 Construction of Iceland store and 3 retail units with associated car parking. PERMISSION GRANTED

3.2 LA04/2020/2090/A 71 Ballysillan Rd, Ballysillan, Belfast BT14 7QQ, New non-illuminated brand sign over door. New floodlit side gable sign, 4 x 3m approx. UNDER CONSIDERATION

### 4.0 Policy Framework

4.1 Belfast Urban Area Plan (BUAP) 2001  
Draft Belfast Metropolitan Area Plan 2015 (dBMAP 2015)  
Draft Belfast Metropolitan Area Plan 2004 (dBMAP 2004)  
(Following the recent Court of Appeal decision on BMAP, the extant development plan is now the BUAP. 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.) Strategic Planning Policy Statement Planning Policy Statement 3 (Parking, Access and Movement)
<b>5.0</b>	<b>Statutory Consultees</b>
5.1	DFI Roads – Offered no objection to the proposal subject to a condition being attached to the decision relating to the provision for cycle parking
<b>6.0</b>	<b>Non Statutory Consultees</b>
6.1	Environmental Health – No objection subject to an informative being placed on the decision relating to the transmission of potential noise.
<b>7.0</b>	<b>Representations</b>
7.1	The application was neighbour notified on the 19th November 2020 and advertised in the local press on the 6 <sup>th</sup> November 2020. No letters of representation were received.
<b>8.0</b>	<b>Assessment</b>
8.1	<u>Area Plans</u> The site is zoned for landscape, amenity or recreational use within the development limits of the BUAP. The site is unzoned whiteland located within the development limits of the draft Belfast Metropolitan Area Plan (both versions) and is surrounded by an Area identified as Existing Open Space. The proposal relates to a change of use of an existing retail unit approved under reference Z/1999/2286 to a sui generis use as a gym; the retail unit is vacant and its occupation by a commercial use as a gym is considered complimentary to the wider recreational / leisure use of the lands and an acceptable neighbour to the adjoining foodstore. The principle of development is considered acceptable subject to the planning considerations detailed below.
8.2	<u>SPPS</u> The SPPS requires development to cause no demonstrable harm to interests of acknowledged importance. Interests of acknowledged importance in this case are the surrounding character of the area; impact on neighbouring amenity, and impact on access and parking
8.3	It is considered that the proposal is in compliance with SPPS in that the proposed development will not cause demonstrable harm to interests of acknowledged importance which are considered below.
8.4	<u>Planning History</u> This existing retail unit was previously approved under application Z/1999/2286 which was approved for an Iceland Store and 3no retail units. There has been no further planning history on the site since the original approval.
8.5	An associated advertisement consent has been submitted under reference LA04/2020/2090/A for 2no signs.
8.6	<u>Proposal</u> The proposal is a change of use from a retail furniture showroom to a fitness and exercise training centre which falls under a Sui Generis category as per the Planning (Use Classes) Order (Northern Ireland) 2015. The proposal consists of two main rooms, one will be the main gym space whilst the second will be a studio area to be used for

	<p>organised classes. The gym is accessed via the existing door to the unit which has an overall floorspace of approx. 240sqm. The building is accessed via a main vehicular entrance from Ballysillan Road. The front elevation to the unit has large panels of glazing with the side and rear elevations finished in brick with an access door on the rear elevation.</p>
8.7	<p><u>Design and Impact on the character and appearance of the area</u></p> <p>With the exception of three bicycle wall bars to be attached to the side elevation there are no external alterations proposed as part of the change of use therefore the proposal is not considered to impact on the appearance of the area. It is considered the scale of the proposal and the proposed use of a fitness and exercise training centre within an area characterised by an existing commercial unit alongside an adjacent leisure centre and outdoor playing fields is acceptable. It is therefore not considered to impact on the character of the area.</p>
8.8	<p><u>Amenity</u></p> <p>Environmental Health were consulted and considered the proposed development in terms of noise, air pollution, general amenity, ambient air quality, contaminated land and other considerations and offered no objection to the proposal subject to an informative. The proposal is therefore not considered to impact on neighbouring amenity.</p>
8.9	<p><u>Traffic, Roads and Parking</u></p> <p>The applicant has indicated that the former retail unit generated up to 22 vehicles per day, 2 employees and 20 visitors and that the proposed gym would not increase these figures. Those vehicles utilised the common parking area to the forecourt of the commercial units which accommodates up to 80 vehicles. Under the sub-letting agreement for the application unit the common parking area continues to be shared, as such the gym users can avail of those existing spaces as per the previous retail unit. Furthermore the applicant proposes to install three bicycle wall bars at the corner of the unit to promote sustainable travel to the gym. DFI Roads were consulted and had no objections subject to a condition with respect to cycle parking. The proposal is compliant with PPS 3.</p>
8.10	<p>Taking the above into consideration the proposal is considered to be an acceptable form of development at this location and all relevant consultees are content.</p>
8.11	<p><u>Conclusion</u></p> <p>Having regard to the policy context and other material considerations above, the proposal is considered to comply with the Area Plan, SPPS and PPS3. Planning permission is recommended subject to conditions.</p>
<b>9.0</b>	<b>Summary of Recommendation – Approval</b>
9.1	<p>It is recommended that planning permission is granted with delegated authority given to the Director of Planning and Building Control to finalise the wording of conditions.</p>
<b>10.0</b>	<p><b>Conditions</b></p> <ol style="list-style-type: none"> <li>1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.</li> </ol> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <ol style="list-style-type: none"> <li>2. Cycle parking provision shall be provided prior to the occupation of the unit as per drawing No.01C uploaded to the Portal on 5th March 2021</li> </ol>

	<p>Reason: To ensure acceptable cycle parking on the site and to encourage alternative modes of transport to the private car.</p> <p>Informatives</p> <p>1. CLEAN NEIGHBOURHOOD AND ENVIRONMENT ACT (NI) 2011</p> <p>The applicant is advised to ensure that all plant and equipment associated with the proposed development is so situated, operated and maintained as to prevent the transmission of noise to nearby premises.</p>
--	---

ANNEX	
<b>Valid</b>	28.10.2020
<b>Date First Advertised</b>	06.11.2020
<b>Date Last Advertised</b>	N/A
<b>Details of Neighbour Notification (all addresses)</b>  19/11/2020  Changing Pavilion, 81 Ballysillan Road, Belfast, Antrim, BT14 7QQ 71-225 Ballysillan Play. Fields, Ballysillan Road, Belfast, Antrim, BT14 7QT 225 Ballysillan Road, Belfast, Antrim, BT14 7QT Unit 2, 225 Ballysillan Road, Belfast, Antrim, BT14 7QT	

Unit 4, 225 Ballysillan Road, Belfast, Antrim, BT14 7QT	
<b>Date of Last Neighbour Notification</b>	19/11/2020
<b>Date of EIA Determination</b>	N/A
<b>ES Requested</b>	No
<b>Drawing Numbers and Title</b> 01C – Site Location Plan 02 - Existing Site Plan & Front Elevation 03A – Existing Site Plan & Rear and Side Elevations 04 – Proposed Site Plan 05 – Ceiling Plan	
<b>Notification to Department (if relevant) – N/A</b> Date of Notification to Department: Response of Department:	
<b>Elected Representatives:</b> N/A	