

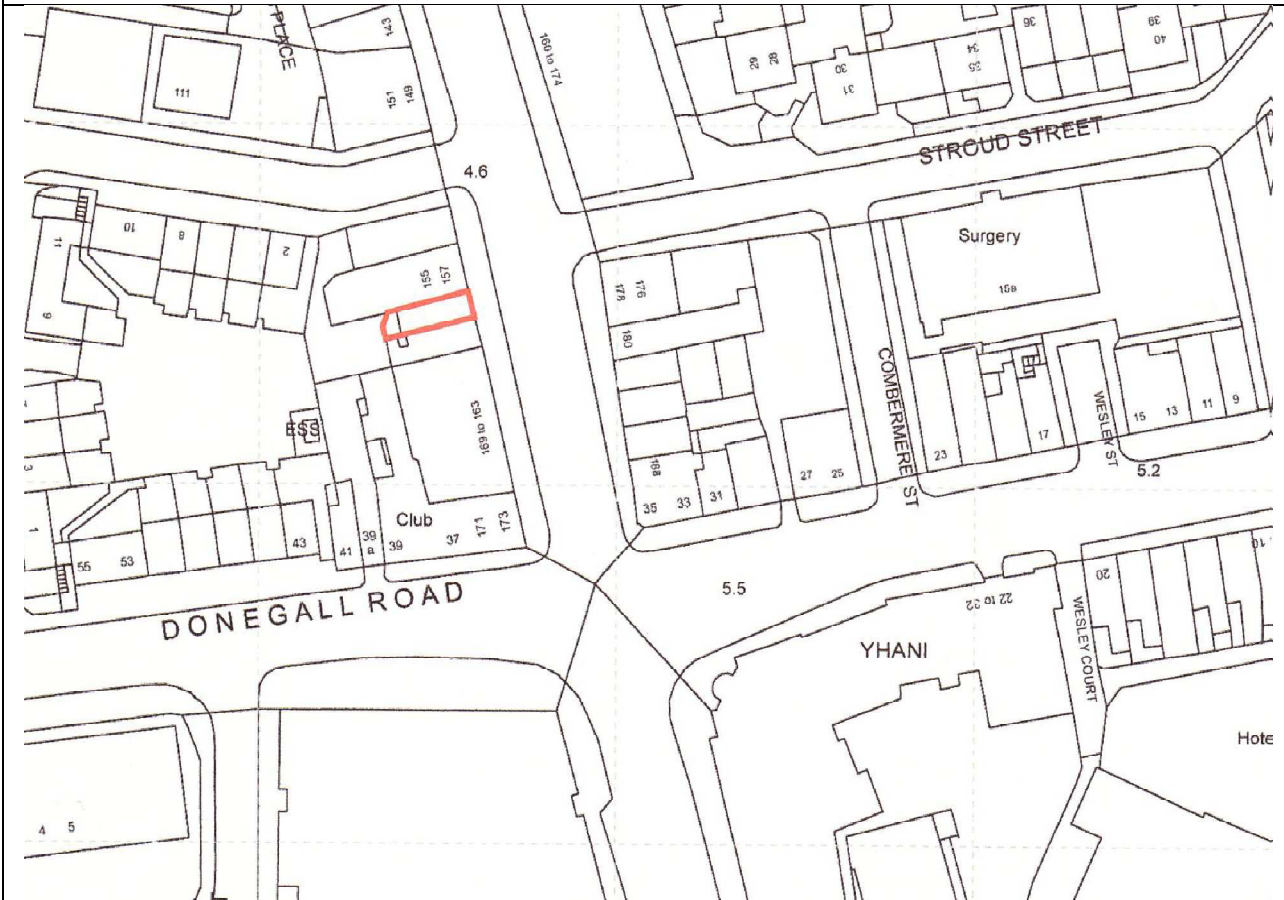


## Development Management Officer Report Committee Application

Summary	
<b>Committee Meeting Date:</b> 19 May 2015	<b>Item Number:</b>
<b>Application ID:</b> Z/2015/0086/F	<b>Target Date:</b>
<b>Proposal:</b> Change of use from vacant retail unit to hot food takeaway - no external changes	<b>Location:</b> 159 Sandy Row Belfast
<b>Referral Route:</b> Proposal is for a hot food bar.	
<b>Recommendation:</b>	<b>Approval</b>
<b>Applicant Name and Address:</b> Robert and Sonya Kirk Springwell Farm 19 Gulf Lane Hillsborough BT26 6EL	<b>Agent Name and Address:</b> Colin McAuley Planning 2 Millreagh Dundonald Belfast BT16 1TJ
<b>Executive Summary:</b> <p>The application seeks permission for change of use from retail unit to hot food take away</p> <p>The main issue to be considered in this case is:</p> <ul style="list-style-type: none"><li>• The principle of hot food sales at this location.</li></ul> <p>The site is not zoned for any particular land use in the Development Plan.</p> <p>The proposal complies with the area plan and planning policies.</p> <p>Consultees offered no objection to the proposal.</p> <p>No third party representations were received.</p> <p>It is recommended to approve subject to conditions as set out in report.</p>	

## Case Officer Report

### Site Location Plan



#### Consultations:

Consultation Type	Consultee	Response
Non Statutory	NI Transport - Hydebank	No Objection
Non Statutory	Env Health Belfast City Council	Substantive Response Received

#### 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

#### Summary of Issues

Acceptability of a hot food take away at this location

#### Characteristics of the Site and Area

The site is a two storey retail property within a terrace row of retail units. The premises

is finished in smooth painted render and a large shop-front roller shutter door. The upper floor of the unit is used for storage. At the rear of the premises is a small yard behind a high level block wall.

The character of the area is predominantly commercial fronting Sandy Row and residential use to the rear.

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

The proposal was assessed against the policies and guidance set out in the following:

##### BMAP 2015

PPS 1 (General Principles)

DCAN 4 (Restaurants, cafes and Fast food outlets)

##### Consultations:

TransportNI and environmental health was consulted and have no objection to the proposal subject to the inclusion of a condition and informatives.

##### Notifications:

The proposal was advertised and neighbours notified; to date there has been no third party responses to the notifications.

##### Planning History:

There is no relevant history on this site.

##### BMAP

The site is located within the existing settlement/development limits and is not zoned for any particular land use. The site is adjacent to a protected city centre housing area.

##### PPS 1

The proposal complies with PPS 1 as it does not impact on the character of the area, on neighbouring premises or traffic in the area. Environmental Health has no objection subject to a condition to ensure a suitable form of odour abatement system to protect amenity.

##### DCAN 4

The proposal is considered to be in general conformity with the guidance; the use of this premises will not lead to the significant loss of retail floor space in this area the majority of the remaining units are within retail and office use. There are no other hot food bars within the terrace row and none opposite. The proposal will not result in a cluttering of hot food bars in this area.

##### Conclusion:

The proposal is in compliance with the area plan designation and relevant planning policies therefore the grant of approval is appropriate.

Neighbour Notification Checked <span style="float: right;">Yes</span>
<p>Summary of Recommendation:</p> <p>The proposal complies with the area plan and relevant planning policy and guidance. The recommendation is to approve subject to conditions and informatives.</p>
<p>Conditions/Reasons for Refusal:</p> <p>Conditions</p> <p>1. As required by Article 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.</p> <p>Reason: Time Limit.</p> <p>2. Prior to operations commencing, the development 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 ducting shall terminate at a height not less than 1 metre above the eaves height of the main building and it should be directed away from nearby commercial and residential premises.</p> <p>Informatives</p> <p>1.This permission does not confer title. It is the responsibility of the developer to ensure that he controls all the lands necessary to carry out the proposed development.</p> <p>2.The extraction and ventilation system must be cleaned and maintained in accordance with the manufacturer's instructions to ensure compliance with the above condition</p> <p>3.Precautions shall be taken to prevent the deposit of mud and other debris on the adjacent road by vehicles travelling to and from the construction site. Any mud, refuse, etc deposited on the road as a result of the development, must be removed immediately by the operator/contractor.</p> <p>4.All construction plant and materials shall be stored within the curtilage of the site.</p>