

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 19 January 2016	
Application ID: LA04/2015/1273/F	
Proposal: Change of use of ground floor to hot food carry out	Location: 394 Woodstock Road Belfast BT6 9DQ
Referral Route: Hot Food Bar	
Recommendation:	Approval
Applicant Name and Address: Mrs M Larkin 97 Clea Lough Road Derryboye Crossgar BT30 9LU	Agent Name and Address: Site Express Unit 8 Belmont Office Park 232-240 Belmont Road Belfast BT4 2AW
<p>Executive Summary:</p> <p>Full planning permission is sought for a change of use from a hair salon to a hot food takeaway.</p> <p>The key issues in assessment of the proposed development include:</p> <ul style="list-style-type: none"> • The principle of a hot food use at this location; • Impact on amenity of neighbouring properties; • Impact on traffic flow; <p>The site is located within the development limit for Belfast as designated within the Belfast Metropolitan Area Plan 2015.</p> <p>The proposal has been assessed against the requirements of the Strategic Planning Policy Statement: Planning for a Sustainable Development and Development Control Advice Note 4: Restaurants, Cafes and Fast Food Outlets.</p> <p>The principle of the hot food takeaway at this location is considered acceptable and the applicant does not propose any changes to the external fabric of the building therefore design issues do not arise.</p> <p>Transport NI, NI Water and Environmental Health have no objection to the proposal subject to the inclusion of conditions and informatives.</p> <p>No representations were received.</p> <p>It is recommended that the application is approved subject to conditions.</p>	

Case Officer Report

Site Location Plan



Characteristics of the Site and Area

1.0	Description of Proposed Development
1.1	Full planning permission is sought for a change of use from retail unit to a hot food takeaway.
2.0	Description of Site
2.1	The site is a mid terrace ground floor retail unit in a three storey row of commercial properties with storage and some living accommodation above. The application building is finished in red brick with large glazed shop-fronts at ground floor level. The upper floors are used for storage. The neighbouring properties within the terrace are operating as Indian cuisine sit in and take away, barber shop, bookmakers, bakery, cosmetic shop, brickabrack and a furniture depot. The site is along a arterial route and is zoned as Commercial/Shopping in the Belfast Metropolitan Area Plan 2015.

Planning Assessment of Policy and other Material Considerations

3.0	Relevant Planning History
	Z/1982/0046 - 394 Woodstock Road – Change of use to offices – Permission Granted
4.0	Policy Framework
4.1	Belfast Metropolitan Area Plan 2015
4.2	Strategic Planning Policy Statement for Northern Ireland
5.0	Other Material Considerations

5.1	Development Control Guide Note 4 (DCAN4) Restaurants, Cafes and Fast Food Outlets.
6.0	Statutory Consultees – None
7.0	Non Statutory Consultee Responses
7.1	BCC - Environmental Health Department – No objection subject to conditions and informatives (see below)
7.2	Transport NI – No objection
7.3	NI Water – No objection subject to condition (see below)
8.0	Representations
8.1	The application was advertised in the local press on 11 November 2015. Neighbours were notified on 12 November 2015. No representations were received.
9.0	Assessment
9.1	The key issues in the assessment of the proposed development include: <ul style="list-style-type: none"> • The principle of a hot food use at this location; • Impact on amenity of neighbouring properties; • Impact on traffic flow;
9.2	DCAN 4 states that the primary role of district and local centres ³ is the provision of locally accessible convenience goods. However, PPS 5 acknowledges that ‘district and local centres often provide, in addition to retailing, services to the local community...’ and that these ‘...are often appropriate and desirable and will normally be acceptable within or adjoining district and local centres’.
9.3	Many urban areas contain commercialised radial routes, which have many similarities with district and local centres, in terms of scale and function and in the variety of shops and local services. Therefore, proposals for restaurants, cafés and fast food outlets on such routes will be subject to the same considerations as those applicable to district and local centres.
9.4	DCAN 4 refers to four general areas of concern for fast food outlets: <ul style="list-style-type: none"> • noise disturbance; • smells/fumes; • refuse/litter • traffic/parking; and, • provision for people with disabilities.
9.5	Environmental Health raised no significant concern regarding noise and nuisance but did acknowledge that neighbouring premises may be affected by noise/odours associated with activities in connection with the proposal. Environmental Health has recommended conditions to protect health and amenity due to noise and odours. Whilst it is accepted that the proposal may affect the amenity of neighbouring premises, it is

	considered that the proposal will not cause an unacceptable degree of disturbance.
9.6	Regarding traffic and parking Transport NI raised no objection to the proposal.
9.7	NI Water was consulted and confirmed that the existing premises were already connected to public water and sewerage networks. It stated that the development requires the installation of a grease trap.
9.8	The applicant does not propose any changes to the external fabric of the building therefore design issues do not arise. The addition of a flue to the rear facade of the building will not impact greatly on the surrounding area. The flue will be located within a service alleyway for the terrace and a private adjoining car park, existing flues for the neighbouring food outlets are already in place along this rear facade.
9.7	Having regard to the relevant planning policy context and other material considerations above, the proposal is considered acceptable and planning permission is recommended for approval subject to conditions.

Neighbour Notification Checked: Yes

Summary of Recommendation: Approval Subject to Conditions

Conditions

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

Reason: Protection of human health and amenity due to noise and odours.

3. 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 premises.

Reason: Protection of human health and amenity due to noise and odours.

4. The extraction and ventilation system must be cleaned and maintained in accordance with Manufacturer's instructions to ensure compliance with condition 3 above.

Reason: Protection of human health and amenity due to noise and odours.

Informatives

NOISE

Clean Neighbourhoods and Environment Act (Northern Ireland) 2011

In order to reduce the impact of odours and noise generated by the extraction and ventilation system, the applicant should consult relevant industry guidance, such as: 'Guidance on the

Control of Odour and Noise from Commercial Kitchen Exhaust Systems' published by DEFRA (Department for Environment Food and Rural Affairs) in January 2005.

The applicant is advised to ensure that all plant and equipment used in connection with the development is so situated, operated and maintained as to prevent the transmission of noise, vibration or odours to nearby residential and commercial premises

CONTAMINATED LAND-

Clean Neighbourhoods and Environment Act (Northern Ireland) 2011

Should any unforeseen ground contamination be encountered during the development, and in order to protect human health, all works on the site should immediately cease. Belfast City Council should be informed and a full written risk assessment in line with current government guidance (Model Procedures for the Management of Land Contamination-CLR11) that details the nature of the risks and any necessary mitigation measures and verification (if required) should be prepared and submitted for appraisal.

Northern Ireland Water

This development requires the installation of a grease trap.

ANNEX	
Date Valid	28 October 2015
Date First Advertised	13 November 2015
Date Last Advertised	
Details of Neighbour Notification (all addresses) The Owner/Occupier, 1-5, Redcar Street, Ballymacarret, Belfast, Down, BT6 9BP The Owner/Occupier, 381-385, Woodstock Road, Ballymacarret, Belfast, Down, BT6 8PU The Owner/Occupier, 392 Woodstock Road, Ballymacarret, Belfast, Down, BT6 9DQ The Owner/Occupier, 396 Woodstock Road, Ballymacarret, Belfast, Down, BT6 9DQ	
Date of Last Neighbour Notification	12 November 2015
Date of EIA Determination	N/A
ES Requested	No
Representations for Elected Representatives: None	
Notification to Department (if relevant): N/A	