

## Development Management Report Committee Application

<b>Summary</b>	
<b>Committee Decision Date: 19 May 2020</b>	
<b>Application ID:</b> LA04/2019/2273/F	
<b>Proposal:</b> Use of unit A as a supermarket with rear extension and loading bay, alterations to elevations and external trolley bay.	<b>Location:</b> Unit A Holywood Exchange Retail Park 304 Airport Road West Belfast BT3 9EJ.
<b>Referral Route:</b> Major application	
<b>Recommendation:</b>	<b>APPROVAL</b>
<b>Applicant Name and Address:</b> Lidl Northern Ireland Nutts Corner Dundrod Road Crumlin BT29 4SR	<b>Agent Name and Address:</b> MBA Planning 4 College House Citylink Business Park Belfast BT12 4HQ
<p><b>Executive Summary:</b></p> <p>The key issues in the assessment of the proposal are as follows:</p> <ul style="list-style-type: none"> <li>- The principle of a major foodstore at this location;</li> <li>- The economic impact of the proposal;</li> <li>- Impact on amenity / character of the area;</li> <li>- Impact on transport and other infrastructure.</li> <li>- Impact on natural environment;</li> </ul> <p>The proposal seeks to alter an existing warehouse retail unit at Holywood Exchange (HE) to a supermarket in order to permit the sale of convenience and comparison goods. Bulky goods are generally sold from such units, which is secured by planning condition such as in this case. Alterations are also proposed including to the rear of the building to facilitate goods access.</p> <p>The proposal has a net sales floorspace of 1376 sqm. 1101 sqm would be for convenience goods, with 275 sqm for the sale of comparison goods. The proposal relates to a named operator Lidl, who are already operating from other locations within East Belfast and Dundonald. It should be noted however, that any planning permission cannot be linked to an operator, rather the scale and nature of retailing can only be linked to the site. Thus, if permission was granted, any operator could trade from the retail unit subject to compliance with any conditions deemed appropriate. The applicant indicates that the proposal would have a turnover of approximately £8.04m in the design year of 2021.</p> <p>The site is not subject to any zonings in dBMAP, and whilst located within a complex of retail warehouse uses, it is outside any designated retail centres identified within both the BUAP and dBMAP. It is therefore sited in an 'out of centre' location.</p> <p>A review of available sites indicates there are no sequentially preferable locations available within the city centre and district centres. The proposal therefore meets the sequential test.</p>	

In terms of convenience impact, it is considered that the proposal is likely to draw the majority of trade from Sainsbury's HE, Home Bargains HE, and Tesco Knocknagoney by virtue of a combination of proximity and similarity factors. Following assessment of the economic information, on balance, it is considered that the majority of trade will be drawn from unprotected locations and as such the scale of impact on protected centres is not likely to be significant.

In relation to comparison impacts, the Agent asserts that the majority of trade would be diverted from unprotected centres. Following assessment of the economic information it is considered that the proposal is unlikely to draw a significant amount of trade away from any protected centres within the catchment area.

It is also considered that the proposal, when assessed individually and cumulatively with other extant retail permissions within the catchment, would not adversely affect the vitality and viability of protected centres within its catchment area.

No evidence has been presented within the submitted assessment to decisively demonstrate that a need for the proposal exists. That said, assessment of the Retail Impact Assessment (RIA) indicates that adverse impacts on protected centres are unlikely to occur. On balance, this consideration outweighs the need for the proposal in this instance.

The proposal includes an extension and elevation alterations to the building to facilitate improved service access facilities to the rear of the building adjacent to the service yard. The design and materials are considered acceptable given the nature of the building. These alterations will be subject to limited public views and accordingly are considered acceptable. The other alterations, including the trolley bay, are also acceptable in that they are fairly typical of retail developments and are appropriate in terms of scale and design. There will be no adverse impact on amenity due to the character of the locality and similar uses adjacent to the site.

No objections have been received from the consultees and accordingly the proposal is considered acceptable in terms of roads, natural heritage, and contamination and public health issues.

2 objections have been received in relation to traffic and associated issues. It is not considered that the proposal will result in an unacceptable impact taking account of the existing retail bulky goods use. DFI Roads also have no objections in relation to these issues and accordingly any impacts are considered acceptable.

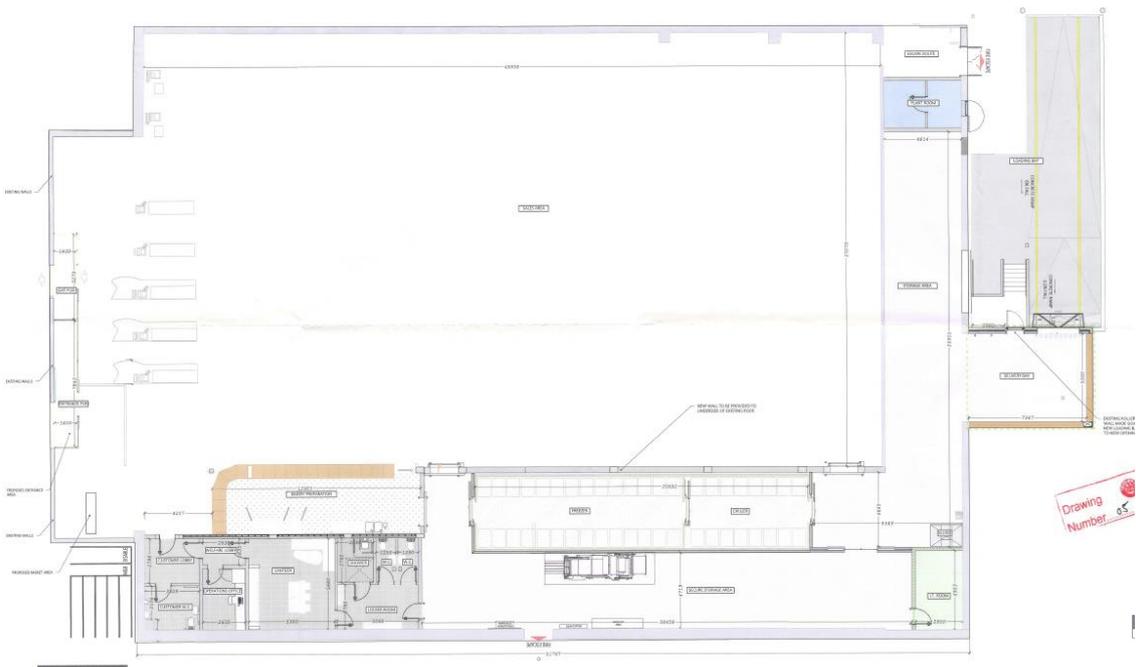
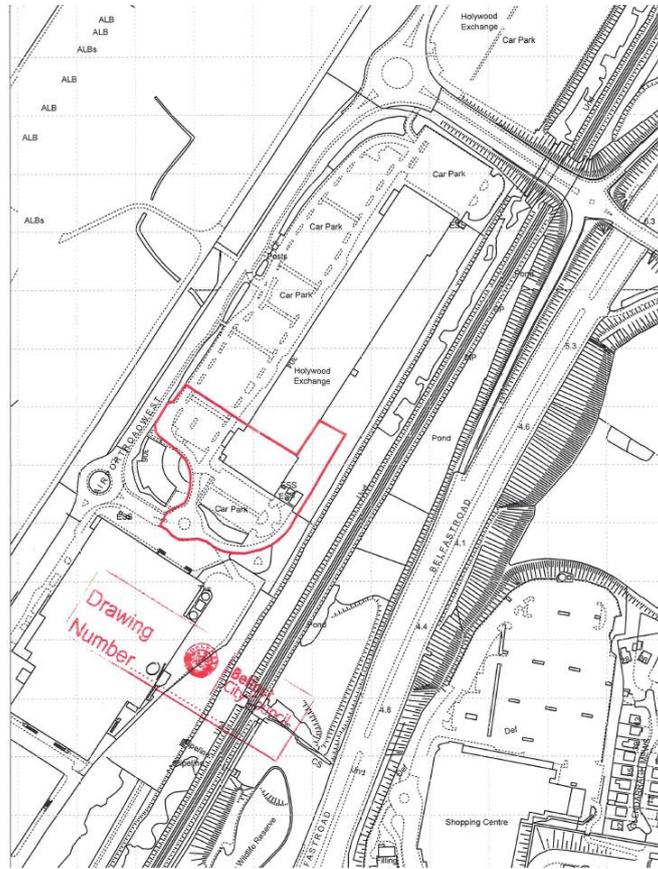
1 letter of support has been received from Robin Newton MLA.

The agent indicates that the proposal would result in the creation of 26 jobs and is an investment of approximately £2.6 million.

Having regard to the policy context and other material considerations above, the proposal is considered acceptable and approval of planning permission is recommended with delegated authority given to the Director of Planning and Building Control to finalise the wording of conditions subject to no new substantive planning issues being raised by third parties.

# Case Officer Report

## Site Location Plan



Representations:	
Letters of Support	None Received
Letters of Objection	2
Number of Support Petitions and signatures	No Petitions Received
Number of Petitions of Objection and signatures	No Petitions Received
Representations from Elected Representatives	Letter of support from Robin Newton MLA

1.0	Description of Proposed Development  Use of unit A as a supermarket with rear extension and loading bay, alterations to elevations and external trolley bay.
2.0	Description of Site
2.1	The site is located within Hollywood Exchange (HE) Retail Park in East Belfast and comprises a vacant Retail Warehouse unit constructed from brick with sheet metal cladding and roofing. It is currently vacant and was last occupied by a furniture sales operator.
<b>Planning Assessment of Policy and other Material Considerations</b>	
3.0	Site History  Ref: Z/2008/0330/F Proposal: Amalgamation of units A, B, C, & D into one retail unit selling bulky goods. Address: Hollywood Exchange Retail Park Decision: Granted Decision Date: June 2008  Ref: Z/2014/0996/F Proposal: change of use of part of unit A into children's entertainment and childcare centre with minor elevation changes. Decision: Withdrawn by applicant  Ref: Z/2014/0085/F Proposal: variation of bulky goods condition to allow sale of convenience and non-bulky comparison goods Address: Units F & G Hollywood Exchange Decision: Granted Decision Date: December 2015
4.0	Policy Framework
4.1	Belfast Urban Area Plan 2001; Draft Belfast Metropolitan Area Plan 2004; Draft Belfast Metropolitan Area Plan 2015;
4.2	Regional Development Strategy (RDS); Strategic Planning Policy Statement (SPPS);

	PPS2: Planning and Natural Heritage; PPS3: Roads Considerations; Development Control Advice Note 15 Vehicular Access Standards;
5.0	<b>Statutory Consultee Responses</b>
	Transport NI – no objections subject to conditions; DEARA – no objections subject to conditions;
6.0	<b>Non Statutory Consultee Responses</b>
	BCC Development Plan – no objections subject to conditions
7.0	<b>Representations</b>
	The application has been neighbour notified and advertised in the local press.  2 representations have been received with concerns regarding traffic and parking related issues.  1 letter of support has been received from Robin Newton MLA.
8.0	<b>Other Material Considerations</b>
	BCC Belfast Agenda BCC Developer Contributions Framework The agent indicates that the proposal would result in the creation of 26 jobs and an investment of £2.6 million.
9.0	<b>Assessment</b>
9.1	The key issues in the assessment of the proposal are as follows: <ul style="list-style-type: none"> <li>- The principle of a major foodstore at this location;</li> <li>- The economic impact of the proposal;</li> <li>- Impact on amenity / character of the area;</li> <li>- Impact on transport and other infrastructure.</li> <li>- Impact on natural environment;</li> </ul> <p>Policy Considerations:</p>
9.2	Spatial Framework Guidance (SFG3) of the RDS seeks to enhance the role of Belfast City Centre as the regional capital and focus of administration, commerce, specialised services and cultural amenities. <del>This policy</del> It states <i>‘Belfast City Centre has developed its regional shopping offer. A precautionary approach needs to be continued in relation to future major retail development proposals based on the likely risk of out of centre shopping developments having an adverse impact on the city centre shopping area’</i> .
9.3	The SPPS sets out five core planning principles of the planning system, including improving health and well-being, supporting sustainable economic growth, creating and enhancing shared space, and supporting good design and place making. The SPPS states at paragraph 1.13 (page 7) that a number of policy statements, including PPS3, remain applicable under ‘transitional arrangements’.
9.4	Paragraphs 4.11 and 4.12 require the safeguarding of residential and work environs and the protection of amenity. Paragraphs 4.13-8 highlight the importance of creating shared space, whilst paragraph 4.23-7 stress the importance of good design. Paragraphs 4.18-22 details that sustainable economic growth will be supported.

9.5	The SPPS introduces new retail policy under 'town centres and retailing' at pages 101-105, replacing previous considerations within Planning Policy Statement 5. Paragraph 6.270 states that <i>'the aim of the SPPS is to support and sustain vibrant town centres across Northern Ireland through the promotion of established town centres as the appropriate first choice location of retailing and other complementary functions, consistent with the RDS.'</i>
9.6	Paragraph 6.273 states planning authorities must adopt a town centre first approach for retail and main town centre uses. Paragraph 6.280 states that a sequential test should be applied to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up to date LDP. Where it is established that an alternative sequentially preferable site or sites exist within a proposal's whole catchment, an application which proposes development on a less sequentially preferred site should be refused.
9.7	<p>Paragraph 6.281 requires applications for main town centre uses to be considered in the following order of preference (and consider all of the proposal's catchment):</p> <ul style="list-style-type: none"> <li>- primary retail core;</li> <li>- town centres;</li> <li>- edge of centre; and</li> <li>- out of centre locations, only where sites are accessible by a choice of good public transport modes.</li> </ul>
9.8	<p>No guidance has been published to date by DFI to assist in interpretation and application of SPPS policy.</p> <p>Development Plan Considerations</p>
9.9	Following the May 2017 Court of Appeal decision on Belfast Metropolitan Area Plan, the extant development plan is now the Belfast Urban Area Plan (BUAP). This plan identifies the site as within the development and a zoning for industry and commerce. However, the site is located within a retail park approved and constructed following adoption. The retail policies within the plan are therefore material considerations for the proposal.
9.10	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.
9.11	BMAP 2015 reached an adopted stage and was subject to legal challenge in relation to the policies regarding Sprucefield Shopping Centre. BMAP 2015 is therefore considered to hold significant weight. The weight to be afforded is a matter of judgement for the decision maker.
9.12	<p>BMAP strategic retail policy for Belfast is set out at pages 54-58 Part 3 volume 1 and page 28 part 4 volume 2. The BMA retail strategy seeks to:</p> <ul style="list-style-type: none"> <li>- promote Belfast City Centre as the leading shopping centre in the Plan Area and Northern Ireland;</li> <li>- Outside City and Town Centres the nature and scale of retail development is to be controlled in order to protect the vitality and viability of the city and town centres and retail development to be focused on designated District Centres, Shopping / Commercial Areas and Designated Commercial Nodes on designated Arterial Routes and designated Local Centres.</li> </ul>

	Two other elements are cited, however these relates to areas outside of Belfast and are therefore not applicable.
9.13	Policy R1 states that <i>'primary retail cores will be the preferred location for new comparison and mixed retail development...(and)...outside designated Primary Retail Cores, planning permission will only be granted for comparison and mixed retail development where it can be demonstrated that there is no suitable site within the primary retail core'</i> . The supplementary note goes on to say that <i>'the plan seeks to support the vitality and viability of city and town centres by ensuring that they are the main focus for all retail developments including convenience, non-bulky comparison and bulky comparison retailing.'</i>
9.14	Policy R2 states planning permission will not be granted for proposals for retail development where it would be likely to result in an adverse impact on the distinctive role of Belfast City Centre as the leading regional shopping centre. It refers to the Regional Development Strategy 2035 which states it <i>'supports and strengthens the distinctive role of Belfast City Centre as the primary retail location in Northern Ireland. It urges a precautionary approach in relation to future major retail development proposals based on the likely risk of out of centre shopping developments having an adverse impact on the city centre shopping area.'</i>
9.15	A list of district centres are designated on page 57 part 3 volume 1. Centres designated within the Belfast City Council Area include Connswater, Dairyfarm, Hillview, Kennedy Centre, Park Centre, Westwood Centre, and Cityside (formerly Yorkgate). Forestside is also a designated centre and is located adjacent to BCC boundary within Lisburn and Castlereagh Council. The supplementary text refers to the findings of the retail study for Belfast stating they concluded that there were planning reasons for redirecting any identified need to nearby city and town centres where the case for retail investment is stronger.
9.16	Page 28 part 4 volume 2 refers to retailing in the city centre and designates the Primary Retail Core and Primary Retail Frontage under CC05 and CC06.
9.17	Pages 105-106 part 4 volume 2 refers to retailing in outer Belfast. This designates the District Centres under BT010. The supplementary text states <i>'these centres co-exist with the City Centre and should fulfil a complementary role. It is recognised that whilst Belfast City Centre is under-performing as a regional centre, many of the out-of-town centres are overtrading and are attracting trade away from the City Centre. In order to help redress this imbalance, boundaries are delineated for all of the District Centres.'</i>
	Consideration
9.18	The proposal seeks to alter an existing warehouse retail unit to a supermarket in order to permit the sale of convenience and comparison goods. Bulky goods are generally sold from such units, which is secured by planning condition such as in this case.
9.19	The proposal has a net sales floorspace of 1376 sqm. Of this, 1101 sqm would be for convenience goods, with 275 sqm for the sale of comparison goods. The proposal relates to a named operator Lidl, who are already operating from other locations within East Belfast and Dundonald. It should be noted however, that any planning permission cannot be linked to an operator, rather the scale and nature of retailing can only be linked to the site. Thus, if permission was granted, any operator could trade from the retail unit subject to compliance with any conditions deemed appropriate.

9.20	The site is not subject to any zonings in dBMAP, and whilst located within a complex of retail warehouse uses, it is outside any designated retail centres identified within both the BUAP and dBMAP. It is therefore sited in an 'out of centre' location.
9.21	The agent submitted a retail impact, need and sequential assessment with the application. Paragraph 6.283 of the SPPS states all applications above 1000 sqm should be required to undertake a full assessment of retail impact.
	Catchment
9.22	The agent has argued that the catchment area (or area from which people/expenditure will be drawn/ attracted to the proposal) for the proposal would be 10 minutes from the site but has altered this to take account of the proximity of other Lidl stores. The catchment extends to the northeast to include Holywood, Helen's Bay, and Crawfordsburn. The majority of east Belfast has been excluded due to Lidl stores at Connswater and Castlereagh Road, whilst the City Centre has been excluded due to the Lidl at High Street.
9.23	The agent asserts that a 10-minute catchment is appropriate. This is considered overly restrictive given the size and scale of this major retail development. Foodstores of this scale would normally be subject to a minimum 15-minute catchment area. It is considered erroneous to exclude areas of the catchment on the basis of existing Lidl food stores. Given that a named operator cannot be secured by condition, assessment must be undertaken on the basis of all convenience operators within the catchment. Furthermore, given the competitive nature of retailing, it is a reasonable assumption that a new store would influence shopping habitats/trade on all stores, including those of the same operator, within a catchment to a varying degree. In addition, a new store at this location would increase the range of operators and thus likely increase the attractiveness of this out of centre location and associated linked trips. On this basis it is therefore reasonable to assume that shoppers could switch preferred destinations for supermarket shopping.
9.24	It is considered in this urban location that the draw of customers to the store within the 10-15-minute drive time in some areas will be diminished due to closer proximity of other retail stores/centres. In this regard the catchment is therefore considered to include the City Centre, Holywood, Dundonald, Helens Bay and Crawfordsburn. District Centres Cityside/Yorkgate, Connswater, Kings Square, and Cityside Yorkgate. Out of centre supermarkets include Tesco Castlereagh Road, Lidl Montgomery Road, and Lidl Connswater.
	Sequential Test / Available sites
9.25	The SPPS introduces a town centre first approach and a sequential assessment to town centre uses that are not in an existing centre, taking account of the catchment area of the proposal. Accordingly, primary retail core and city centre vacant sites must be considered for suitability followed by those in other designated centres, in this case district and local centres designated by BMAP, before out of centre locations. Out of centre locations must also be accessible by a choice of good public transport modes.
9.26	Paragraph 6.289 require applicants to ' <i>...identify and fully demonstrate why alternative site are not suitable, available and viable</i> '. There is no further direction or discussion within the SPPS as to the definition or interpretation of <i>suitable, available and viable</i> . To date no guidance has been published by DFI to assist in the interpretation and implementation of the sequential test and associated policies within the 'Town Centres and Retailing' section. Accordingly consideration of practice / guidance in England has

	<p>been taken into account. The document 'Planning for Town Centres - Guidance on need, impact, and the sequential approach' (Department for Communities and Local Government, December 2009) sets out three criteria in the assessment of the sequential testing of sites:</p> <ul style="list-style-type: none"> <li>(a) Suitable: When judging the suitability of a site it is necessary to have a proper understanding of scale and form of development needed, and what aspect(s) of the need are intended to be met by the site(s). It is not necessary to demonstrate that a potential town centre or edge of centre site can accommodate precisely the scale and form of development being proposed, but rather to consider what contribution more central sites are able to make, either individually or collectively, to meeting the same requirements.</li> <li>(b) Available: A site is considered available for development, when, on the best information available, there is confidence that there are no insurmountable legal or ownership problems, such as multiple ownerships, ransom strips, tenancies or operational requirements of landowners.</li> <li>(c) Viable - whether there is a reasonable prospect that development will occur on the site at a particular point in time.</li> </ul> <p>9.27 Also of importance is the legal case of <i>Tesco Stores v Dundee City Council</i> [2012], the Court held that the question of suitability was to be interpreted objectively in accordance with the language used, read in its proper context. In summary, the judgement indicates that the Council was correct in interpreting "suitable" to mean "suitable for the development proposed by the applicant".</p> <p>9.28 A degree of caution also must be taken in regard to the above, as these predate the new National Planning Policy Framework (in effect the English equivalent to the SPPS) published in December 2012. This retains application of the sequential test, but now reads as follows (paragraph 24):</p> <p style="padding-left: 40px;"><i>Local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan. They should require applications for main town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered. When considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale.</i></p> <p>9.29 In applying the sequential test, the nature of the developer's proposal must be taken into account. Paragraph 6.289 of the SPPS states that '<i>flexibility may be adopted to accommodate developments onto sites with constrained footprints...applicants will be expected to identify and fully demonstrate why alternative sites are not suitable, available and viable.</i>'</p> <p>9.30 The agent has stated that they do not consider any suitable site exists within the catchment area of the proposal. However, it is considered that the catchment is larger than that suggested by the developer and that the city centre (within 10 mins drive time), and other areas (within 15 mins drive time), are within the catchment area.</p> <p>9.31 A review of vacant sites within the city centre, district centres, and local centres within the catchment area has therefore been undertaken, using site surveys supplemented</p>
--	--

	<p>with property website searches, with availability confirmed with property companies. It is acknowledged, that the property market is a dynamic sector by nature, with site availability changing on an almost daily basis. It should also be noted that a business model operated by retailers is not justification for discounting sequentially preferable sites, the public interest is to ensure that city and other protected centres are vibrant and viable as articulated in the aim and objectives of the SPPS and dBMAP.</p>
9.32	<p><b>City Centre</b></p> <p>There are a large number of small sites available within the city centre, however the majority of these would not be suitable for the proposal by virtue of their size.</p> <p>There are a number of development opportunity sites identified within the city centre in dBMAP. Many of these could easily accommodate the proposal, such as at the former Sirocco Works site, but would require the erection of new buildings. These sites have been discounted by the agent as being too close to the existing Lidl store in High Street and are not viable or available. The Sirocco site has an extant outline planning permission that includes a supermarket, however this is discounted on grounds that a more recent redevelopment scheme has been approved by Planning Committee which indicates that the extant permission is unlikely to be implemented / available (ref: LA04/2018/0811/O).</p>
9.33	<p><b>Hollywood</b></p> <p>The agent has reviewed 3 Development Opportunity sites within dBMAP. These have been discounted on grounds that they are too small to accommodate the proposal. They also indicate that Lidl have been seeking a suitable site within Hollywood since 2006. Following review, it is considered that there are no suitable sites within Hollywood.</p>
9.34	<p><b>Helens Bay</b></p> <p>This centre comprises several small shops and retail service providers adjacent to the railway station. Convenience goods are provided through a Pharmacy that sells a wider range of goods, and an off license. There is no supermarket facility within Helens Bay.</p> <p>There are no suitable sites with Helens Bay given its restricted scale and size.</p>
9.35	<p><b>Crawfordsburn</b></p> <p>A petrol station within Crawfordsburn provides convenience goods.</p> <p>There are no suitable sites within this village given its restricted scale and size.</p>
9.36	<p><b>Dundonald</b></p> <p>Dundonald is within 15 minutes' drive time of the application site. Dundonald includes two main supermarkets, namely Asda and Lidl. Smaller 'Spar' stores are also located with Dundonald village and at Cherryhill with a petrol station.</p> <p>While there are vacant retail units within Dundonald, there are none of sufficient size to accommodate the proposal.</p> <p>District Centres</p>
9.37	<p><b>Cityside / Yorkgate</b></p>

	<p>Cityside is within 12 minutes' drive time of the application site. There is one vacant unit at ground floor within the main building – units E1 (506 sqm). This site is therefore insufficient to accommodate the proposal. Other vacant units within the centre at first floor are also insufficient in size to accommodate the proposal.</p>
9.38	<p>Connswater District Centre</p> <p>Connswater is designated in BMAP and includes the Connswater shopping centre and retail buildings between the shopping centre and the Newtownards Road.</p> <p>Within the shopping centre, there are a number of vacant units however these are small in size and would be insufficient to accommodate the proposal.</p>
9.39	<p>Kings Square</p> <p>Kings Square is located on Kings Road in East Belfast, 10 mins drive time from the site. It includes a Supervalu supermarket.</p> <p>All units are occupied within this centre and accordingly there are no suitable sites at his location.</p>
9.40	<p>The remaining District Centres of Dairyfarm, Park Centre, Kennedy Centre, Hillview, and Westwood Centre (and other listed centres outside of Belfast City Council Area) would fall outside of the 15 minute drive time and catchment area of the proposal.</p>
9.41	<p>Arterial Routes and Local Centres</p> <p>Arterial Routes and Local centre have been surveyed for suitable sites. There are no sites available that would match the criteria of the proposal, generally due to insufficient size.</p>
9.42	<p>A review of available sites indicates there are no sequentially preferable locations available within the city centre and district centres. The proposal therefore meets the sequential test.</p> <p>Retail Impact</p>
9.43	<p>With the introduction of the SPPS in September 2015, paragraph 6.283 stipulates that a full assessment of retail impact is required for development exceeding 1000sqm not proposed in a town centre.</p> <p>Retail Impacts cited by the Agent:</p>
9.44	<p>(i) Retail impact on convenience goods shops</p> <p>The Retail Impact Assessment (RIA) estimates that the turnover of the proposal would be approximate £8.04m in the design year of 2021. It argues that the majority of the turnover would be drawn from out of centre locations, and principally Sainsbury's (32%, £2.159m) and Tesco Knocknagoney (36%, £2.43m) equating to an impact of 6.71% and 4.69% respectively. 11% (£742k) of turnover would be diverted from Home Bargains, Holywood Exchange. A further 4.5% of turnover would be diverted from the SPAR PFS convenience providers located out of centre, with a slightly larger diversion from Spar Kinnegar (1.5%). It is estimated the impact on these stores range from 3.2% to 5.36%.</p>

9.45	<p>The RIA argues that 4% of turnover (£270k) would be diverted from Hollywood Town Centre, which equates to an impact of 2.7%.</p> <p>(ii) Impact on comparison goods shops</p> <p>The proposal includes an element of comparison floorspace (275 sqm). The RIA states that this element would turnover approximately £1.3m.</p> <p>The RIA estimates that the majority of turnover (38%) will be diverted from other stores within Hollywood Exchange Retail Park, with 10% from Sainsbury's, and 25% from Tesco. The highest at 3.04%.</p> <p>5% pf turnover would be diverted from Hollywood TC, equating to an impact of 0.89%</p> <p>Consideration:</p>
9.46	<p>The findings of the RIA and associated supporting information have been fully assessed. Council would not agree with the majority of diversions cited within the RIA and has undertaken assessment of impacts based on its' own assumptions and testing of the information presented.</p>
9.47	<p>In terms of convenience impact, it is considered that the proposal is likely to draw the majority of trade from Sainsbury's HE, Home Bargains HE, and Tesco by virtue of a combination of proximity and similarity factors. Following assessment of the economic information, on balance, it is considered that the majority of trade will be drawn from unprotected locations and as such the scale of impact on protected centres is not likely to be significant.</p>
9.48	<p>In relation to comparison impacts, the Agent asserts that the majority of trade would be diverted from unprotected centres. Following assessment of the economic information it is considered that the proposal is unlikely to draw a significant amount of trade away from any protected centres within the catchment area.</p>
9.49	<p>It is also considered that the proposal, when assessed individually and cumulatively with other extant retail permissions within the catchment, would not adversely affect the vitality and viability of protected centres within its catchment area.</p>
9.50	<p>Need</p> <p>The SPPS states that an assessment of need should be "proportionate" to the development proposed and may include a quantitative and qualitative assessment taking account of the needs of the town.</p> <p>The RIA states that there is a clear need in this case that Lidl identified in 2006 when they began searching for a site in Hollywood and that no discount food retailer is present within the town centre.</p> <p>No evidence has been presented to decisively demonstrate that a need for the proposal exists. That said, assessment of the RIA indicates that adverse impacts on protected centres are likely to occur. On balance, this consideration outweighs the need for the proposal in this instance.</p>
9.51	<p>Amenity</p>

<p>9.52 Alterations</p> <p>9.53 Access, Parking and Transport:</p> <p>9.54 Natural Heritage Impacts</p> <p>9.56 Representations</p> <p>9.57 Economic Considerations</p>	<p>Given the variation of condition nature of the proposal, and that the use will essentially remain as class A1 retail, it is not considered that the proposal will result in any detriment to amenity of existing properties adjacent to the site given their similar land-use and design.</p> <p>The proposal includes an extension and elevation alterations to facilitate improved service access facilities to the rear of the building adjacent to the service yard. The design and materials are considered acceptable given the nature of the building. These alterations will be subject to limited public views and accordingly are considered acceptable. The other alterations, including the trolley bay, are also acceptable in that they are fairly typical of retail developments and are appropriate in terms of scale and design.</p> <p>In relation to traffic, access, and parking issues, Transport NI was consulted and is satisfied with the parking and access arrangements. Accordingly, the proposal is considered compliant with requirements in PPS3 and associated guidance.</p> <p>The site is located in close proximity to protected habitats, and a biodiversity assessment has been provided in support of the proposal. NED have reviewed these details and have no objections to the application. The proposal is therefore considered to comply with PPS2.</p> <p>2 objections have been received in relation to traffic and associated issues. It is not considered that the proposal will result in an unacceptable impact taking account of the existing retail bulky goods use. DFI Roads also have no objections in relation to these issues and accordingly any impacts are considered acceptable.</p> <p>1 letter of support for the proposal has been received from Robin Newton MLA.</p> <p>The agent indicates that the proposal would result in the creation of 26 jobs and is an investment of approximately £2.6 million.</p>
<p>10.0</p>	<p>Having regard to the policy context and other material considerations above, the proposal is considered acceptable and approval of planning permission is recommended with delegated authority given to the Director of Planning and Building Control to finalise the wording of conditions subject to no new substantive planning issues being raised by consultees and third parties.</p>
<p>1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p>	

2. Of the net retail floor space of the retail unit hereby approved, no less than 1101 square metres shall be used for the sale and display of the items listed here under and for no other purpose, including any other purpose in Class A1 of the Planning (Use Classes) Order (Northern Ireland) 2015:

- (a) food non-alcoholic beverages, alcoholic drink;
- (b) tobacco, newspapers, magazines, confectionery;
- (c) stationary and paper goods;
- (d) toilet requisites and cosmetics;
- (e) household cleaning materials; and
- (f) other retail goods as may be determined in writing by the Council as generally falling within the category of 'convenience goods' or as generally being appropriate to the trading in these premises.

Of the net retail floor space not more than 275 square metres of the sales area shall be used only for the retail sale of comparison goods and for no other purpose.

Reason: To control the nature, range and scale of the retail activities to be carded out at this location.

3. No internal operations, including the construction of or extension to mezzanine floors, increasing the floor space available for retail use or subdivision to form additional units shall be carried out without the prior written consent of the Council.

Reason: To control the nature, range and scale of the retail activities to be carried out at this location in order to protect the vitality and viability of town centres and other centres within the catchment.

4. Prior to the operation of the proposed development, the applicant shall provide to and have agreed in writing by the Council, a Verification Report. This report must demonstrate that the remediation measures outlined in the RSK Ireland report entitled 'LIDL NI Ltd, Environmental Site Assessment and Generic Quantitative Risk Assessment, Holywood Exchange, Belfast' (dated November 2019 and referenced 602684-R1 (00)) have been implemented.

The Verification Report shall demonstrate the successful completion of remediation works and that the site is now fit for end-use (commercial). It must demonstrate that the identified potential pollutant linkages are effectively broken. The Verification Report shall be in accordance with Environment Agency guidance, British Standards and CIRIA industry guidance. In particular, this Verification Report must demonstrate that:

a) The extension has been provided with gas protection commensurate with the Characteristic Situation 2 classification of the site in line with BS 8485:2015+A1:2019. The gas protection is to incorporate:

- A cast in situ monolithic reinforced floor slab, which is well reinforced to control cracking and has minimal penetrations.
- A gas resistant membrane, which meets all requirements of Table 7 of BS 8485:2015+A1:2019. Gas protection measures must be verified in line with the requirements of CIRIA C735.

Reason: Protection of human health.

5. If during the development works, new contamination or risks are encountered which have not previously been identified, works should cease and the Council shall be notified immediately. This new contamination shall be fully investigated in accordance with the Model Procedures for the Management of Land Contamination (CLR11) and/or the Land Contamination: Risk Management (LCRM) guidance, as applicable. In the event of unacceptable risks being identified, a Remediation Strategy shall be agreed with the Council in writing, and subsequently

implemented and verified to its satisfaction. This strategy should be completed by competent persons in accordance with the Model Procedures for the Management of Land Contamination (CLR11) and/or the Land Contamination: Risk Management (LCRM) guidance, as applicable.

Reason: Protection of environmental receptors to ensure the site is suitable for use.

6. After completing the remediation works under Condition 5 and prior to occupation of the development, a Verification Report needs to be submitted in writing and agreed with the Council. This report should be completed by competent persons in accordance with the Model Procedures for the Management of Land Contamination (CLR11) and/or the Land Contamination: Risk Management (LCRM) guidance, as applicable. The Verification Report should present all the remediation and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and achieving the remedial objectives.

Reason: Protection of environmental receptors to ensure the site is suitable for use.

Signature(s)

Date:

<b>ANNEX</b>	
<b>Date Valid</b>	4th October 2019
<b>Date First Advertised</b>	25th October 2019
<b>Date Last Advertised</b>	
<b>Details of Neighbour Notification</b> (all addresses) The Owner/Occupier, 304 Airport Road West,Belfast,Down,BT3 9EJ The Owner/Occupier, 306 Airport Road West,Belfast,Down,BT3 9EJ James Malcolm 306, Airport Road West, Belfast, Down, Northern Ireland, BT3 9EJ The Owner/Occupier, 306a ,Airport Road West,Belfast,Down,BT3 9EJ The Owner/Occupier, 306b ,Airport Road West,Belfast,Down,BT3 9EJ The Owner/Occupier, 306c ,Airport Road West,Belfast,Down,BT3 9EJ The Owner/Occupier, 306d ,Airport Road West,Belfast,Down,BT3 9EJ The Owner/Occupier, Unit B, C & D,304 Airport Road West,Belfast,Down,BT3 9EJ The Owner/Occupier, Unit E,304 Airport Road West,Belfast,Down,BT3 9EJ	
<b>Date of Last Neighbour Notification</b>	09 <sup>th</sup> October 2019
<b>Date of EIA Determination</b>	<b>N/A</b>
<b>ES Requested</b>	No
<b>Planning History</b> Ref ID: Z/2014/0085/F Proposal: Variation of condition 8 of outline permission Z/1995/1088 (The floorspace comprised in the retail warehousing shall be used only for the retail sale and ancillary storage of the items listed hereunder and for no other purpose, including any other purpose in Class 1 of the Schedule to the Planning (Use Classes) Order (NI) 1989:- (a) DIY materials, products and equipment; (b) Garden materials, plants and equipment; (c) Furniture and soft furnishings, carpets and floor coverings and electrical goods; (d) Such other items as may be determined in writing by the Department as generally falling within the category of "bulky goods") and condition 2 of reserved matter approval Z/2002/0719 (The floorspace comprised in the retail warehousing shall be used for the retail sale and ancillary storage of the items listed hereunder and for no other purpose, including any other purpose in Class 1 of the Schedule to the Planning (Use Classes) Order (NI) 1989:- a. DIY materials, products and equipment; b. Garden materials, plants and equipment; c. Furniture and soft furnishings, carpets and floor coverings and electrical goods;	

d. Such other items as may be determined in writing by the Department as generally falling within the category of "bulky goods".), to allow mixed retailing in units F and G combined

Address: Hollywood Exchange Retail Park, Airport Road West, Belfast, BT3 9EJ,

Decision: GRANTED

Decision Date: 18.12.2015

Ref ID: LA04/2019/1215/PAN

Proposal: Proposed use of Unit A as a supermarket together with a rear extension and alterations to elevations.

Address: Unit A, Hollywood Exchange Retail Park, 304 Airport Road West, Belfast, BT12 4HQ.,

Decision: PANACCEPTABLE

Decision Date: 29.05.2019

Ref ID: LA04/2016/0752/DC

Proposal: Discharge of condition 10 - Z/2014/0085/F

Address: Hollywood Exchange Retail Park, Airport Road West, Belfast, BT3 9EJ,

Decision: CONDITION NOT DISCHARGED

Decision Date:

Ref ID: Z/2006/1216/F

Proposal: Erection of a new 29,000sqm retail development for the sale and display of bulky furniture, and homeware goods with ancillary facilities including restaurant and associated storage together with car parking, access, servicing and landscaping.

Address: Land Adjacent to Hollywood Exchange Retail Park, Airport Road West, Belfast.

Decision: GRANTED

Decision Date: 22.12.2006

Ref ID: Z/2002/0719/RM

Proposal: Retail park, fast food unit, associated car parking, service yards and landscaping.

Address: Belfast Harbour Estate- 'Development Site D5', Airport Road West, Belfast

Decision: GRANTED

Decision Date: 18.10.2005

Ref ID: Z/2008/0330/F

Proposal: Minor alterations to the front and rear facades replacing sliding doors with hinged escape doors & amalgamation of units A, B, C, & D into one unit selling bulky goods.

Address: Belfast Harbour Estate, Development site D5, Airport Road West

Decision: GRANTED

Decision Date: 05.06.2008

Ref ID: LA04/2016/1209/DC

Proposal: Discharge of condition 10 - Z/2014/0085/F which refers to store layout.  
Address: Hollywood Exchange Retail Park, Airport Road West, Belfast, BT3 9EJ,  
Decision: CONDITION DISCHARGED  
Decision Date:

Ref ID: LA04/2016/1546/F

Proposal: Alterations to existing internal circulation roadway at Hollywood Exchange restaurants, to provide a ramped drive through lane to a "New Fast Food Restaurant", Unit D. A new service hatch window is to be provided in the gable wall to facilitate drive through customers. New external ventilation grills along rear wall of unit added.

Address: Hollywood Exchange Restaurants, Unit D, 306d Airport Road West, Belfast, BT3 9EJ,

Decision: GRANTED

Decision Date: 18.10.2016

**Drawing Numbers and Title**

**01, 03, 04, 05, 06**

**Notification to Department (if relevant) N/A**

Date of Notification to Department:

Response of Department: