



# Sensitive Uses

## Supplementary Planning Guidance

May 2023

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**Belfast**  
City Council





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# 1 Introduction

## 1.1 Overview

- 1.1.1 This Supplementary Planning Guidance (SPG) provides advice and guidance specific to sensitive uses including Restaurants, Cafés, Hot Food Takeaways, Bookmaking Offices, Amusement Centres, Pubs and Nightclubs in Belfast. It applies to Belfast Local Government District (LGD), and is intended for use by developers, the public and by planning officers in the assessment of planning applications for these specific proposals within Belfast.
- 1.1.2 SPG represents non-statutory planning guidance that supports, clarifies and/or illustrates, by example, policies included within the current planning policy framework, including development plans and regional planning guidance. The information set out in this SPG should therefore be read in conjunction with the existing planning policy framework, most notably the Strategic Planning Policy Statement (SPPS) for Northern Ireland and the Belfast Local Development Plan Strategy.
- 1.1.3 Where relevant to a specific development proposal, this document once adopted will be a material consideration when determining planning applications. Developers should consider the guidance provided in relation to the uses specified within this document at the earliest opportunity when they are formulating their proposals. Early dialogue with the council and other relevant consultees can help identify what the impacts from the uses within this document are likely to be and how they can be properly dealt with through the planning process.
- 1.1.4 When considering applications for restaurants, cafés, hot food takeaways, bookmaking offices, amusement centres, pubs and nightclubs, the council will consider their proper location (for example, avoiding over-concentration of a group of these uses where appropriate), their design and appearance, their effect on adjoining property, the potential amenity impact associated with noise, litter, odours and traffic which may be detrimental to the amenities of an area and neighbouring occupants.
- 1.1.5 As indicated above, restaurants, cafés, hot food takeaways, bookmaking offices, amusement centres, pubs and nightclubs are considered sensitive uses in terms of their location and the associated potential adverse amenity impacts. However, they can also be considered sensitive uses in terms of the impact they have upon the health and wellbeing of the population, both physically (hot food takeaways contributing to obesity through unhealthy foods) and mentally (bookmaking offices, amusement centres and bingo halls contributing to problem gambling).

## 2 Policy Context

### 2.1 Regional planning policy and guidance

#### **Regional Development Strategy (RDS) 2035**

- 2.1.1 The Regional Development Strategy (RDS) is the regional spatial strategy and provides a strategic and long term vision on the future development of Northern Ireland up to 2035. It contains regional guidance to provide policy direction in relation to the economy, society and environment and spatial framework guidance tailored to each component of the spatial planning framework. It sets the context in which to make policy and development decisions in order to achieve sustainable development throughout the region.
- 2.1.2 One of the key aims of the RDS is to promote development which improves the health and well-being of communities. Improved health and well-being is derived not only from easy access to appropriate services and facilities, but also from the creation of a strong economy set within a safe and attractive environment.

#### **Strategic Planning Policy Statement (SPPS) for Northern Ireland (2015)**

- 2.1.3 The Strategic Planning Policy Statement (SPPS) sets out regional planning policies for securing the orderly and consistent development of land in Northern Ireland under the reformed two-tier planning system.
- 2.1.4 The SPPS states that the planning system has an active role to play in helping to better the lives of people and communities in Northern Ireland and in supporting the Executive's key priority of improving health and well-being. For the purpose of the SPPS the Department supports the World Health Organisation's definition of health as 'a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity'.
- 2.1.5 The SPPS goes on to state that when plan-making and decision-taking planning authorities should contribute positively to health and well-being through supporting broader government policy aimed at addressing for example obesity, and health and well-being impacts arising through pollution.
- 2.1.6 With regards to the locations of the uses specified within this document, the SPPS identifies the need to enhance the distinctive role of Belfast City Centre as the primary retail function in Northern Ireland. The SPPS also states that planning authorities should retain and consolidate existing district and local centres as a focus for everyday shopping, and ensure their role is complimentary to the role and function of the town centre, with a hierarchical approach to centres.

## 2.2 Local planning policy

### Plan Strategy

- 2.2.1 The Plan Strategy provides the strategic policy framework for the plan area as a whole across a range of topics. It sets out the vision for Belfast as well as the objectives and strategic policies required to deliver that vision. It also includes a suite of topic-based operational policies, including those related to improving health and wellbeing, and retailing.

### Local Policies Plan

- 2.2.2 Once adopted, the Local Policies Plan will set out site-specific proposals in relation to the development and use of land in Belfast. It will contain local policies, designations and land use zonings required to deliver the council's vision, objectives and strategic policies, as set out in the Plan Strategy.

## 2.3 Other Evidence

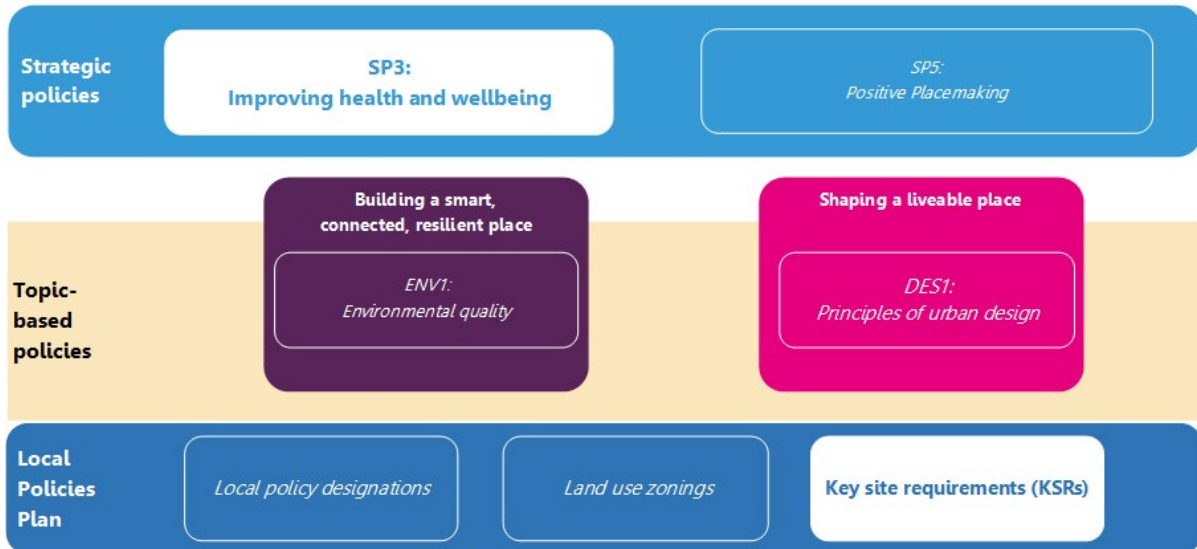
### The Belfast Agenda (Community Plan)

- 2.3.1 The Belfast Agenda is Belfast's first Community Plan and was launched on 9 November 2018. It was created by a partnership of key city partners, residents and community organisations. It's about making sure that public services work together with communities to deliver real improvements for local people.
- 2.3.2 It is the aim within the agenda that everyone in Belfast experiences good health and well-being, and that,
- “By 2035, everyone will live a healthy lifestyle and will experience the best possible physical health and emotional well-being. Health inequalities will be reduced and those who suffer from poor health will receive the care and support they need in a compassionate city”.*
- 2.3.3 This SPG is inter-related with Policy ENV1: Environmental Quality of the Plan Strategy. It provides guidances on several uses which are considered sensitive in terms of their potential impacts.
- 2.3.4 There is difference between statutory nuisance and impact upon amenity. A statutory nuisance is something that, under Environmental Protection legislation, affects a person's health or causes disturbance to them in their property to such an extent that it could affect their health. The fact that planning permission has been granted does not mean that the relevant activity becomes lawful as it is subject to separate statutory provisions. Nuisance from a planning perspective can broadly be defined as something that unreasonably affects somebody's use and enjoyment of their home and property. If someone has enjoyed an established level of amenity whether that be noise levels or privacy from their property then there is a reasonable expectation that they should continue to enjoy that level. Therefore, when a new proposal comes

## Policy context

forward that unreasonably adversely affects that level of amenity, then there may be grounds to refuse permission, irrespective of whether it is at a level for it to become a statutory nuisance. The key points are reasonability and established character.

Figure 1: Inter-related policies to sensitive uses SPG



2.3.5 Due to the extensive range of uses covered in this SPG and to avoid duplication the detailed wording of the relevant policies are included below and not repeated in specific sections.

### Policy SP3 – Improving health and wellbeing

The council will support development that maximises opportunities to improve health and wellbeing. Development will not be permitted where it will result in significant harm to life, human health or wellbeing.

### Policy DES1 – Principles of urban design

- f. Promoting a diversity of land uses that provide active frontages and ensure vibrancy throughout the day;
- h. Promoting healthy environments and sustainable development that support and encourage walking, cycling and access to public transport that maximises connections to the city's network of green and blue infrastructure;
- k. Ensuring that on-site vehicle parking provision and movement, where required, and any external bin storage areas do not have a negative impact at street level which would result in the creation of dead frontage or unnecessary clutter.



**Policy ENV1 – Environmental Quality**

**.... Development proposals must not result in an unacceptable adverse impact on the environment, including the following considerations:**

- **Air quality; and**
- **Noise**

## 3 Restaurants, Cafés and Hot Food Takeaways

### 3.1 What are Restaurants and Cafés?

- 3.1.1 The primary function of restaurants and cafés is the sale of hot food and drinks for consumption on the premises. Although commercial in nature, restaurants and cafés do not fall within any use class of the Planning (Use Classes) Order (Northern Ireland) 2015 and are considered a Sui Generis use. Restaurants and cafés are therefore forms of development for which further guidance and clarification is appropriate, to ensure their unique nature can be adequately assessed.
- 3.1.2 Where restaurants and cafés occupy a disproportionately high percentage of shopping frontages, they can reduce the vitality and viability of centres, increase litter and cause other amenity issues such as noise and odours. In certain cases, a condition can be placed on a planning permission for a restaurant or café restricting the provision/cooking/serving of fried foods on the premises; however for the most part, planning cannot control the quality and type of food served within restaurants and cafés.

### 3.2 What is a Hot Food Takeaway?

- 3.2.1 A hot food takeaway is an establishment, the primary function of which is the sale of hot food for consumption off the premises. Although commercial in nature, hot food takeaways do not fall within any use class of the Planning (Use Classes) Order (Northern Ireland) 2015 and are considered a Sui Generis use. It is therefore a form of development for which further guidance and clarification is appropriate to ensure the unique nature of the development can be adequately assessed.
- 3.2.2 Examples of hot food takeaways include kebab shops, pizza shops and Chinese takeaway shops; however cafes and restaurants often have an ancillary takeaway element. Where the takeaway element of a premises is equal to or larger than the non-takeaway element, then an application should be made for change of use. It is acknowledged that newsagents, petrol stations and supermarkets often have hot food bars. However, the hot food bars and takeaway element are often ancillary to the main use of these premises, and are therefore outside the control of the local planning authority.
- 3.2.3 Where takeaways occupy a disproportionately high percentage of shopping frontages, they can reduce the vitality and viability of centres, discourage shoppers, increase litter and cause other amenity issues such as odours and anti-social behaviour.

3.2.4 In recent years, concern has been growing regionally and locally about the rising levels of obesity in both children and adults. The rapid expansion of the fast food industry over recent decades has had a considerable influence over our eating habits, food purchasing and production; which in turn has affected not only our diet but also the nature and appearance of towns and cities. Where there are a proliferation of hot food takeaways within an area or where a hot food takeaway is in close proximity to a school, planning measures can be used so as to reduce the direct accessibility to unhealthy food and to contribute towards improving the health and well-being of people within the local area.

### 3.3 Issues

3.3.1 Restaurants, cafés and hot food takeaways raise a number of planning issues, and applicants should consider the guidance provided in relation to these issues at the earliest opportunity when submitting an application, to ensure that the proposal will be of highest quality and will comply with relevant planning policy requirements. The SPPS also seeks to improve health and well-being through the provision of local policies.

3.3.2 The following sections address each of the key planning issues and set out the type of supporting information that is likely to be required as part of a planning application in order to allow each of these issues to be fully considered.

3.3.3 Any planning application received for a restaurant, café or hot food takeaway which is not in any of the locations specified below, will be determined on its own merits, in accordance with broader policy, relevant development plans and other material considerations.

3.3.4 Applications for restaurants, cafés or hot food takeaways should be accompanied by the relevant information as outlined in Appendix 7.

### 3.4 Location within District Centres, Local Centres and along Arterial Routes

3.4.1 The vitality<sup>1</sup> and viability<sup>2</sup> of centres is affected by the balance of uses within them. This needs to be appropriately managed to ensure centres remain attractive locations for shoppers, with the primary focus on retail use. A strategic objective of the Plan Strategy (PS) is to support local economies by promoting development of suitable land and buildings to provide sustainable access to retail and other main town centre

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<sup>1</sup> A measure of how busy a centre is.

<sup>2</sup> A measure of the centre's capacity to attract ongoing investment for maintenance, improvement and adaptation to changing needs.

uses within the city centre and district centres ensuring the future needs are addressed and their continued vibrancy and viability is maintained.

- 3.4.2 The council recognises that restaurants, cafés and hot food takeaways make a contribution to the local economy and can be important to local communities, especially when they are part of a balanced mix of uses within district and local centres and along arterial routes. In recent years, changing shopping patterns and an increase in online shopping has led to fewer traditional shops. This has led to an increase in other uses such as hot food takeaways, and in some instances, these are highly concentrated in one area and can negatively impact upon the range of services available to local communities as well as intensifying the potential for negative amenity impacts
- 3.4.3 A survey was undertaken in 2020 to show the locations of Hot food bars within Belfast LGD (Appendix 1). This has been informed by a number of information sources including planning permissions, web-based research and site visits. However this is not considered an exhaustive list; there may be some premises omitted, or there may be some establishments which have subsequently closed or changed use. The survey included takeaway premises with no seating, and premises with seating but which appeared to have a dominant takeaway element. The survey did not include petrol stations and supermarkets with hot food bars as these do not normally require planning permission. This is useful in understanding their distribution across the city and where there are proliferations. Concentrations occur along certain sections of arterial routes. The council will be monitoring planning permissions for hot food bars and losses of hot food bars to other uses on a monthly basis to help inform the annual monitoring report.
- 3.4.4 When dealing with applications relating to new buildings, or the change of use of retail/non-retail premises to restaurants, cafés or hot food takeaways in district and local centres, a number of factors need to be considered:
- The impact of the development on the vitality and viability of the centre, and the need to retain local retailing. The proposal should not by itself, or cumulatively with other non-retail uses, undermine the primary role of the 'centre' in providing for local convenience shopping needs. In this respect, the following will be regarded as particularly relevant:
    - the level and nature of existing non-retail uses; and
    - the number of unimplemented valid planning permissions for change of use to restaurants, cafés and fast food outlets.
  - The impact in terms of the size of the premises and whether they can be absorbed without dominating the district or local centre in the visual sense.
  - Likely impact on the amenity of the centre itself. This will involve consideration not only of the matters referred to above but also the potential of the proposal to

adversely affect the ambience of the centre for other reasons, for example, problems with litter or excessive late night noise.

- The period for which the premises have been vacant and the general level of vacancy in the area. This will be dependent on the merits of each individual case.

3.4.5 Hot food takeaways will not be supported in district and local centres where the cumulative impact of introducing the facility would be detrimental to the vitality and viability of a centre and would adversely affect the balance between the day time and night time economy.

3.4.6 A hot food takeaway will be considered to be harmful to the vitality and viability of a centre if it:

- Increases the concentration of hot food takeaway ground floor frontages in a district or local centre to more than 10% of all non-residential ground floor frontages. In centres where the proportion of hot food takeaway ground floor frontages is approaching 10%, consideration will also be given to the impact of the proposal on the character of the area surrounding the application site. Applications will not normally be permitted if the proposal would lead to the proportion of hot food takeaway frontages being more than 10% of all non-residential ground floor frontages in a particular part of the centre concerned.
- Creates a cluster of more than two hot food takeaways together.
- Reduces the number of units between hot food takeaway clusters to less than two non-hot food takeaway uses.

3.4.7 An exception to the above is Belfast City Centre, as a key role of this centre is to serve the night time economy. In the city centre, hot food takeaway applications will be considered based on an assessment of the impact on the role and character of the surrounding area.

3.4.8 In centres where vacancy levels are more than 10%, the council will wish to see evidence that attempts have been made to fill the unit with a district or local centre use (other than hot food takeaway) before a hot food takeaway will be considered. Applicants will have to demonstrate that a retail use is not viable in the premises, and this would require evidence that the unit has been actively marketed for a retail use for a minimum of 12 calendar months. Where there is evidence of no demand for a preferable use, hot food takeaways may be considered favourably even if this would increase the proportion of hot food takeaways to above 10% of ground floor frontages.

3.4.9 A key consideration in the test of viability is the manner in which a premises has been marketed for continued retail use. A marketing statement and supporting evidence will be required in order to demonstrate that the premises has been appropriately

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marketed and that there is no current demand for retail use or other non-hot food takeaway use.

3.4.10 There are two stages to this marketing process which applicants should follow:

- marketing the re-use of the premises;
- marketing the redevelopment of the premises for retail purposes.

3.4.11 The council expects retail premises to be actively marketed for at least 12 months before an application for redevelopment or change of use to a hot food takeaway within a district or local centre can be considered. It may be necessary to review the effectiveness and quality of the marketing campaign every 6 months.

3.4.12 Where relevant the marketing strategy will also need to consider the potential to refurbish or redevelop the site in part or in whole to meet the requirements of alternative retail uses.

3.4.13 A marketing statement should be submitted with the planning application, setting out the details of the marketing strategy that has been undertaken. It should also be noted that where there is an existing retail use then the council will require evidence that the tenant intends to move out.

3.4.14 The marketing statement should target potential occupiers with a variety of means. As a minimum, the following measures should be used:

- the market price and an indication of this price relative to those prevailing for similar premises in the local market. Where possible, at least three examples should be provided of completed transactions involving a similar site or building. This should also include details of an independent valuation;
- any reductions in market price made during the course of marketing;
- the marketed use of the premises (the council will expect retail premises to be marketed in a way that identifies all the options available in retaining the site in retail use);
- a monthly breakdown detailing contact details of interested parties in the property; all expressions of interest/offers received including rental interest, progress and negotiations undertaken including any offers made and reasons for these being rejected. Where possible, the applicant should obtain from interested parties, reasons/explanations as to why they were not able/willing to proceed; and
- the council reserves the right to contact any party who has expressed an interest and to provide details of the land/property to any party, which it feels may be interested in purchasing/occupying the premises for occupation, investment or redevelopment purposes.

3.4.15 The marketing statement shall also include the following:

- A copy of the dated letter of instruction to the commercial agent and dated copies of the agent's property details should be included within the marketing report.
- The property details (particulars) should as a minimum detail:
  - good quality internal and external photographs;
  - the type of the property/site;
  - the size of the property/site;
  - address and location information;
  - leasehold rent and/or freehold sale price;
  - the current permitted use and potential retail/non-retail (commercial) uses, subject to planning permission;
  - services;
  - asking price;
  - any restrictions, conditions or covenants;
  - known cost such as service charges, rateable value;
  - terms/conditions associated with the sale and the site tenure – leasehold/freehold etc;
  - web-based marketing through the appointed commercial agent's website and other relevant search engines. All evidence should be properly dated;
  - advertising within publications, such as the local press and any publications produced by local business networks and support agencies. Dated copies of these advertisements should be included in the marketing report; and
  - the continuous display of a for sale/lease board must be displayed on site.

3.4.16 In all cases, the applicant will firstly be expected to have undertaken a marketing strategy to determine the demand for the premises for retail purposes. Until this has been undertaken, change of use or redevelopment to a hot food takeaway will not be considered. The campaign should be up-to-date and relevant to the current owner of the premises; and not partially carried out by a previous owner or out of date. If demand has been established at a premises for retail use, this is taken as evidence of a need to retain the site for such purposes. The land or premises evidently perform a role in contributing to the vitality and viability of the centre and should be protected from alternative uses.

3.4.17 In order to avoid restaurants, cafés or hot food takeaways giving the appearance of a 'dead' frontage, and negatively impacting visual amenity, attention should be paid to:

- the scale of the proposal;
- the materials, colours and lettering to be used;
- the design and appearance of security shutters and grilles;
- the design and appearance of signage and means of illumination;
- the design and appearance of the ground floor in terms of its relationship to upper floors;
- the implications for access to upper floors;

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- the relationship to adjoining buildings; and
- the character of the surrounding area.

3.4.18 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. In order to avoid proliferation of restaurants, cafés and hot food takeaways along arterial routes, proposals for these establishments on such routes will be subject to the same considerations as those applicable to district and local centres.

### 3.5 Location of Hot Food Takeaways in Proximity to Schools

- 3.5.1 Within Belfast, around a quarter of children are either overweight or obese. Addressing obesity in children is a regional priority with a target of 3% reduction of obesity and 2% reduction of overweight and obesity levels in children in Northern Ireland by 2023. A core principle of the SPPS and the LDP is to improve health and well-being through the provision of local policies, and the Belfast Agenda seeks to ensure that everyone in Belfast experiences good health and well-being. Whilst hot food takeaways do not directly cause obesity, they generally provide cheap, energy dense and nutrient poor foods, acting as a barrier to improving health and well-being. A distance of 400m is recognised as a 5-10 minutes' walk, a reasonable distance which a child could walk during lunch or after school to purchase food.
- 3.5.2 A survey undertaken in 2020 (Appendix 2) demonstrate that a significant number of Hot food bars are located within a 400m radius of primary and post primary schools.
- 3.5.3 Where a hot food takeaway is proposed within 400 metres of a primary or secondary school, and the proposal meets planning policy in other respects, planning permission will only be permitted subject to the condition that opening hours are restricted to the following:
- a primary school: the hot food takeaway is not open to the public between 3pm to 5:30pm on weekdays;
  - a secondary school: the hot food takeaway is not open to the public before 5:30pm on weekdays.
- 3.5.4 The only exception to this approach will be where the proposal is within Belfast city centre, or a district or local centre and can demonstrate that the introduction of such a use will meet all other relevant recommendations, such as the proposal will not harm the vitality or viability of a centre, and will not result in an adverse impact upon neighbouring amenity.

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<sup>3</sup> A Fitter Future for All 2012-2022



### 3.6 Other Amenity Issues

3.6.1 Restaurants, cafés and hot food takeaways are often associated with a broad range of adverse impacts including noise and disturbance, odours, litter, vermin, road safety, traffic generation and anti-social behaviour.

#### **Noise and Disturbance**

3.6.2 Residential areas are likely to be more sensitive to noise disturbance, particularly at times such as the late evening and during the night. Local residents have a legitimate expectation that surrounding background noise so as not result in adverse impact at nearby existing residential development.

3.6.3 Noise associated with restaurants, cafés and hot food takeaways can emanate from a variety of sources, the main ones being:

- vehicles – e.g. deliveries loading/unloading, starting and revving of engines, screeching of tyres, sounding of horns, radios playing, opening and closing of doors, manoeuvring;
- people – the comings and goings of patrons and staff (talking, shouting, playing music) and, in particular, potential loitering of patrons late at night if near other late night uses such as pubs or nightclubs; and
- noise and vibration from plant and equipment (such as extraction systems, externally mounted refrigeration plant).

3.6.4 In certain cases, the harmful effects of noise and disturbance from restaurants, cafés and hot food takeaways can be overcome by planning conditions attached to a grant of permission. Conditions designed to prevent noise disturbance could include the following:

- restrictions on hours of opening;
- restrictions on the use of land within the curtilage of the premises (e.g. open areas to the front or rear of the premises such as smoking areas or beer gardens);
- installing and/or Upgrading the various elements of the building such as walls, floors, windows, doors, floors and ceilings etc to increase sound reduction performance of the structure;
- installation of self-closing external doors;
- the siting, installation and maintenance of any necessary equipment; and
- restrictions may be required on times of servicing as well as commercial collections and/or deliveries to proposed development.

3.6.5 Further to this, applications for restaurants, cafés and hot food takeaways should demonstrate how noise will be adequately mitigated so as to not adversely impact residential amenity. Where an application for a restaurant, café or hot food takeaway is located on an arterial route and in close proximity to residential units, a Noise Impact Assessment will be required to accompany the proposal.

3.6.6 Applicants should also refer to the council's 'Evening and Night-Time Economy SPG', which provides advice for proposed evening and late night social uses, and guidance on the agent of change principle. The agent of change principle places the responsibility for mitigating impacts from existing noise-generating activities or uses on to the new development. This ensures that existing land uses should not be unduly impacted by the development of new noise-sensitive uses.

3.6.7 Proposed restaurants, cafés and in particular hot food takeaways below or adjacent to existing residential units can present significant amenity concerns. Hot food takeaways due to their late night operation are likely to result in intermittent adverse impact on amenity as control of patron noise in particular will be difficult to mitigate and manage. Restaurants and cafés may be considered a more acceptable use in such close proximity to residential units, as the hours of operation can be controlled and by their nature, these premises do not tend to operate late at night.

### **Fumes and Odours**

3.6.8 Odours produced primarily as a result of the cooking process in restaurants, cafés and hot food takeaways can have a negative impact on amenity of nearby sensitive premises if not adequately controlled by means of extraction and odour control. The impact of cooking odours on amenity can be exacerbated if it is not possible to install extraction ducting to a height sufficient to ensure efficient dispersal of odours or where ducting terminates where atmospheric dispersal may also be restricted such as a courtyard. A higher level of odour control may be required in these cases.

3.6.9 Restaurants, cafés and hot food takeaways must install appropriate extraction and odour abatement systems to effectively disperse and reduce odours. Details of the proposed extraction systems and any additional odour abatement controls should be included with any planning application along with an odour risk scoring assessment in line with relevant EMAQ+ guidance to demonstrate how the level of odour control has been determined.

3.6.10 Commercial Extraction systems must:

- have minimal impact on visual amenity, including location and external finish;
- be acoustically attenuated where deemed necessary (usually informed by a noise impact assessment);
- be determined in line with the most recent version of relevant industry guidance 'Control of Noise and Odour from Commercial Kitchen Exhaust Systems'.
- not have an adverse impact on the amenity of neighbouring occupiers;
- be operated, serviced, cleaned and maintained in accordance with the manufacturer's instructions and industry best practice; and
- where appropriate, be improved to reflect any subsequent changes in the mode or type of cooking that could increase odours.

3.6.11 If odours cannot be reduced by means of discharge to 1m above ridge or 1m above eaves height and additional odour abatement technology, or if the extraction duct cannot be installed without significant detriment to visual amenity, planning permission may be refused. It may be possible, however, to demonstrate that additional odour abatement technology is available and can be installed to provide a very high level of odour control making a lower dispersal height acceptable. Where possible, however, a lower dispersal height should be avoided.

### **Refuse and Litter**

3.6.12 Litter is inherently unsightly and causes considerable annoyance to residents and adjoining businesses. It can also be prejudicial to regeneration efforts, particularly within centres. Restaurants, cafés and hot food takeaways can generate a significant volume of waste.

3.6.13 All planning applications for restaurants, cafés and hot food takeaways should:

- where possible, accommodate waste generated from the use of the premises on site. If within the curtilage of a building, bin stores should be adequately screened and be designed so as to respect the character of the area;
- consider how customer waste both on and off the premises will be managed e.g. external litterbins;
- propose suitable grease traps be installed on all drains for restaurants, cafés and hot food takeaways to prevent blockages and flooding of properties.

3.6.14 Further to this, refuse should not be left outside the premises e.g. on forecourts or on the public road (except for collection purposes).

3.6.15 Applicants should also refer to the council's 'Waste SPG', which provides advice on the appropriate location of waste facilities, and guidance for the effective disposal of waste.

### **Traffic Considerations and Car Parking**

3.6.16 Restaurants, cafés and hot food takeaways require regular deliveries to and from their premises, including at times when they are closed. In addition hot food takeaways rely on many short visits from customers whilst they are open; they are often located on busy urban or suburban main roads, and in some instances there can be limited or no car parking outside or in the immediate vicinity of the premises. Customers and delivery drivers may be tempted to indulge in short stay parking of an opportunistic and possibly dangerous nature, for example, near to junctions or within the approaches to pedestrian crossings. Combined with the manoeuvring of vehicles and the additional movements of vehicles stopping at and leaving the premises, the free

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flow of traffic on main roads can be obstructed, causing congestion and inconvenience and jeopardising the safety of other road users.

- 3.6.17 Inadequate car parking provision may also lead to an increase in parking in adjacent streets where parking problems may already exist, causing inconvenience to residents. Hot food takeaways cause most parking problems in the evenings and at weekends, when the demand for on-street parking spaces by residents is heaviest. The council will have regard to the availability of kerbside spaces and any off-street parking provision. It should also be noted that the noise generated from the parking of cars and the movement of people to and from their cars, can affect neighbouring amenity.
- 3.6.18 Adequate arrangements must also be made for the servicing of the premises, both by delivery vehicles and for refuse collection. Ideally this should occur away from the main road.
- 3.6.19 Each case will be assessed on its own individual merits and advice from DfI Roads will be fully considered.

### **Outdoor Seating on Pavements**

- 3.6.20 Restaurants, cafés and hot food takeaways may propose to include outdoor seating and furniture to the front of their premises (on a public footpath), to enable customers to eat and drink outside. Details and drawings of such areas should be included within any planning application. The owner of the pavement will also have to be notified as part of the application submission.
- 3.6.21 Applicants should consider:
- hours of operation;
  - pedestrian/vehicular access to and from the premises;
  - size and layout of outdoor seating area;
  - furniture design;
  - outdoor seating should not interfere with pedestrian flow.
- 3.6.22 Restaurants, cafés or hot food takeaways that propose to include outdoor seating on a pavement should refer to the council's pavement café licensing guidance, which provides information for applicants on issues to consider when applying for a pavement licence.

## 4 Bookmaking Offices

### 4.1 What is a Bookmaking Office?

- 4.1.1 A bookmaking office is an establishment that is licensed to enable betting within the premises. Bookmaking offices are not considered to be a retail use and do not fall within any use class of the Planning (Use Classes) Order (Northern Ireland) 2015; as such, they are considered a Sui Generis use. It is therefore a form of development for which further guidance and clarification is appropriate to ensure the unique nature of the development can be adequately assessed.
- 4.1.2 Additionally, to operate within the law, bookmaking offices are required to be licensed under the Betting and Gaming (Northern Ireland) Order 2004, and the Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985. It is a matter for the applicant to decide in what order they will seek a licence and apply for planning permission. Normally, however, planning permission is sought first. Planning permission cannot be withheld solely on the grounds that the premises have not been licensed. Applicants should note that planning permission does not guarantee that a licensing application will be granted; for instance, licensing regulations restrict the number of bookmaking offices in a local area to no more than two.
- 4.1.3 The two forms of control, planning and licensing, are quite distinct and should not be confused. The council's Planning Service will deal only with those aspects of the proposal which are relevant to planning. Since the 1985 Act allows the licensing authority to consider matters such as the need for new premises having regard to the facilities already existing and social issues, the local planning authority takes the view that planning powers should not duplicate the provisions of other legislation.

### 4.2 Issues

- 4.2.1 Bookmaking offices raise a number of planning issues including reducing the vitality and viability of shopping centres, discouraging shoppers, and generating noise, litter, traffic and disturbance which may be detrimental to the amenities of an area. Applicants should consider the guidance provided in relation to these issues at the earliest opportunity when submitting an application for a bookmaking office, to ensure that the proposal will be of highest quality and will respond to relevant planning policy requirements.
- 4.2.2 The impact of bookmaking offices can be two-fold. There is the physical location of a bookmaking office and its impacts upon the amenities of an area as outlined above; and there are the personal impacts of a bookmaking office including exacerbating mental health problems, enabling gambling addictions and increasing anti-social

## Creating a vibrant economy

behaviour. The SPPS states that when plan-making and decision-taking planning authorities should contribute positively to health and well-being through supporting broader government policy.

- 4.2.3 A survey of bookmaking offices in Belfast LGD can be found in Appendix 3. Surveying existing bookmaking offices in Belfast is important as the council can establish whether this guidance can help to address any outstanding locational issues e.g. hotspots or clusters; whether there are locations which would not be preferable, such as wholly residential areas. The survey indicates that the majority of bookmaking offices outside the city centre are located along arterial routes; and there are more bookmaking offices located in the west of the city (along the Falls Road and Shankill Road arterial routes) than in the east, north or south of the city. The Falls Road and the Shankill Road are considered high deprivation areas. There does not appear to be any bookmaking offices located within wholly residential areas.
- 4.2.4 Further information regarding bookmaking offices and mental health/gambling can be found in Appendix 5.
- 4.2.5 In considering applications for bookmaking offices, the council will consider the proper location, the effect on adjoining property, the potential for adverse amenity impact associated with noise, litter car parking, and the appearance and design, particularly where the proposal lies within an existing or proposed Conservation Area.
- 4.2.6 Proposals for bookmaking offices are unlikely to receive favourable consideration from the council if located in a predominately residential area. In such locations noise, litter, general disturbance and the generation of additional traffic, both vehicular and pedestrian, would likely give rise to an adverse impact on amenity and cause inconvenience to neighbours.
- 4.2.7 Additionally, bookmaking offices may be acceptable in a town centre or out-of-town or edge-of-town shopping centre.
- 4.2.8 The question of loss of retail floor space and the fact that the proximity of bookmaking offices may discourage the location of certain types of retail outlet will be considered when appropriate. In some instances it may be possible for bookmaking offices to locate on the upper floors of a building, thus avoiding the problems associated with breaks in the continuity of shopping frontage.
- 4.2.9 Bookmaking offices by the nature of the activities carried on generate a certain amount of noise, litter and disturbance, which may be detrimental to the amenities of an area. In dealing with proposals to establish such premises the council will consult the council's Environmental Health. Their advice will be considered when deciding if

further supporting information is required such as a noise impact assessment and/or when formulating conditions to be attached to a planning permission.

- 4.2.10 The amount of car parking provision required for bookmaking offices is dependent upon published parking standards and in consultation with DfI, however cognisance will be taken of the local context and each application will be considered on its own merits. It is recognised, though, that the Plan Strategy encourages active travel.
- 4.2.11 In considering proposals for bookmaking offices in shopping centres and streets, and particularly in Conservation Areas, the council will pay particular attention to design to ensure that it does not mar the street frontage and that the nature and colour of the external finishes are compatible with surrounding properties. This can be achieved by the provision of shop-window type displays and a fascia and lettering that is compatible with surrounding retail outlets. Designs which are fundamentally alien to the existing character of an area or building are not acceptable e.g. blank frontages with high level windows.

## 5 Amusement Centres

### 5.1 What is an Amusement Centre?

- 5.1.1 An amusement centre is defined as a premises which is being used wholly or mainly for amusement by gaming machines. They can also comprise bingo halls, and can include pinball tables and video games.
- 5.1.2 Amusement centres are not considered to be a retail use and do not fall within any use class of the Planning (Use Classes) Order (Northern Ireland) 2015; as such, they are considered a Sui Generis use. It is therefore a form of development for which further guidance and clarification is appropriate to ensure the unique nature of the development can be adequately assessed.
- 5.1.3 Bingo halls fall within use class D2(a) (Assembly and Leisure) of the Planning (Use Classes) Order (Northern Ireland) 2015; however given the nature of the use it is a form of development for which further guidance and clarification is appropriate to ensure the unique nature of the development can be adequately addressed.
- 5.1.4 To operate within the law, some amusement centres may also require an amusement permit under the Betting and Gaming (Northern Ireland) Order 2004 and the Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985. Bingo halls are different in that they require a bingo club license from the Magistrates Court to operate within the law.
- 5.1.5 The two forms of control relevant to some amusement centres are quite distinct and should not be confused.

### 5.2 Issues

- 5.2.1 Amusement centres and bingo halls raise a number of planning issues including reducing the attractiveness and character of an area, and generating noise, litter, traffic and disturbance, which may be detrimental to the amenities of an area. Applicants should consider the guidance provided in relation to these issues at the earliest opportunity when submitting an application for an amusement centre or bingo hall, to ensure that the proposal will be of highest quality and will respond to relevant planning policy requirements. Applicants should also refer to the council's 'Amusement Permit Policy', which provides guidance on applications for amusement permits in the Council area.



- 5.2.2 The impact of amusement centres and bingo halls can be two-fold. There is the physical location of an amusement centre and its impacts upon the amenities of an area as outlined above; and there are the personal impacts of an amusement centre, including exacerbating mental health problems, enabling gambling addictions and increasing anti-social behaviour. Further information regarding amusement centres and mental health/gambling can be found in Appendix 5.
- 5.2.3 A survey of amusement centres and bingo halls in Belfast LGD can be found in Appendix 4. Surveying existing bookmaking offices in Belfast is important as the council can establish whether this guidance can help to address any outstanding locational issues e.g. hotspots or clusters; whether there are locations which would not be preferable, such as wholly residential areas. The survey indicated that the majority of amusement centres are located within the city centre. Outside the city centre, amusement centres and bingo halls are more sporadically located, with the majority situated along arterial routes. It is evident that the majority of amusement centres are usually located close to bookmaking offices.
- 5.2.4 The impact of an amusement centre on the amenity and character of an area will usually depend on the location of the premises in relation to other development, its appearance, the type of amusement to be provided, the impact on neighbouring amenity and the hours of operation. Regarding the location, amusement centres are not normally acceptable near residential properties or in close proximity to schools, churches, hospitals or hotels. In a Conservation Area or other area of special architectural or historic interest, amenity value may be higher and here, the major consideration will be the effect of the proposal upon the general character of the area. In areas where one amusement centre may not be out of place, it would be permissible to take into account the effect of larger numbers on the character of a neighbourhood.
- 5.2.5 In towns where there is no provision for areas for amusement or entertainment, amusement centres are usually best sited in districts of mixed commercial development. In areas where shopping is the predominant use, the likely effect of the development on the character of the shopping centre is relevant. An important consideration will be whether an amusement centre would break up an otherwise continuous shopping frontage; and although this can be mitigated by attention to the design of the façade and entrances, it may, nevertheless be a serious objection in some shopping streets.
- 5.2.6 The kinds of amusement offered will determine the number of people visiting the centre at any one time and the likelihood of crowding and disturbance. Sessional events such as bingo cause greater concentrations of people at certain times than casual forms of amusement.

## Creating a vibrant economy

- 5.2.7 The opening hours of an amusement centre are important in some cases. An amusement centre may be disturbing to occupants of neighbouring properties if it stays open late in the evenings and at weekends. An amusement centre which is only open during the day may, in certain areas, be more acceptable than one which stays open late at night. Should such a condition be attached to a planning permission, applicants should communicate this at Amusement Permit application stage.
- 5.2.8 Amusement centres may be noisy and although it may be possible to minimise noise by sound proofing and by limiting the area open to the street, the amount of noise likely to be caused directly or indirectly and its effects on nearby development should always be taken into account in considering the siting of such premises. A management plan may be required to address noise associated with patrons congregating outside to smoke and/or to manage noise during egress at closing time in the case of larger premises. This may, however, be of less consequence in an area where there is already considerable noise from other sources and/or are some distance from sensitive premises.
- 5.2.9 The impact of a bingo hall upon traffic and road safety merits special consideration where the premises fronts onto a busy traffic route, is near to a dangerous road junction, or is so sited that many visitors arriving on foot will have to cross a busy road or use an inadequate footway. The effect on the highway usage will depend to some extent on the amusement centre's activities. For example, large concentrations of people at the beginning and end of bingo sessions held at an amusement centre would have a different effect from the same number of people arriving and departing over a longer period.

## 6 Pubs and Nightclubs

### 6.1 What are Pubs and Nightclubs?

- 6.1.1 The primary functions of public houses and nightclubs is the sale of intoxicating liquor by retail for consumption either on or off the premises. Although commercial in nature, pubs and nightclubs do not fall within any use class of the Planning (Use Classes) Order 2015 and are considered Sui Generis uses. Public houses and nightclubs are therefore forms of development for which further guidance and clarification is appropriate to ensure their unique nature can be adequately assessed.
- 6.1.2 To legally sell intoxicating liquor, pubs and clubs are required to be licensed under The Licensing (Northern Ireland) Order 1996. The applicant should secure planning permission for a pub or club before applying to the court for a liquor licence.
- 6.1.3 Where premises propose to have live entertainment or a disco, they must be licensed as a place used for public entertainment under the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985. The Licensing Authority (Belfast City Council) will then consider the suitability of the premises for the proposed use, having regard to issues including, public safety, the capacity of the venue, possible fire hazards, fire escape, health and safety issues, floor strength, safe ingress and egress and also potential noise disturbance to neighbouring properties. In planning terms, the provision of passive entertainment such as background music is considered an ancillary use in a public house.
- 6.1.4 A significant number of public houses often serve food or have a restaurant element. Where the restaurant element of a premises is equal to or larger than the pub element, then an application should be made for change of use. In addition, some public houses contain pool tables, snooker tables, slot machines or video games. Such activities are often ancillary to the main use of these premises, and are therefore outside the control of the local planning authority

### 6.2 Issues

- 6.2.1 Public houses and nightclubs raise a number of planning issues, and applicants should consider the guidance provided in relation to these issues at the earliest opportunity when submitting an application, to ensure that the proposal will be of highest quality and will respond to relevant planning policy requirements.
- 6.2.2 A survey of pubs and nightclubs in Belfast LGD can be found in Appendix 6.

## Creating a vibrant economy

- 6.2.3 Social clubs also raise a number of planning issues, as they are generally places where a group of people regularly meet, formed around a common interest or activity. Alcohol is usually served on the premises. Applicants for social club premises should consider the guidance provided in relation to pubs when submitting an application, as many of the planning issues related to pubs are relevant for social clubs, including location, effect on adjoining property, noise, litter and disturbance.
- 6.2.4 In considering applications for pubs and nightclubs the council will consider the proper location, the effect on adjoining property, the question of noise, litter and disturbance, traffic safety, and the appearance and design of the proposal for the premises.
- 6.2.5 There may be a number of suitable locations for pubs and nightclubs, provided that problems of noise can be minimised and other amenity and traffic considerations are met. For example, a suitable location for a public house may be on the edge of a residential estate, in an area of mixed land uses or within a city, district or local centre. A suitable location for a nightclub may be in an area of mixed land uses or within a city, district or local centre. Pubs and nightclubs will not generally be acceptable within a wholly residential area, owing to the problems of noise and disturbance which may arise, and also the possible traffic hazards associated with heavy lorries delivering supplies, and customers arriving and leaving by car late into the night.
- 6.2.6 The amount of car parking required for a public house or nightclub is dependent upon its location and size. Each application will be considered on its own merits. However, it should be noted that since heavy lorries are likely to be delivering supplies to pubs and nightclubs, rear servicing of the establishment is preferable to on-street delivery.
- 6.2.7 It is possible to reduce the likelihood of excess noise emanating from a pub or nightclub (for instance from live entertainment, discos, general noise disturbance) by the use of structural mitigation measures including; sound proofing, non-openable windows, self-closing acoustically sealed doors/lobbies on entrance and exits. Operational measures may also be appropriate such as: imposing a music noise limit by way of a noise assessment, a curfew on hours of access to outdoor areas and/or a curfew on consumption of alcohol in these areas, and management of patron dispersal at closing time. Where the proposed pub or nightclub involves a change of use of an existing building, modifications to meet acceptable noise levels may not be possible, or if possible, may not be economically viable. In such circumstances, the applicant may be asked to demonstrate, often by submission of a noise impact assessment, what feasible measures they propose to implement to reduce noise. These measures will be considered in consultation with the Council's Environmental Health service and Building Control service as part of the application process.

- 6.2.8 Applicants should also refer to the council's 'Evening and Night-Time Economy SPG', which provides advice for proposed evening and late night social uses, and guidance on the agent of change principle. The agent of change principle places the responsibility for mitigating impacts from existing noise-generating activities or uses on to the new development. This ensures that existing land uses should not be unduly impacted by the development of new noise-sensitive uses.
- 6.2.9 A proposed extension to a public house requires planning permission regardless of the size of that extension. When considering such extensions, account will be taken of the likely effects of the intensification of the existing use on the surrounding area. For example, the suitability of any existing access and parking facilities to accommodate additional customers will be carefully considered, as well as any loss of amenity due to an increase in noise and disturbance.
- 6.2.10 Pubs and nightclubs may propose to include outdoor seating and furniture to the front of their premises (on a public footpath), to enable customers to eat and drink outside. Details and drawings of such areas should be included within any planning application. The owner of the pavement will also have to be notified as part of the application submission.
- 6.2.11 Applicants should consider:
- hours of operation;
  - pedestrian/vehicular access to and from the premises;
  - size and layout of outdoor seating area;
  - furniture design;
  - outdoor seating should not interfere with pedestrian flow.
- 6.2.12 Pubs and nightclubs that propose to include outdoor seating on a pavement should refer to the council's pavement café licensing guidance, which provides information for applicants on issues to consider when applying for a pavement licence.
- 6.2.13 Pubs and nightclubs can also generate a loss of amenity due to external noise and disturbance, particularly from customers using beer gardens or external smoking areas, and when leaving the premises late at night. The arrival and departure of delivery lorries, and the loading and unloading of deliveries can also generate noise disturbance. With any proposal for a pub or nightclub the applicant should outline measures to address these issues and to reduce any potential impacts upon neighbouring residents.
- 6.2.14 Applications for a dedicated smoking area, often described as a 'smoking shelter' and/or applications for beer gardens and terraces can be associated with significant negative impact on amenity due to noise, smoke, litter and anti-social behaviour.

## Creating a vibrant economy

- 6.2.15 Applications may be required to be supported by a noise impact assessment which demonstrates physical and operational measures to minimise adverse amenity impacts outlined in para 6.2.14. The extent of mitigation will depend on the location of the proposed external area to other sensitive premises. Examples of physical mitigation measures may include acoustic screening and/or measure to reduce breakout noise such as: keeping windows shut and installing double lobby access doors which are also self-closing. Operational measures may include prohibiting or limiting the playing of amplified/non-amplified sound, restricting the number of patrons, management of behaviour, curfew on hours of use, or prohibition of the consumption of alcohol (in case of smoking areas) or a curfew on the hours that alcohol can be consumed in such areas to minimise loitering.
- 6.2.16 Applicants shall be recommended to seek advice from the council's tobacco control officers with regard to the design of smoking enclosures to ensure compliance with the relevant legislation in relation to percentage of enclosed area, particularly if noise mitigation by way of an acoustic barrier/enclosure is recommended

## Appendix 1: Restaurants, Cafés and Hot Food Takeaways within District and Local Centres, and along Arterial Routes

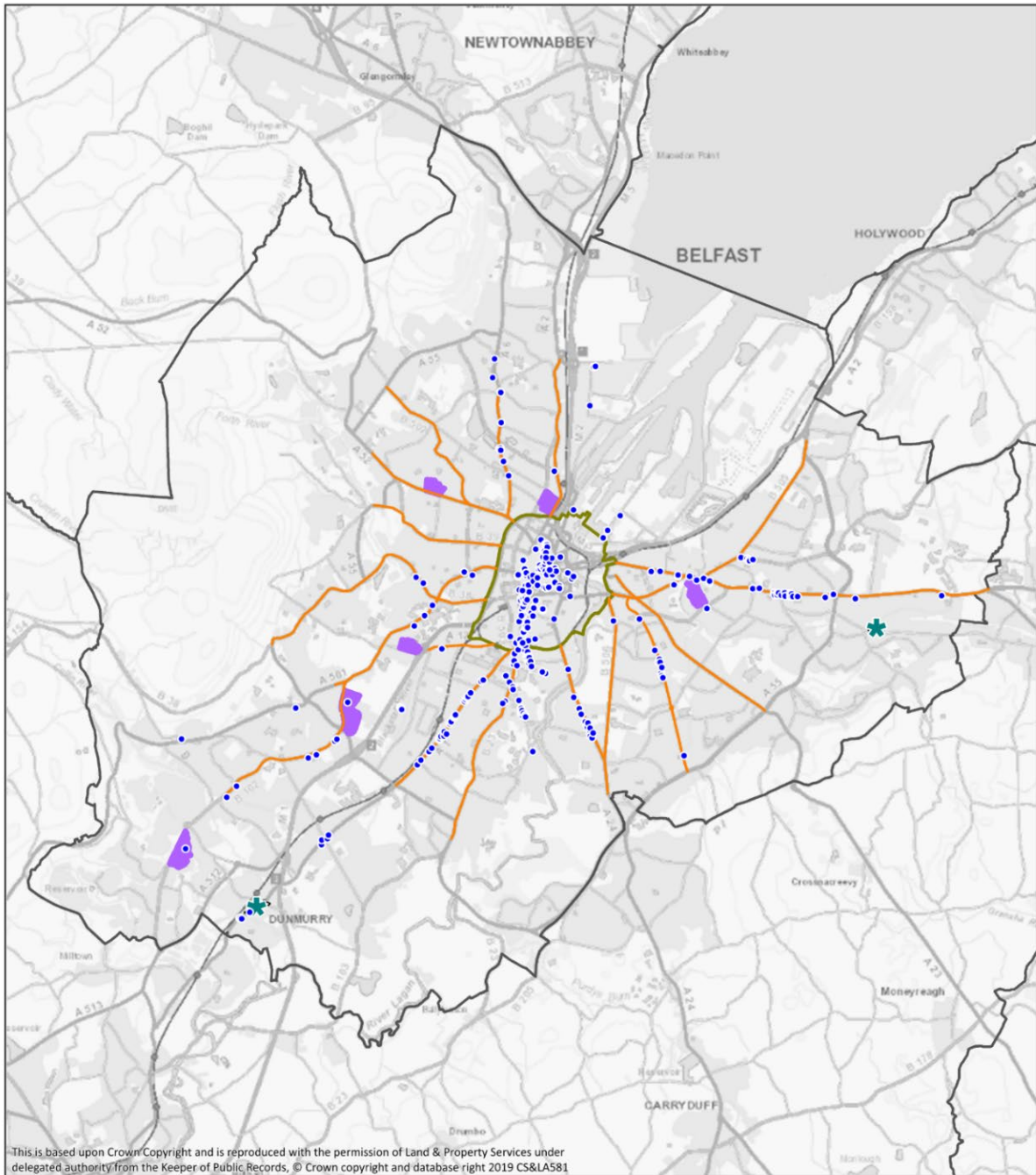
Whilst restaurants, cafés and hot food takeaways complement the main convenience shopping function of district and local centres, when compared to other retail uses, they are more likely to have a detrimental impact on amenity, the retail character and vitality of shopping areas. Where concentrations of restaurants, cafés or hot food takeaways occur in centres, they can pose a threat to the primary role of the centre in providing for local convenience shopping needs. Hot food takeaways can also often be shuttered up during the day, leading to dead frontages and a loss of visual amenity.

The council have undertaken a survey of the locations of restaurants and cafés within Belfast LGD. This has been informed by a number of information sources including planning permissions, web-based research and site visits. However this is not considered an exhaustive list; there may be some premises omitted, or there may be some establishments which have subsequently closed or changed use. The survey included restaurants within mixed-use premises but only those which appeared to have a dominant restaurant/café element. The survey did not include sandwich bars or coffee shops as these types of premises are considered to fall under an A1 (retail) use class. Map 1 shows the location of restaurants and cafés in the district and cross-referenced against the city centre, existing district and local centres, and along arterial routes.

The map shows that there are 119 restaurants and cafés located within Belfast city centre. Outside of the city centre the majority of restaurants and cafés are located along arterial routes, with hotspots along the Lisburn Road, lower Ormeau Road, Botanic Avenue and surrounding Queen's University area, and within Ballyhackamore. There are fewer restaurants and cafés located within the west and the north of the city.

The council is committed to monitoring the location of restaurants and cafés within Belfast on an annual basis.

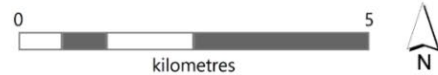
Map 1: Location of Restaurants and Cafés in Belfast



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**Location of Restaurants and Cafés in Belfast**

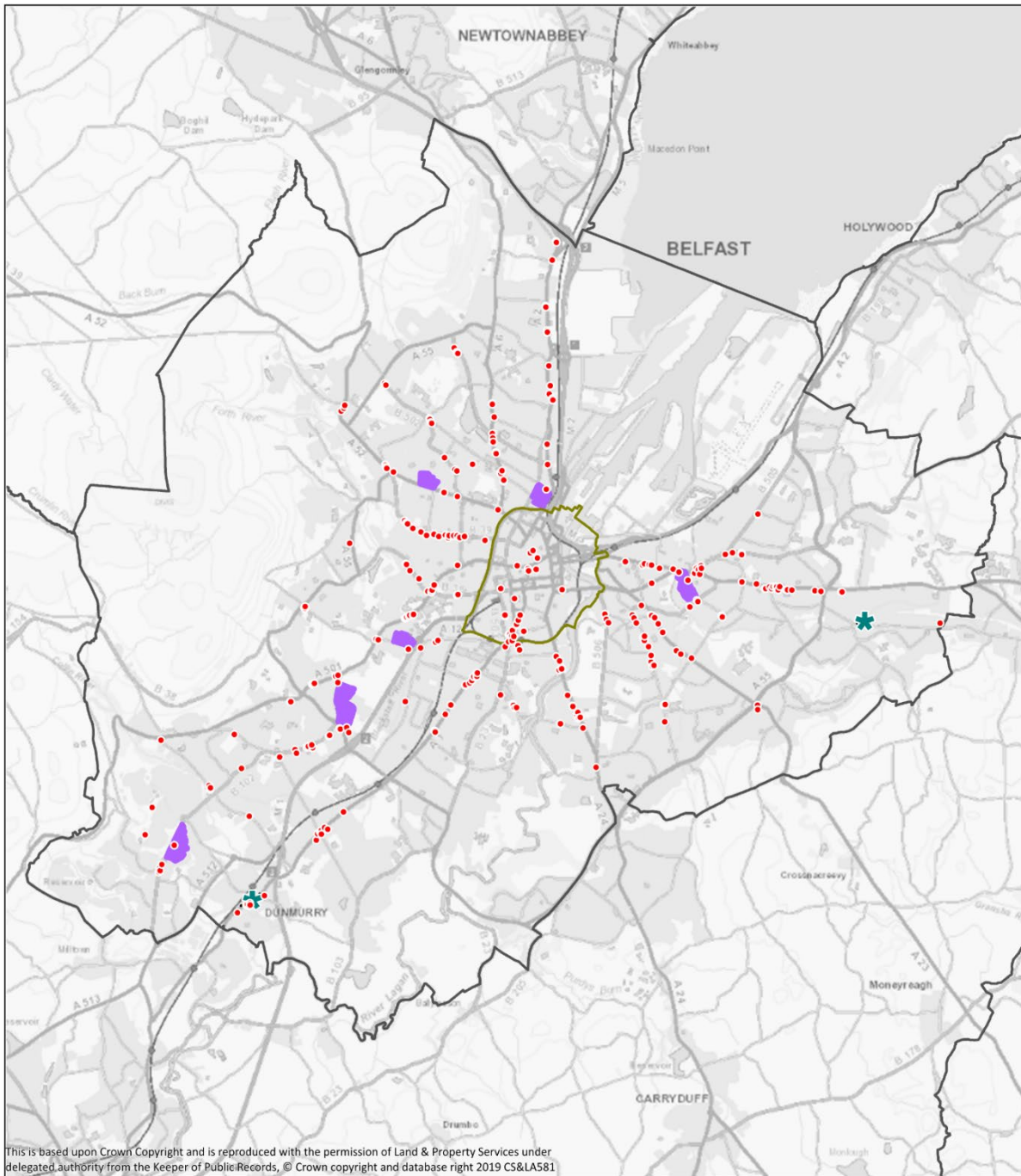
- Restaurant or Café \*
- City Centre
- District Centre
- ✱ Local Centre
- Arterial Route



\* Sources: Web-based research, planning permissions, site visits (2020)



Map 2: Location of Hot Food Takeaways in Belfast and Centres

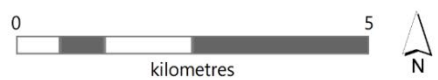


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**Location of Hot Food Takeaways in Belfast and Centres**

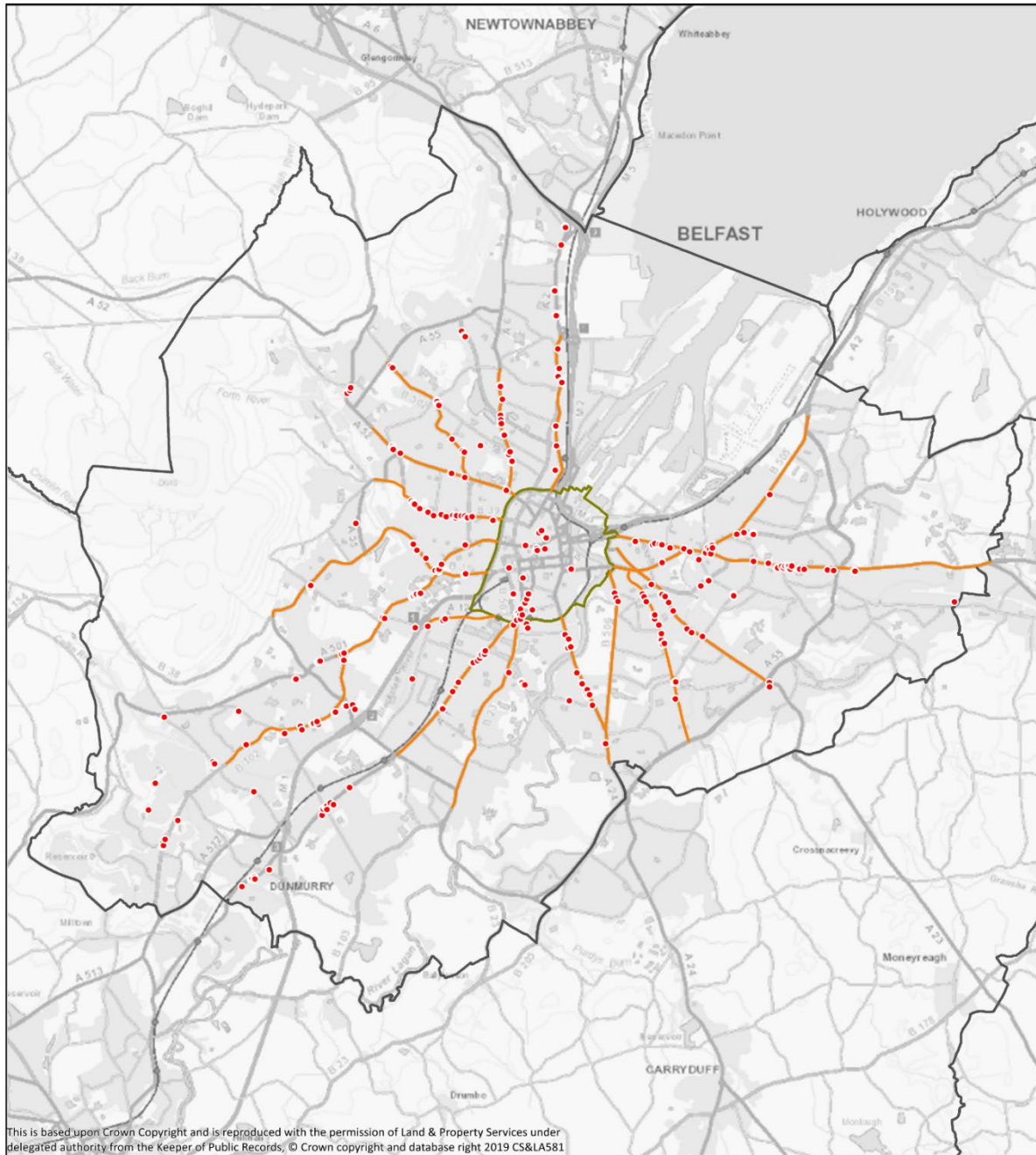


- Hot Food Takeaway \*
- City Centre
- District Centre
- Local Centre



\* Sources: Web-based research, planning permissions and site visits (2020)

Map 3: Location of Hot Food Takeaways in Belfast and Arterial Routes

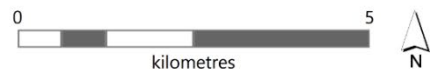


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**Location of Hot Food Takeaways in Belfast and Arterial Routes**



- Hot Food Takeaway \*
- ▭ City Centre
- Arterial Route



\* Sources: Web-based research, planning permissions and site visits (2020)

## Appendix 2: Hot Food Takeaways – Location and Proximity to Schools

Figures released in November 2018<sup>4</sup> showed that 62% of adults in Northern Ireland were either overweight or obese; with 56% of women classed as either overweight or obese, and 68% of men classed as either overweight or obese. This is an increase from figures released in 2012<sup>5</sup>, where approximately 59% of adults in Northern Ireland in 2010/2011 were either overweight or obese. Figures for childhood obesity in Northern Ireland in 2018/2019 were also a cause for concern, as around a quarter (27%) of children aged 2-15 were classed as either overweight or obese<sup>6</sup>.

Within Belfast LGD, figures released in September 2019<sup>7</sup> showed that 59% of adults were either overweight or obese. Whilst this is lower to the regional figures for Northern Ireland, this is an increase from 2010/2011 when approximately 56% of adults in Belfast were either overweight or obese.

In 2016/17 – 2018/19, approximately 21% of primary 1 children in Belfast LGD were either overweight or obese and approximately 30% of year 8 children were either overweight or obese<sup>8</sup>. Belfast LGD contains the nine most deprived Super Output Areas (SOA) in Northern Ireland; and the levels of childhood obesity in year 8 children in these areas was slightly higher than the LGD as a whole. In 2016/17 – 2018/19, approximately 21% of primary 1 children in the most deprived areas in Belfast were either overweight or obese, whilst approximately 33% of year 8 children in the most deprived areas in Belfast were either overweight or obese<sup>9</sup>.

Addressing obesity in children is a regional priority with a target of 3% reduction of obesity and 2% reduction of overweight and obesity levels in children in Northern Ireland by 2022<sup>10</sup>. A core principle of the SPPS is to improve health and well-being through the provision of local policies, and the Belfast Agenda seeks to ensure that everyone in Belfast experiences good health and well-being. Whilst hot food takeaways do not directly cause obesity, they generally provide cheap, energy dense and nutrient poor foods, acting as a barrier to improving health and well-being.

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<sup>4</sup> HSNi First Results 2018/2019

<sup>5</sup> HSNi Obesity Analysis 2010/2011

<sup>6</sup> HSNi First Results 2018/2019

<sup>7</sup> HSNi Trend Tables September 2019

<sup>8</sup> Health Inequalities Annual Report 2020

<sup>9</sup> Health Inequalities Annual Report 2020

<sup>10</sup> A Fitter Future for All 2012-2022

## Appendices

Research indicates that children attending schools near fast food outlets are more likely to be obese than those whose schools are more inaccessible to such premises<sup>11</sup>. This is more likely to be the case for secondary school children as they are more independent and able to access unhealthy food themselves. A distance of 400m is recognised as a 5-10 minutes' walk, or reasonable distance which a child could walk during lunch or after school to purchase food.

Within Belfast, around a quarter of children are either overweight or obese, and these figures are even higher in the most deprived wards in the LGD. The council has undertaken a survey of primary and secondary schools within Belfast LGD and identified a 400m buffer zone around each school (approximately 5-10 minute walk). These have been cross-referenced against the locations of existing hot food takeaways within Belfast and shown on Map 4.

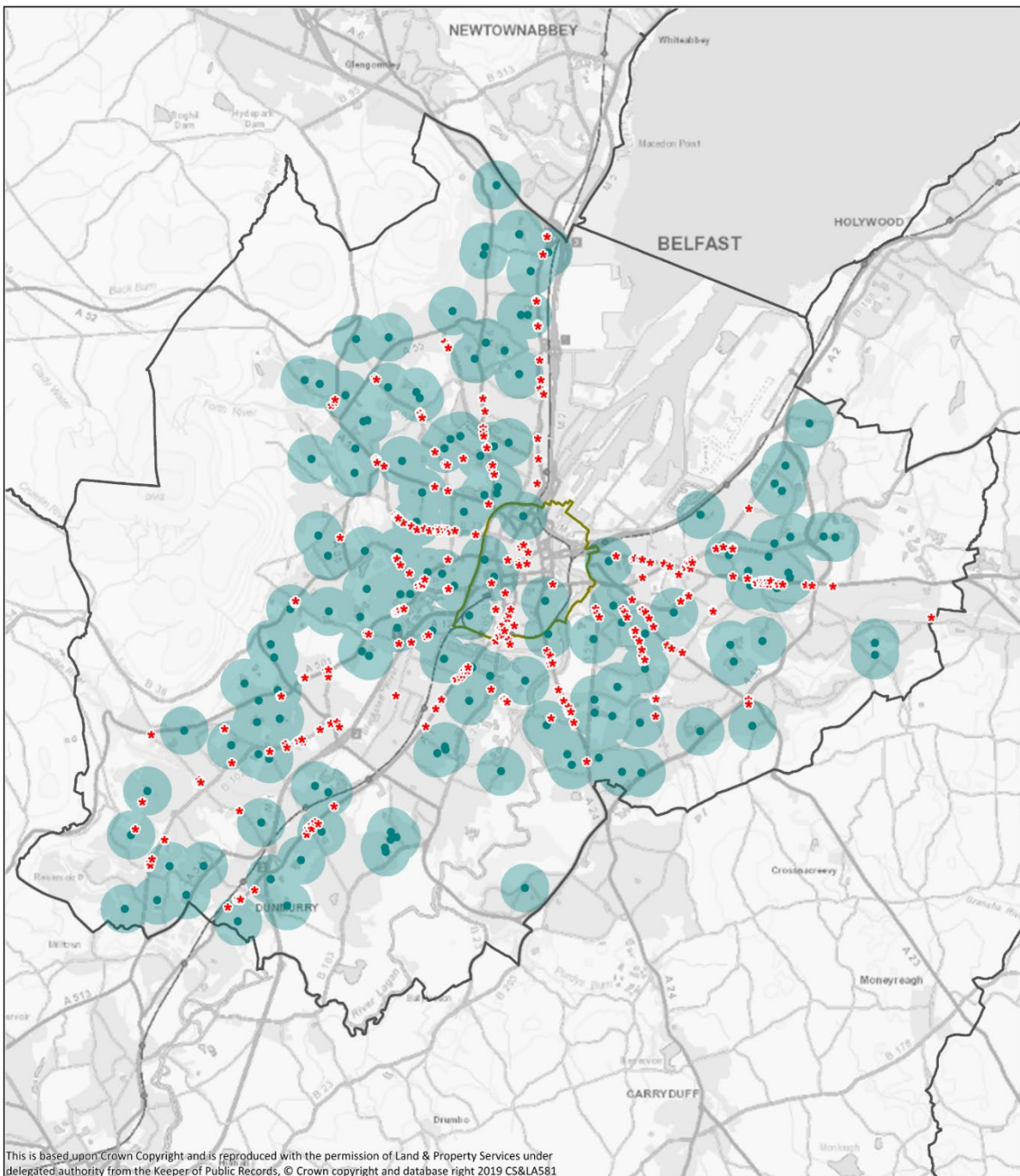
The map shows that just over half of the schools surveyed within the LGD have at least one hot food takeaway within their 400m buffer zone. There is one secondary school which has 15 hot food takeaways within its 400m buffer zone, and there are two schools which have 14 hot food takeaways within their 400m buffer zone. Regarding secondary/grammar schools (where pupils are usually able to leave the school during lunchtimes), around half of the schools surveyed have at least one hot food takeaway within their 400m buffer zone.

It is assumed that the majority of schools in Belfast currently have healthy eating policies, which could be undermined by the proximity of hot food takeaways. Reducing children's exposure and easy access to hot food takeaways can reduce access to foods high in fat, salt and sugar. It is recognised that half of the schools surveyed do not have a hot food takeaway within their 400m buffer zone. However, in order to improve health and well-being amongst young people and to support one of the core principles of the SPPS, during times when children are making food choices, such as lunchtime and after school, the environment and availability of hot food takeaways should not encourage unhealthy food choices.

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<sup>11</sup> Engler-Stringer et al. 2014

**Map 4: Location of Hot Food Takeaways in Belfast and Schools with 400m Buffer Zone**



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**Location of Hot Food Takeaways in Belfast and Schools with 400m Buffer Zone**



- \* Hot Food Takeaway \*
- \* School \*
- 400m Buffer Zone



\* Sources: Web-based research, planning permissions and site visits (2020)

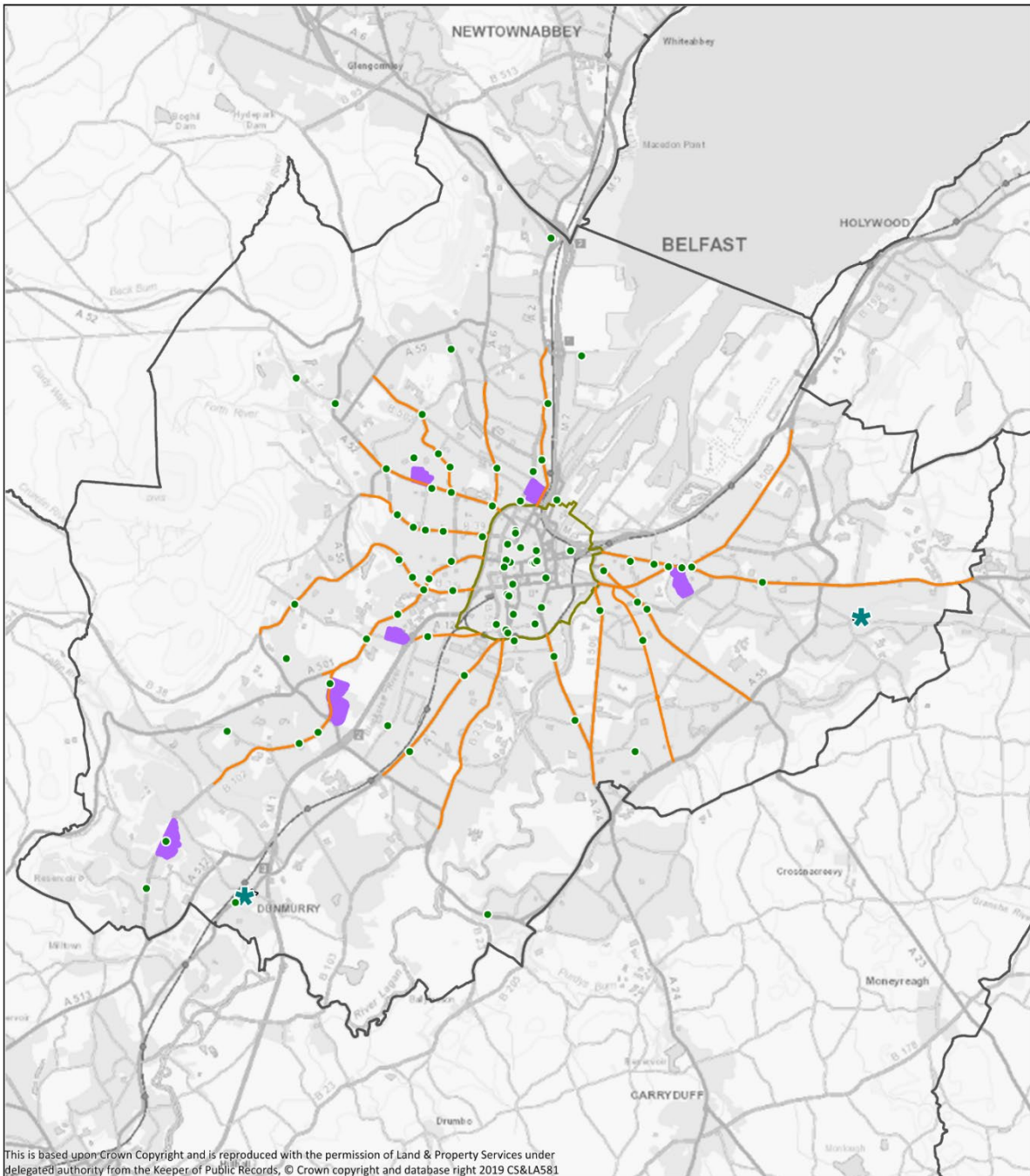
## Appendix 3: Bookmaking Offices

The council has undertaken an assessment of bookmaking offices within Belfast LGD. The baseline information was sourced from the council's Licensing department, who provided a list of bookmakers who renewed their licence in court in 2019. This information was supplemented by a desktop exercise to ensure that all premises identified in the baseline information was accurate; this included a systematic check of the store locator function on the websites of a number of major betting shop chains. However, this is not considered an exhaustive list; there may be some premises that have been omitted, or there may be some establishments which have subsequently closed or changed use.

Map 5 shows the location of bookmaking offices in the district and cross-referenced against existing district and local centres, and arterial routes. The survey revealed that there are currently 91 bookmaking offices within the LGD. Within Belfast city centre, there are 23 bookmaking offices. The map shows that the majority of bookmaking offices outside the city centre are located along arterial routes (44 bookmaking offices).

The Council is committed to monitoring the location of bookmaking offices within Belfast LGD on an annual basis.

Map 5: Location of Bookmaking Offices in Belfast



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**Location of Bookmaking Offices in Belfast**



- Bookmaking Office \*
- ▭ City Centre
- ▭ District Centre
- ✱ Local Centre
- Arterial Route



\* Sources: Web-based research, planning permissions and site visits (2020)

# Appendix 4: Amusement Centres

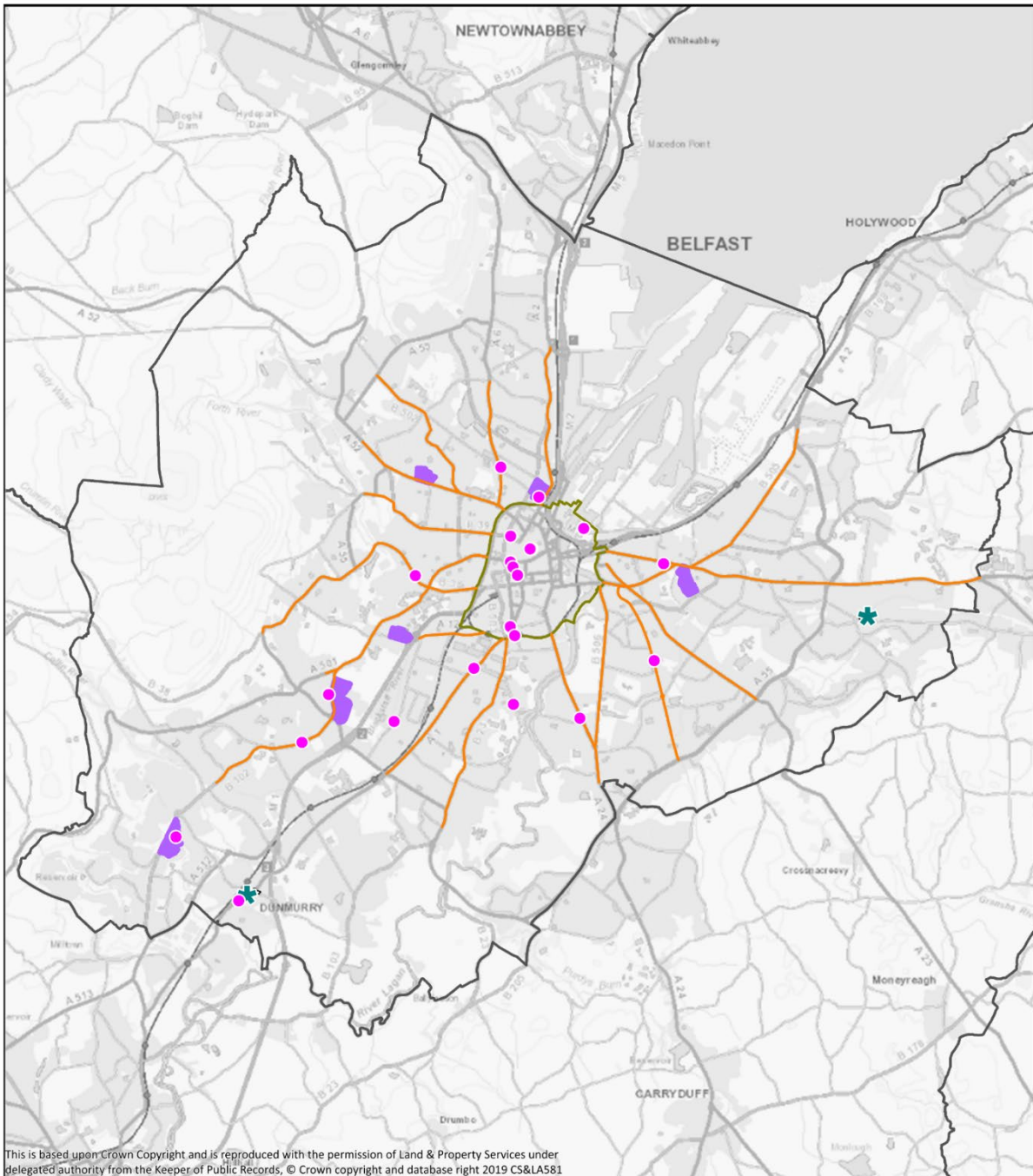
The council has undertaken an assessment of amusement centres and bingo halls within Belfast LGD. The baseline information was sourced from the council's Licensing department, who provided a list of premises with amusement arcade licenses. This information was supplemented by a desktop exercise to ensure that all premises identified in the baseline information was accurate. However, this is not considered an exhaustive list; there may be some premises that have been omitted, or there may be some establishments which have subsequently closed or changed use.

Map 6 shows the location of amusement centres in the district and cross-referenced against existing district and local centres, and arterial routes. The survey revealed that there are currently 23 amusement centres and 3 bingo halls within the LGD. Within Belfast city centre, there are 10 amusement centres. Outside the city centre, the amusement centres and bingo halls are more sporadically located, with the majority along arterial routes.

The council is committed to monitoring the location of amusement centres and bingo halls within Belfast on an annual basis.



Map 6: Location of Amusement Centres in Belfast



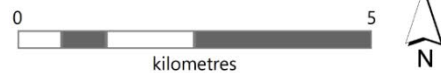
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**Location of Amusement Centres in Belfast**



- Amusement Centre
- City Centre
- District Centre
- ✱ Local Centre
- Arterial Route

\* Sources: Web-based research, planning permissions and site visits (2020)



## Appendix 5: Bookmaking Offices, Amusement Centres and Health/Gambling

The personal impacts of a bookmaking office, amusement centre and bingo hall can include exacerbating mental health problems and enabling gambling addictions.

The Northern Irish Gambling Prevalence Survey 2016 highlighted that the region has a gambling participation rate of 67.2%, which is comparable to Scotland (67.8%) but higher than England (62%) and Wales (61.3%). Betting on an event or sport was one of the most common forms of gambling that people participated in (22.8%); with 95.2% of gamblers participating in gambling in person in the year preceding the survey. Most respondents (86.1%) from the 2016 survey were considered to be 'non-problem gamblers' based on their Problem Gambling Severity Index (PGSI) score. However, almost one in 14 respondents were considered to be either a 'moderate risk gambler' (4.9%) or 'problem gambler' (2.3%). Compared to other regions of the United Kingdom, the survey emphasised that the proportion of the population found to be 'problem gamblers' is higher in Northern Ireland (2.3%) than in Wales (1.1%), Scotland (0.7%) and England (0.5%)<sup>12</sup>.

A report produced for the London Borough of Southwark in 2014 concluded that there is a reasonable body of scientific evidence that shows access to gambling venues (including betting shops) leads to increased gambling behaviour and that this, in turn, is associated with poor health outcomes. The characteristics that often facilitate and encourage people to gamble in the first place are primarily features of the environment, such as the location of the gambling venue and the number of venues in a specified area. These variables may be important in both the initial decision to gamble and the maintenance of the behaviour<sup>13</sup>. Problem gamblers are more likely to experience adverse financial, social and health impacts due to increased debts, anxiety and other harms. In addition, problem gambling not only impacts the affected individuals, but indirectly affects their families and wider communities.

The SPPS states that the planning system has an active role to play in helping to better the lives of people and communities in Northern Ireland and in supporting the Executive's key priority of improving health and well-being. For the purpose of the SPPS the Department supports the World Health Organisation's definition of health as 'a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity'.

The SPPS goes on to state that planning authorities should contribute positively to health and well-being through supporting broader government policy when plan making.

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<sup>12</sup> 2016 Northern Ireland Gambling Prevalence Survey

<sup>13</sup> 'Betting, Borrowing and Health: Health Impacts of Betting Shops and Payday Loan Shops in Southwark', Ben Cave Associates Ltd (March 2014)

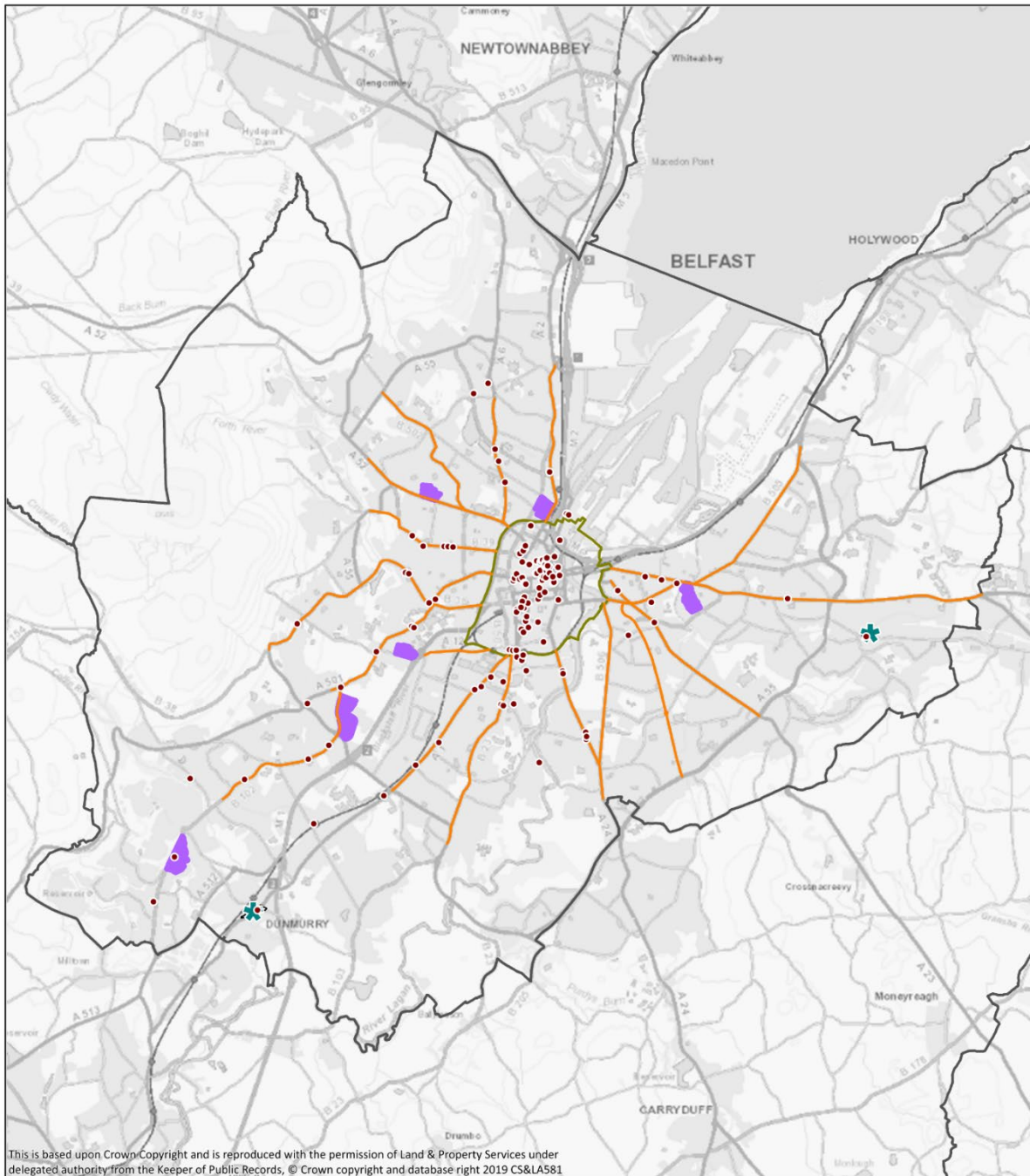
The Department for Communities held a public consultation on the regulation of gambling in Northern Ireland (16 Dec 2019 – 21 Feb 2020); seeking views on whether changes are now necessary to ensure Northern Ireland has a more flexible and modern licensing framework capable to responding to the many societal and technical changes which have occurred in the industry.

## Appendix 6: Pubs and Nightclubs

The council has undertaken a survey of pubs and nightclubs within Belfast LGD. This has been informed by a number of information sources including planning permissions, web-based research and site visits. However this is not considered an exhaustive list; there may be some premises that have been omitted, or there may be some establishments which have subsequently closed or changed use. The survey included pubs within mixed-use premises but only those which appeared to have a dominant public house/bar element. Map 7 shows the location of pubs and nightclubs in the district and cross-referenced against the city centre, existing district and local centres, and along arterial routes.

The map shows that there are 73 pubs and nightclubs located within Belfast city centre. Outside of the city centre the majority of pubs and nightclubs are located along arterial routes, with small hotspots along the Shankill Road, Ormeau Road, and Botanic Avenue and surrounding Queen's University area.

Map 7: Location of Pubs and Nightclubs in Belfast

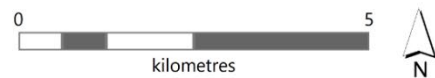


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**Location of Pubs and Nightclubs in Belfast**



- Pub or Nightclub \*
- ▭ City Centre
- ▭ District Centre
- \* Local Centre
- Arterial Route



\* Sources: Web-based research, planning permissions and site visits (2020)

## Appendix 7: Planning Applications for Sensitive Uses

Applications for restaurants, cafés, hot food takeaways, bookmaking offices, amusement centres, pubs and nightclubs will be required, where appropriate, to submit the following details:

- 1:50 scale drawings of the location and siting of any proposed external ventilation ducting and any other mechanical plant indicating clearly its design and dimensions and relationship to existing and proposed windows and architectural features.
- Indicate on the submitted drawings clearly the location of the fan and motor elements within the ducting, specifying details of silencers or other sound attenuation measures, including anti-vibration mountings and acoustic cladding. Depending on the proximity of residential premises, these details alone may not be sufficient and may need to be linked to an accompanying noise impact assessment.
- Confirm that the proposed ventilation ducting will achieve a minimum of 30 air changes per hour and/or 0.2-0.5 metres/second across the canopy face or 1.5-2.0 metres/second across the filter.
- Provide details of proposed refuse storage and collection arrangements (particularly the storage/disposal of putrescible waste material). All refuse should be stored in suitable containers within an enclosed area, which should be clearly identified on the submitted drawings.
- Provide details of L.P.G storage arrangements and provision of grease traps to the drainage system.
- Give details of any off-street parking provision. If on-site car parking spaces are proposed, these should be clearly identified on the submitted drawings.
- Give details to show that all glazed areas which could result in noise nuisance will be double glazed and non-openable, and that all external doors will be self-closing. Where windows are required to be fixed, a suitably silenced mechanical ventilation system will be required. This may be linked to an accompanying noise report.
- Specify details of the intended days and hours of operation including servicing and deliveries intended to take place outside normal opening hours.
- State the anticipated staffing levels.
- Provide details of any delivery service.

- The council may request further information regarding the application, such as:
  - the sound power levels of individual pieces of machinery (e.g. fan and motor units), which is obtainable from manufacturers and suppliers; and
  - details of the calculated sound pressure level and the background sound level. Both of these levels being measured one metre from the boundary of the site and predicted back to one metre from the façade of the nearest noise sensitive premises.

This is likely to be provided in the form of a noise impact assessment.

- For pubs and nightclubs, where outdoor smoking and/or beer gardens are proposed, provide details of how impact on nearby sensitive amenity will be controlled. Provide details of any proposed acoustic screening on a scaled drawing. Specify hours of use and any proposed curfew on consumption of alcohol in these areas.

## Glossary

- Arterial Routes -** Arterial routes serve as the main transport corridors into and out of Belfast City Centre. They are main radial roads which connect the Belfast City Centre to the surrounding suburban residential areas, have historically functioned, not only as principal transportation corridors but also, as retail and service centres providing important social, commercial, shopping and leisure functions for the communities which live along the routes. In general, the routes are characterised by linear neighbourhood shopping and commercial areas. The scale and vitality of each linear area varies considerably but in every case there is a mix of small local shops, retail services, local offices and other commercial uses. All these areas are on bus routes into the city centre and are well served by public transport.
- Conservation Area -** An area designated by local authorities to have special architectural or historic interest. Works or demolition of buildings around these areas are carefully observed and controlled. This is in order to protect or enhance the character and appearance of the area.
- District Centre -** Large grouping of shops separate from and subordinate to the town centre. They are generally located on routes that are convenient and easily accessible to the local community by all modes of travel. They usually contain at least one food supermarket or superstore, a degree of comparison goods shopping, retail services (e.g. opticians, hairdressers), leisure services (e.g. cinema, bingo) and business services (e.g. bank).
- Local Centre -** Location typically comprising a general grocery store, a sub-post office (commonly within the grocery store), hairdressing/beauty salon, cafe, hot food takeaway, pharmacy and other small shops of a local nature. The primary purpose of a local centre is the provision of conveniently accessible shopping and services for local communities. They are commonly found on arterial routes and on other main roads.
- Mixed Use -** A development which consists of several complementary uses, such as retail, residential and leisure uses on a site or within a particular area.
- Sui-Generis -** The term given to the uses of land or buildings which do not fall into any of the use classes which have been identified by the Use Classes Order. Restaurants, pubs and theatres are examples of such.
- Vitality and Viability -** Vitality is a measure of how busy a centre is, and viability is a measure of the centre's capacity to attract ongoing investment for maintenance, improvement and adaption to changing



needs. The health of a town centre cannot be effectively measured by a single indicator, however, the use of a series of indicators can provide a view of performance which can offer a framework for the assessment of vitality and viability.





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