

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 18 October 2016	
Application ID: LA04/2015/1505/F	
Proposal: Gas Depot (c 77 tonnes industrial gas) comprising 2 portacabins, 4 silos, diesel tank, concrete bunding and surfacing, fencing and drainage. (revised description)	Location: Land immediately north of Wolff Road and Musgrave Road Junction East Twin Island Belfast BT3
Referral Route: Outside scheme of Delegation.	
Recommendation:	APPROVAL
Applicant Name and Address: Air Products PLC 7 Airport Road West Belfast BT3 9ED	Agent Name and Address: MBA Planning 1st Floor 4 College House Citylink Business Park Belfast BT12 4HQ
Executive Summary:	
<p>Full permission is sought for a Gas Depot (c 77 tonnes industrial gas) comprising 2 portacabins, 4 silos, diesel tank, concrete bunding and surfacing, fencing and drainage.</p> <p>The key issues in the assessment of the proposed development include:</p> <ul style="list-style-type: none"> • The principle of the development at this location; • Impact on the Character of the Area; • Impact on amenity; and • Traffic Movement and Parking <p>The application site is located within the Belfast Harbour complex in east Belfast and is accessed via Queen's Road. The site abuts Wolff Road and is overgrown/disused. There is no visual evidence of recent use. The topography of the site is generally level. The site boundaries are demarcated by a typical metal palisade fencing approximately 2m in height. There is scrapyards/recycling plant to the north with an access road leading to this to the east. Opposite the site to the south there are a number of single storey industrial sheds.</p> <p>Within BMAP the site is located within the Harbour Estate area and is identified within the existing employment zoning BHA06. BHA06 refers to the control of B1 uses within the harbour area and is silent on B4 storage and sui generis use types.</p> <p>Given the location of the site and neighbouring industrial uses, the proposed use is considered consistent with the character of the area. The scale, nature and form is</p>	

appropriate to the location and will not compromise industrial/employment resources as it is a relocation of an existing business within the harbour estate and is of limited scale.

The proposal is considered compatible with existing uses and will not prejudice existing operations as discussed above. The proposal will not compromise the amenity of existing residents due to the extensive separation distances to residential properties. Environmental Health and HSE have no objections to the proposal and accordingly it satisfies criteria e and f of PED9 regarding noise, emissions and effluent.

Proposed structures are functional in design, and comprise storage tanks, portacabin type buildings, and mesh paladin type fencing. Given the nature of the use and the industrial character of the locality, the proposed structures are considered acceptable taking account that public views of the site are restricted to Wolff Road adjacent to the site. No landscaping is proposed, however this is considered acceptable in this instance due to the nature of the proposal and character of the immediately locality.

Historic Environment Division were consulted and have no objections regarding potential impact to, or setting of, listed buildings in the locality. In relation to potential archaeological impacts, the site forms part of lands previously used for a power station until the 1970s. HED Archaeology has no objections to redevelopment of the site and has not sought to apply any conditions to any approval notice. Accordingly the proposal is also considered compliant with relevant policies in PPS6.

Rivers Agency and NI Water have been consulted in relation to flooding and flood risk and have no objections in relation to these issues. Accordingly the proposal is deemed compliant with PPS15, and will not result in an unacceptable degree of flooding or flood risk.

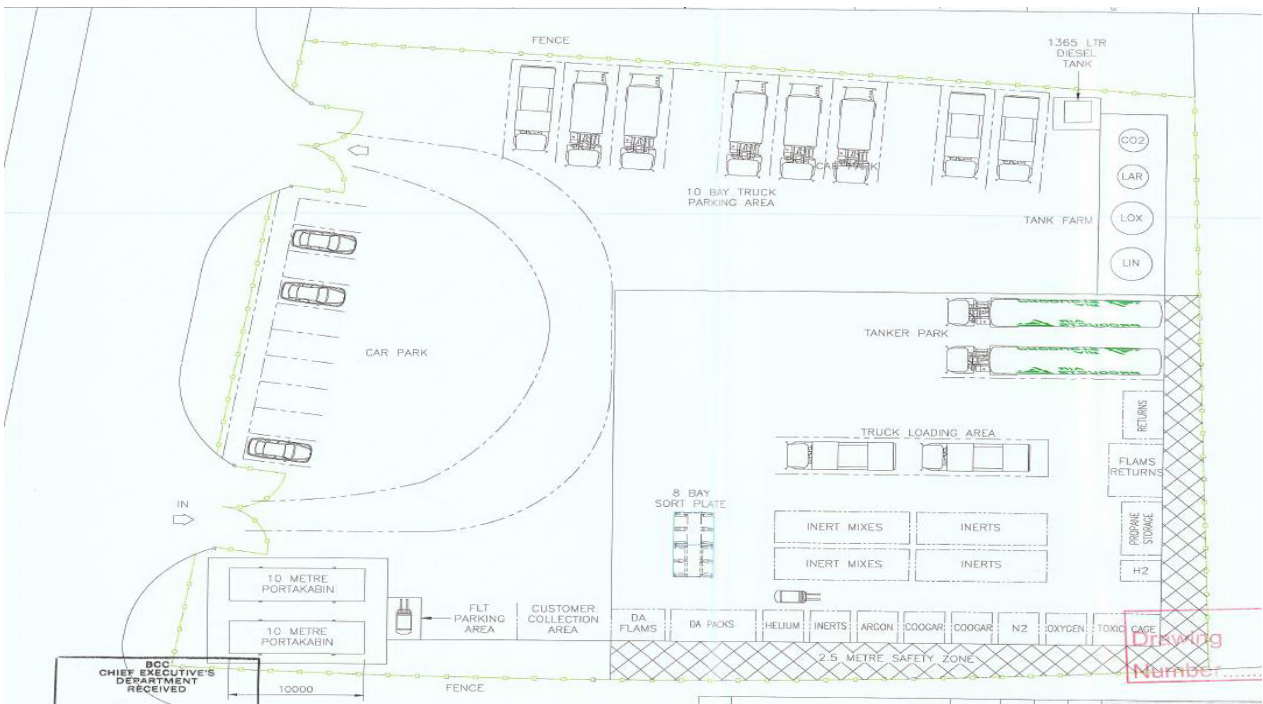
Transport NI has no objections to the proposal and accordingly it is deemed compliant with these criteria and associated policies within PPS3 and DCAN 15.

No representations received from neighbours, the public or elected representatives.

The proposal is considered compliant with relevant policy considerations including BMAP, PPS2, PPS4, PPS6, PPS15 and PPS3 and associated guidance. Approval is therefore recommended subject to the conditions. Delegation of final conditions to Director of Planning and Place requested.

Case Officer Report

Site Location Plan



Description and Characteristics of Site and Area

1.0 Proposal

The application is for a proposed Gas Depot (c 77 tonnes industrial gas) comprising 2 portacabins, 4 silos, a diesel tank, concrete bunding and surfacing, fencing and drainage.

2.0 Characteristics of the Site and Area

The application site is located within the Belfast Harbour complex in east Belfast and is accessed via Queen's Road. The site abuts Wolff Road and is overgrown/disused. There is no visual evidence of recent use. The topography of the site is generally level. The site boundaries are demarcated by a typical metal palisade fencing approximately 2m in height. There is a scrapyards/ recycling plant to the north with an access road leading to this to the east. Opposite the site to the south there are a number of single storey industrial sheds.

The area is predominantly industrial in terms of uses and architecture.

Planning Assessment of Policy and Other Material Considerations

3.0 Site History

3.1 No relevant history.

4.0 Policy Framework

4.1 Belfast Metropolitan Area Plan 2015

4.2 Strategic Planning Policy Statement (SPPS)

4.3 Planning Policy Statement 2: Natural Environment (PPS2)

4.4 Planning Policy Statement 3 (PPS3) - Access, Movement and Parking

4.5 Planning Policy Statement 4 (PPS4) – Planning and Economic Developments

4.6 Planning Policy Statement 6 (PPS6) – Archaeology and Built Heritage

4.7 Planning Policy Statement Planning Policy Statement 13 (PPS13) - Transportation and Land Use

4.8 Planning Policy Statement 15 (PPS15) - Planning and Flood Risk

4.9 Supplementary Planning Guidance including 'Creating Places', Development Control Advice Note 8 Housing in Existing Urban Areas, and Parking Standards.

5.0 Statutory Consultee Responses

5.1 NI Water - No objection

5.2 DARD - Rivers Agency - No objection

5.3 DoE - NIEA - Waste Management - No objection subject to conditions

5.4 DRD - Transport NI - No objection subject to conditions

6.0 Non - Statutory Consultee Responses

6.1 BCC Environmental Health - No objection subject to conditions

6.2 Belfast Harbour Commissioners – no objections

6.3 Shared Environmental Services – no objections

6.4 Health and Safety Executive – no objections

7.0	Representations
7.1	The application has been neighbour notified and advertised in the local press. No representations have been received.
7.2	No representations from any elected representatives have been received.
8.0	Other Material Considerations
8.1	None
9.0	Assessment
9.1	The key issues in the assessment of the proposed development include: <ul style="list-style-type: none"> • The principle of the development at this location; • Impact on the Character of the Area; • Impact on amenity; and • Traffic Movement and Parking
9.2	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. 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 paragraphs 4.23-7 stress the importance of good design. Paragraphs 4.18-22 details that sustainable economic growth will be supported. The SPPS states the majority of PPS's remain applicable under 'transitional arrangements'.
9.3	Zoning Within BMAP the site is located within the Harbour Estate area and is identified within the existing employment zoning BHA06 as indicated on map 03/001. BHA06 refers to the control of B1 uses within the harbour area and is silent on B4 storage and sui generous use types.
9.4	Policy Considerations: Relevant policy considerations are dictated by the nature of the proposal. The proposal involves the storage of various gases within storage structures of varying designs in addition to upgrading/provision of vehicular access facilities. This broadly falls within B4 use class, however storage of hazardous materials are sui generous i.e. not within any use class.
9.5	In addition to BMAP the local development plan, the SPPS and Planning Policy Statements are applicable. PPS4 sets out the main provisions for economic development including storage facilities which the proposal broadly encompasses. Traffic, access and roads considerations are discussed in PPS3 and associated supplementary guidance including DCAN 15. As the site falls within an area of archaeological potential and several listed buildings, PPS6 is applicable.

9.6	<p>Principle of the Proposed Use</p> <p>The site is located within the Harbour estate and is largely industrial in terms of use types and architecture. The existing facility is already located within the harbour area at Airport Road West and seeks to relocate to this site due to the imminent cessation of their existing site leasing arrangements.</p>
9.7	<p>The site is identified within BHA06 in the plan and is therefore not zoned for any particular use. PED1 of PPS4 refers to economic development within settlements and includes policy for B4: storage and distribution uses. This states that such uses will be permitted <i>in an existing or proposed industrial/employment area where it can be demonstrated: that the proposal is compatible with the predominant industrial/employment use; it is of a scale, nature and form appropriate to the location; and provided approval will not lead to a significant diminution in the industrial/employment resource both in the locality and the plan area generally. Elsewhere in cities and towns such proposals will be determined on their individual merits.</i></p>
9.8	<p>Given the location of the site and neighbouring industrial uses, the proposed use is considered consistent with the character of the area. The scale, nature and form is appropriate to the location and will not compromise industrial/employment resources as it is a relocation of an existing business within the harbour estate and not located within industrial/employment zoned land within the development plan.</p>
9.9	<p>PED8 refers to incompatibility with existing or approved economic uses. It is not considered that the proposal would prejudice any existing operations due to its' limited scale and nature. HSE have confirmed the proposal would not result in or be affected by safety concerns of existing operations. Similarly Environmental Health has no objections regarding public health issues.</p> <p>PED9 of PPS4 is also applicable to all economic development proposals and details a number of criteria with which proposals must satisfy.</p>
9.10	<p>Amenity</p> <p>The proposal is considered compatible with existing uses and will not prejudice existing operations as discussed above. The proposal will not compromise the amenity of existing residents due to the extensive separation distances to residential properties. Environmental Health and HSE have no objections to the proposal and accordingly it satisfies criteria e and f of PED9 regarding noise, emissions and effluent.</p>
9.11	<p>Built & Natural Heritage</p> <p>Criteria C relates to impact on natural and built heritage. In terms of built heritage, Historic Environment Division were consulted and have no objections regarding potential impact to, or setting of, listed buildings in the locality. In relation to potential archaeological impacts, the site historically was previously occupied by the Belfast East power station between 1920-1990 approximately and subsequently demolished in 1991. Only remnants of former entrance pillars and partial flooring/substructures remain. HED Archaeology has no objections to redevelopment of the site and has not sought to apply any conditions to any</p>

<p>9.12</p> <p>9.13</p> <p>9.14</p> <p>9.15</p> <p>9.15</p>	<p>approval notice. Accordingly the proposal is also considered compliant with relevant policies in PPS6.</p> <p>In relation to natural heritage issues, Belfast Lough is subject to protective measures due resident and migratory bird species. As the site is in close proximity, Shared Environmental Service have been consulted to advise on any associated impacts and the Habitats Directives. They have no objections to the proposals and accordingly the proposal is considered compliant with the Habitat directive and PPS2.</p> <p>Flooding Criteria D relates to flooding and flood risk. Rivers Agency and NI Water have been consulted on the application and have no objections in relation to these issues. Accordingly the proposal is deemed compliant with PPS15, and will not result in an unacceptable degree of flooding or flood risk.</p> <p>Roads issues Criteria G, H, and I relate to traffic, access and associated issues. Transport NI has no objections to the proposal and accordingly it is deemed compliant with these criteria and associated policies within PPS3 and DCAN 15.</p> <p>Layout and Design Criteria J requires appropriate site layout, building design, associated infrastructure and landscaping arrangements are of high quality and assist the promotion of sustainability and biodiversity. Proposed structures are functional in design, and comprise storage tanks, portacabin type buildings, and mesh paladin type fencing. Given the nature of the use and the industrial character of the locality, the proposed structures are considered acceptable taking account that public views of the site are restricted to Wolff Road adjacent to the site. No landscaping is proposed, however this is considered acceptable in this instance due to the nature of the proposal and character of the immediately locality.</p> <p>Representations None received from neighbours, the public or elected representatives.</p>
<p>10.0</p> <p>10.1</p> <p>10.2</p>	<p>Summary of Recommendation</p> <p>The proposal is considered compliant with relevant policy considerations including BMAP, PPS2, PPS4, PPS6, PPS15 and PPS3 and associated guidance. Approval is therefore recommended subject to the conditions set out below.</p> <p>Having regard to the policy context and other material considerations above including the planning history, the proposal is considered acceptable and planning permission is recommended subject to conditions.</p>
<p>Neighbour Notification Checked: Yes</p>	
<p>Conditions:</p> <p>1. The development hereby permitted shall be begun before the expiration of 5 years</p>	

from the date of this permission.

Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.

2. The development hereby permitted shall not become operational until the vehicular access, including visibility splays of 4.5 m x 70.0 m, has been constructed in accordance with the approved layout Drawing No. 3 'Existing Site Plan & Proposed Access Plan' bearing the Belfast City Council Planning Office date stamp 30 November 2015. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250 mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter.

REASON: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.

3. The development hereby permitted shall not become operational until hard surfaced areas have been constructed in accordance with the approved layout Drawing No. 2 'Proposed Site Layout Plan' bearing the Belfast City Council Planning Office date stamp 30 November 2015 to provide adequate facilities for parking, servicing and circulating within the site. No part of these hard surfaced areas shall be used for any purpose at any time than for the parking and movement of vehicles.

REASON: To ensure that adequate provision has been made for parking.

4. A minimum of 2 No. cycle parking spaces shall be provided prior to any part of the development hereby permitted becoming operational and permanently retained close to the site offices for use by staff and visitors to the development.

REASON: to encourage the use of alternative modes of transport for development users.

5. The development hereby permitted shall operate in accordance with the Transport Services Plan and Travel Plan bearing the Belfast City Council Planning Office date stamp 25 May 2016. No changes to the travel plan or transport services plan shall be implemented without the prior consent of the Local Planning Authority in writing.

REASON: In the interests of road safety and the convenience of road users.

6. Prior to development, a piling foundation risk assessment must be submitted in writing and agreed with the competent authority. The piling risk assessment should adopt the methodology provided in the Environment Agency (2001) publication entitled, "Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention", reference NC/99/73.

7. If during the development works, new contamination or risks to the water environment are encountered which have not previously been identified, works should cease and the competent authority shall be notified immediately. This new contamination shall be fully investigated in accordance with the Model Procedures for the Management of Land Contamination (CLR11). In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the competent authority in writing, and subsequently implemented and verified to its satisfaction.

8. After completing all remediation works under Conditions 1 and 2 and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with the competent authority. This report should be completed by competent persons in accordance with the Model Procedures for the Management of Land Contamination (CLR11). 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.

9. No development should take place on-site until the method of sewage disposal has been agreed in writing with NIW and the competent authority.

10. The gas storage depot hereby permitted shall store only the following gases to the maximum capacity quoted at any time:

P2 FLAMMABLE GASES FLAMMABLE GASES, CATEGORY 1 OR 2: 1,000KG (1 Tonnes)

P4 OXIDISING GASES OXIDISING GASES, CATEGORY 1: 5,000 KG (5 Tonnes)

15 HYDROGEN: 200 KG (0.2 Tonnes)

18 LIQUEFIED FLAMMABLE GASES, CAT 1 OR 2 (INCLUDING LPG) AND NATURAL GAS: 10,000 KG (10 Tonnes)

19 ACETYLENE: 800 KG (0.8 Tonnes)

25 OXYGEN: 10,000 KG(10 Tonnes)

25 OXYGEN: 50,000 KG (50 Tonnes)

Reason: in the interest of public health, safety, and to enable the Local Planning Authority to control the scale and nature of gases stored at this location.

ANNEX	
Date Valid	30th November 2015
Date First Advertised	18th December 2015
Date Last Advertised	29th January 2016
Details of Neighbour Notification (all addresses) The Owner/Occupier, 1 East Twin Road,Queen'S Island,Belfast,Down,BT3 9EN, The Owner/Occupier, New Sirocco Works,Musgrave Channel Road,Queen'S Island,Queen's Island,Belfast,Down,BT3 9DT, The Owner/Occupier, Pyeroy(northern Ireland)ltd,Queens Road,Queen'S Island,Belfast,Down,BT3 9DT, The Owner/Occupier, Workman Road,Queen'S Island,Queen's Island,Down,, The Owner/Occupier,	
Date of Last Neighbour Notification	
Date of EIA Determination	N/A
ES Requested	No
Planning History	
<p>Ref ID: LA04/2015/1505/F Proposal: Gas Depot Address: Land immediately north of Wolff Road and Musgrave Road Junction, East Twin Island, Belfast, BT3, Decision: Decision Date:</p> <p>Ref ID: Z/2001/0801/F Proposal: Erection of Industrial Warehouse on site used for the processing and storage of scrap metal. Address: East Twin Road, Belfast Harbour Estate, Belfast. Decision: Decision Date: 02.10.2001</p> <p>Ref ID: Z/2004/2857/F Proposal: Steel Swarf Storage, End of life vehicle treatment building, battery storage facility, non-ferrous building extension, heavy metal silt trap. Address: East Twin Road, Belfast Harbour Estate, Belfast. Decision: Decision Date: 05.09.2008</p>	

Ref ID: Z/2009/1378/F

Proposal: Change of use of existing single storey sheds for storage, processing and recycling of non-hazardous, dry non-putrescible waste and for maintenance purposes.

Address: Clearway, East Twin Road, Queens Island, Belfast, BT3 9EN

Decision:

Decision Date: 06.06.2012

Ref ID: Z/1990/0708

Proposal: Development of site for the processing and storage of scrap metal

Address: LAND AT WOLFF ROAD BELFAST BT3

Decision:

Decision Date:

Ref ID: Z/1991/0625

Proposal: Erection of electricity substation

Address: WOLFF ROAD BELFAST BT4

Decision:

Decision Date:

Ref ID: Z/1990/1053R

Proposal: Scrap processing and storage

Address: WOLFF ROAD BELFAST BT3

Decision:

Decision Date:

Ref ID: Z/2006/1569/F

Proposal: Installation of a shredding machine with separation processes including magnetic separation, a trommel screener partly accommodated within new building, a picking station and erection of ancillary substation, for the processing of vehicles and scrap metal.

Address: Clearway Disposals Ltd, East Twin Road, Belfast Harbour, Belfast.

Decision:

Decision Date: 05.09.2008

Ref ID: Z/2002/1548/F

Proposal: Proposed scrap metal recycling depot.

Address: Land at junction of Wolff Road and Musgrave Channel Road, Belfast Harbour Estate, Belfast

Decision:

Decision Date: 03.10.2003

Ref ID: Z/1990/0511

Proposal: Processing & storage of scrap metal, including fragmentising scrap

Address: WOLFF ROAD BELFAST BT3

Decision:

Decision Date:

Ref ID: Z/1989/0646

Proposal: Processing and storage of scrap metal

Address: WOLFF ROAD BELFAST BT3

Decision:

Decision Date:
Drawing Numbers and Title 01, 02, 03, 04
Notification to Department (if relevant): N/A