

## Development Management Officer Report Committee Application

| <b>Summary</b>   |   |
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| <b>Committee Meeting Date:</b> 15 <sup>th</sup> August 2017  |   |
| <b>Application ID:</b> LA04/2017/0523/F  |   |
| <b>Proposal:</b><br>Erection of warehouse unit and secure yard for use as a depot for mobile shredding vehicles and on-site shredding and baling of waste facility (Part Retrospective)  | <b>Location:</b><br>Unit 3 Block B 6-16 Duncrue Crescent Belfast BT3 9BW  |
| <b>Referral Route:</b> Belfast City Council land   |   |
| <b>Recommendation:</b>   | Approval  |
| <b>Applicant Name and Address:</b><br>Mr Richard Hudson-Data Solutions<br>Unit 3 Block B<br>6-16 Duncrue Crescent<br>Belfast<br>BT3 9BW  | <b>Agent Name and Address:</b><br>RPS Consulting Engineers<br>Enterprise Fund Business Centre<br>Letterkenny<br>F92AF43 |
| <p><b>Executive Summary:</b> This application seeks planning permission for the erection of a warehouse unit and secure yard for use as a depot for mobile collection and shredding vehicles with on-site shredding and baling of waste facilities and its associated head office (sui generis) (part retrospective).</p> <p>The main issues to be considered in this case are:</p> <ul style="list-style-type: none"> <li>- Principle of the development</li> <li>- Access, Parking and Transport</li> <li>- Contamination / Water Environment</li> <li>- Impact on the amenity of neighbouring properties</li> </ul> <p>The proposal has been assessed against the following Policies – Strategic Planning Policy for Northern Ireland, Planning Policy Statement 3: Access Movement and Parking, Planning Policy Statement 4: Planning and Economic Development and Planning Policy Statement 11: Planning and Waste Management, Draft BMAP and BUAP.</p> <p>Transport NI, NI Water and DAERA were consulted and have no objection to the proposal. Belfast City Council’s Environmental Health Unit have requested further information in regard to potential gas ingress from previous landfill. The applicant is currently undertaking further gas monitoring and if required remediation can be conditioned upon further consultation with Environmental Health.</p> <p>The site is located within the development limits of the Belfast Metropolitan Area Plan and on land zoned as existing employment. Whilst the proposed use would not fall within any of the acceptable uses cited in BMAP for this existing employment land, it would still be considered an employment use which would be compatible with the predominant industrial use of the area and would be appropriate in scale, nature and form.</p> <p>The proposal would help to fulfil the main objectives of the Northern Ireland Waste Management Strategy and the SPSS in supporting more sustainable management of waste through the provision</p> |   |

of a facility for the separation, collection and preparation of waste for recycling.

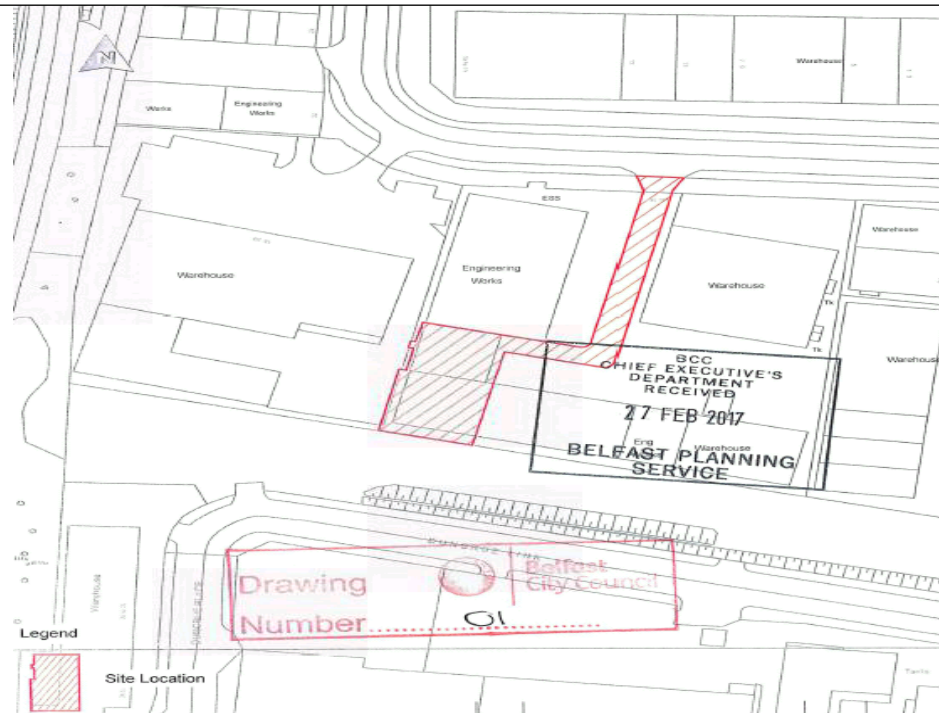
The access, parking and traffic arrangements are acceptable and it is considered that the proposal would not be detrimental to the amenity of neighbouring properties.

Having had regard to the development plan, relevant planning policies, and other material considerations, it is determined that the proposal should be approved subject to conditions.

It is therefore requested that committee delegate authority to the Director of Planning and Place to grant planning permission subject to the conditions listed in Section 11 of the report with the final wording of conditions to be agreed.

## Case Officer Report

### Site Location Plan



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| <b>1.0</b>   | <p><b>Description of Proposed Development</b></p> <p>This application seeks part retrospective planning permission for the erection of a warehouse unit and secure yard for use as a depot for mobile collection and shredding vehicles with on-site shredding and baling of waste facilities and its associated head office (sui generis).</p> <p>The warehouse unit is constructed as a single storey portal frame with a shallow pitched roof cladded in fibre cement panelling. It contains 3 portacabins including a canteen, site office, toilets and storage area.</p> <p>The site currently serves as a depot for 3 mobile shredding vehicles within integrated shredding and storage facilities within the body of the 18 tonne heavy goods vehicles. It is also proposed to install a small static shredding and baling plant within the existing warehouse to re-shred and bale the material from the specialised vehicles for transportation to recycling plants.</p> |
| <b>2.0</b>   | <p><b>Description of Site</b></p> <p>The site is located within Duncrue Industrial Park and is accessed via Duncrue Crescent. It consists of a warehouse building which forms part of a terrace of warehouse units. There is a small yard to the front of the warehouse which is enclosed by palisade fencing and another warehouse to the north. The surrounding area generally consists of similar warehouse buildings. The southern boundary of the site is separated from Duncrue Link by a strip of vegetation.</p>  |
| <b>Planning Assessment of Policy and other Material Considerations</b> |   |
| <b>3.0</b>   | <p><b>Site History</b></p> <p>No relevant planning history.</p>   |
| <b>4.0</b>   | <p><b>Policy Framework</b></p>  |
| <b>4.1</b>   | <p>Belfast Urban Area Plan 2001 (BUAP)<br/>(Draft) Belfast Metropolitan Area Plan</p>   |

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|            | <p>Following the recent Court of Appeal decision on BMAP, the extant development plan is now the BUAP. However, given the stage at which the Draft BMAP had reached pre-adoption through a period of independent examination, the policies within the Draft BMAP still carry weight and are a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker.</p>   |
| <b>4.2</b> | <p>Regional Development Strategy<br/>Strategic Planning Policy Statement for Northern Ireland<br/>Planning Policy Statement 3 - Access, Movement and Parking<br/>Planning Policy Statement 4 – Planning and Economic Development<br/>Planning Policy Statement 11 - Planning &amp; Waste Management</p>  |
| <b>5.0</b> | <p><b>Statutory Consultees</b><br/>Transport NI – No objection<br/>Drainage/ Water (DAERA) – The proposal has the potential to adversely affect the surface water environment. Concerned that the proposal has potential to cause an environmental impact if transferred to Belfast Waste Water Treatment Plant (WWTW). If NI Water determine that the WWTW is able to accept the additional load without any adverse impact, then this unit would have no objection.<br/>Land/ Soil / Air (DAERA) – The proposed activity will require a waste authorisation.<br/>NI Water – No objection subject to conditions</p> |
| <b>6.0</b> | <p><b>Non-Statutory Consultees</b><br/>BCC Environmental Health – Further details on the construction of the warehouse, installation of the plant equipment and potential risk from landfill gas ingress requested.</p>  |
| <b>7.0</b> | <p><b>Representations</b><br/>None received</p>  |
| <b>8.0</b> | <p><b>Other Material Considerations</b><br/>DCAN 15 – Vehicular Access Standards<br/>Northern Ireland Waste Management Strategy ‘Delivering resource efficiency’</p>   |
| <b>9.0</b> | <p><b>Assessment</b></p>   |
| <b>9.1</b> | <p>Based upon an investigation of the site history of the site and surrounding area, the building in question has been erected for more than 5 years ago and as such it would be immune from enforcement action. Therefore the use of the building is the sole planning consideration.</p>   |
| <b>9.2</b> | <p>The key issues in the assessment of the proposed development include:</p> <ul style="list-style-type: none"> <li>- Principle of the development</li> <li>- Access, Parking and Transport</li> <li>- Contamination / Water Environment</li> <li>- Impact on amenity of neighbouring properties</li> </ul>  |
| <b>9.3</b> | <p><b>Principle of the development</b><br/>The site is located within an area zoned as existing employment land within Draft BMAP which was agreed at examination in light of objections received. The list of acceptable uses recommended for this zoning included Class B1 and a floor space restriction on B1(a) offices. The proposed use within this application would be sui-generis and as such it would not fall within any of the classes cited in BMAP. Therefore, proposals for other than B1 require assessment based on their individual merits.</p>  |
| <b>9.4</b> | <p>In broad terms, the proposed use would constitute an employment use and would therefore not be at odds with, or prejudice the plan zoning. Policy PED7 of Planning Policy Statement 4 states that an exception will be permitted for development of a sui-generis employment use within an existing industrial/ employment area where it can be demonstrated that; the proposal is compatible with the predominant industrial use; it is of a scale, nature and form appropriate to the location; and provided approval will not lead to a significant diminution</p>   |

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|      | of the industrial/employment land resource in the locality and the plan area generally.  |
| 9.5  | The proposal would be considered an employment use and given the relatively small scale nature of development, it would not lead to a significant diminution of employment land resource within the area. The proposed use would be predominately as a depot for mobile collection and shredding vehicles with a small on site facility for shredding and baling with ancillary offices which would be similar to the activities of other storage and distribution warehouses within the industrial estate. In addition, the proposal would help contribute to a more effective waste management system through the separation, collection and preparation of waste for recycling fulfilling the objectives of the Northern Ireland Waste Management Strategy. |
| 9.6  | In terms of Policy WM2 of PPS11 and the SPPS, the proposal would comply with the locational criteria in that it would be situated within an industrial area appropriate in character to the development proposed. The processing of the waste would be carried out internally, with no visual impact on the wider area. The other criteria set out in PPS11 and the SPPS is addressed in further detail below.   |
|      | <b>Access, Parking and Transport</b>   |
| 9.7  | The site provides sufficient on-site parking for staff and the mobile shredding vehicles and the general work vehicles. The increase in vehicular traffic would be negligible as demonstrated in the Planning Application Supporting Statement. Transport NI were consulted on the proposal and are satisfied with the traffic, parking and car parking arrangements. Accordingly, the proposal is considered compliant with the requirements of PPS3, PPS11 and associated guidance.  |
|      | <b>Contamination / Water &amp; Sewage Capacity</b>   |
| 9.8  | The Environmental Health Officer has advised that Duncrue Estate is reclaimed land previously used as a domestic landfill site and have cited concerns over the potential for landfill gas ingress. It is important to note that the building has been erected in excess for 5 years and thus is immune from enforcement action. The applicant has confirmed the proposal would result in no structural alterations or ground disturbance thus limiting any potential for gas ingress to the building. In addition, they are currently undertaking further gas monitoring on the building and if required remediation can be conditioned upon further consultation with Environmental Health.  |
| 9.9  | NI Water were consulted and have advised that the existing premises is already connected to the public water supply and public foul / sewerage networks with available capacity available at the Waste Water Treatment Works which would address the concerns raised by DAERA. NI Water have recommended a number of conditions; however these are not appropriate given this is a retrospective application which they have considered to be acceptable in its current form.  |
|      | <b>Impact on amenity of neighbouring properties</b>  |
| 9.10 | The application site is located within an existing industrial estate with no nearby pollution sensitive uses. All activities associated with the shredding and baling of materials will take place within the mobile vehicles and existing warehouse building. Details have been provided of the shredding and baling plant to be installed and measures to appropriately control any associated noise, odour, littering and dust. Environmental Health were consulted on the application and offered no objection in relation to these issues. In light of the above, it is considered that the proposal would not be detrimental to the amenity of neighbouring properties and would accord with the SPPS and PPS11.   |
| 9.11 | This facility would accept paper, textiles and plastics. The Northern Ireland Environment Agency is the responsible authority for issuing the waste licence for the keeping and  |

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|                                       | treating of waste. Waste Management were consulted and advised a waste authorisation license would be required.  |
| <b>10.0</b>                           | <p><b>Conditions:</b></p> <ol style="list-style-type: none"> <li>1. As required by Section 61 of the Planning Act (Northern Ireland) 2011, the development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.<br/><br/>Reason: Time Limit.</li> <li>2. The doors of the warehouse must remain closed at all times while the shredding and baling plant is in operation.<br/><br/>Reason: In the interests of public amenity.</li> <li>3. The hard surfaced parking and turning area as shown on the approved plans shall be kept available for the parking and the movement of vehicles associated with the development at all times.<br/><br/>Reason: To ensure an adequate level of parking provision is provided to serve the approved development.</li> </ol> <p><b>Informatives:</b></p> <ol style="list-style-type: none"> <li>1. The applicant is advised that the approved activity will require a waste authorisation from Northern Ireland Environment Agency.</li> <li>2. The applicant is required to adhere to all the relevant guidance detailed in:<br/>Standing Advice Note No.4 – Pollution Prevention Guidance<br/>Standing Advice Note No.11 – Discharges to the Water Environment</li> <li>3. The applicant should be made aware of the Control of Pollution (Oil Storage) Regulations (NI) 2010. Guidance on how the Regulations will apply to your development can be found at: <a href="http://www.daera-ni.gov.uk/articles/pil-storage">www.daera-ni.gov.uk/articles/pil-storage</a></li> <li>4. The applicant should be informed that it is an offence under the Water (Northern Ireland) Order 1999 to discharge or deposit, whether knowingly or otherwise, any poisonous, noxious or polluting matter so that it enters a waterway or water in any underground strata. Conviction of such an offence may incur a fine of up to £20,000 and / or three months imprisonment.</li> <li>5. The applicant should ensure that measures are in place to prevent pollution of surface or ground water as a result of the activities on site, both during construction and thereafter.</li> <li>6. The applicant is advised that all plant and equipment used in connection with the development is so situated, operated and maintained to prevent the transmission of noise to nearby commercial properties.</li> </ol> |
| <b>Neighbour Notification Checked</b> | <b>Yes</b>   |

| <b>ANNEX</b>  |                    |
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| <b>Date Valid</b>   | 27th February 2017 |
| <b>Date First Advertised</b>  | 24th March 2017    |
| <b>Date Last Advertised</b>   | 9th June 2017      |
| <b>Details of Neighbour Notification</b> (all addresses)<br>The Owner/Occupier,<br>2,22 Duncrue Crescent,Low-Wood Intake,Belfast,Antrim,BT3 9BW,<br>22-26,Duncrue Road,Low-Wood Intake,Belfast,Antrim,BT3 9BP,<br>28-30,Duncrue Road,Low-Wood Intake,Belfast,Antrim,BT3 9BP,<br>28-30,Duncrue Road,Low-Wood Intake,Belfast,Antrim,BT3 9BP,<br>6-16,Duncrue Crescent,Low-Wood Intake,Belfast,Antrim,BT3 9BW,<br>7 Duncrue Place,Low-Wood Intake,Belfast,Antrim,BT3 9BU,<br>AMC Car & Commericals, Delta House, 6-16 Duncrue Crescent, Belfast BT3 9BW<br>Cas Engineering,Duncrue Crescent,Low-Wood Intake,Belfast,Antrim,BT3 9BW,<br>Dreams, 6-16 Duncrue Crescent, Belfast, BT3 9BW<br>Duncrue Food Processors,Duncrue Road,Low-Wood Intake,Belfast,Antrim,BT3 9BP,<br>Phoenix House,18 Duncrue Crescent,Low-Wood Intake,Belfast,Antrim,BT3 9BW,<br>UNIT 17,Duncrue Industrial Estate,13 Duncrue Crescent,Low-Wood<br>Intake,Belfast,Antrim,BT3 9BW,<br>Unit 1, Duncrue Industrail Estate, Duncrue Crescent, Belfast BT3 9BW<br>Unit 11-12,1-3,Duncrue Crescent,Low-Wood Intake,Belfast,Antrim,BT3 9BW,<br>Unit 13,5 Duncrue Crescent,Low-Wood Intake,Belfast,Antrim,BT3 9BW,<br>Unit 14-15,7-9,Duncrue Crescent,Low-Wood Intake,Belfast,Antrim,BT3 9BW,<br>Unit 16,11 Duncrue Crescent,Low-Wood Intake,Belfast,Antrim,BT3 9BW,<br>Unit 18-20,Duncrue Industrial Estate,15 Duncrue Crescent,Low-Wood<br>Unit 2 - 8 Duncrue Industrail Estate, Duncrue Crescent, Belfast BT3 9BW |                    |
| <b>Date of Last Neighbour Notification</b>  | 7th June 2017      |
| <b>Date of EIA Determination</b>  | N/A                |
| <b>ES Requested</b>   | No                 |
| <b>Drawing Numbers and Title</b><br><br>01 – Site Location Plan<br>03 – Elevations<br>05 – Proposed Site Layout Plan  |                    |
| <b>Notification to Department (if relevant): N/A</b>  |                    |
| <b>Representations from Elected Member</b> None.  |                    |

