

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 21 October 2021	
Application ID: LA04/2021/1119/F	Target Date:
Proposal: Change of use from industrial storage units to waste metal recycling facility for export with offices, in curtilage parking and turning and associated works.	Location: 58 Duncrue Street, Belfast BT3 9AR
Referral Route: Major Application	
Recommendation:	Approve subject to conditions
Applicant Name and Address: McKenzies NI Ltd 76-84 Duncrue Street Belfast BT3 9AR	Agent Name and Address: DA Architects Ltd Unit 1 10 Redlands Crescent Port of Larne Business Park Larne BT40 1FF
Executive Summary: <p>This application seeks a change of use from industrial storage units to waste metal recycling and includes the construction of a new weighing facility, offices and staff accommodation.</p> <p>The site is unzoned land within the development limit of Belfast in the BUAP and Belfast Harbour Local Area Plan 1990-2005 and is zoned as an existing employment area within Belfast Harbour Area (BHA 06) in Draft BMAP 2015.</p> <p>The key issues to be considered in the assessment of this application are:</p> <ul style="list-style-type: none"> The acceptability of the proposed use at this location Access, parking and traffic management Environmental Considerations - Drainage, Contamination, Noise <p>A final consultation is awaited from NIEA Water Management Unit. The applicant has clarified that the proposed site drainage will discharge to NI Water Infrastructure, which is currently the case and NI Water has no objection to the drainage arrangements given that the existing premises already connect to NI Water infrastructure. All other consultees have no objection to the proposed development subject to conditions.</p> <p>No third party objections have been received.</p> <p>Recommendation Having regard to the development plan, relevant policy context and other material considerations, the proposal to change the use to a waste metal recycling facility with associated works is considered acceptable and approval is recommended subject to conditions.</p>	

The recommendation is to grant planning permission subject to conditions with delegated authority given to the Director of Planning and Building Control to finalise the wording of conditions and subject to no substantive issues being raised by NIEA Water Management Unit.

Signature(s):

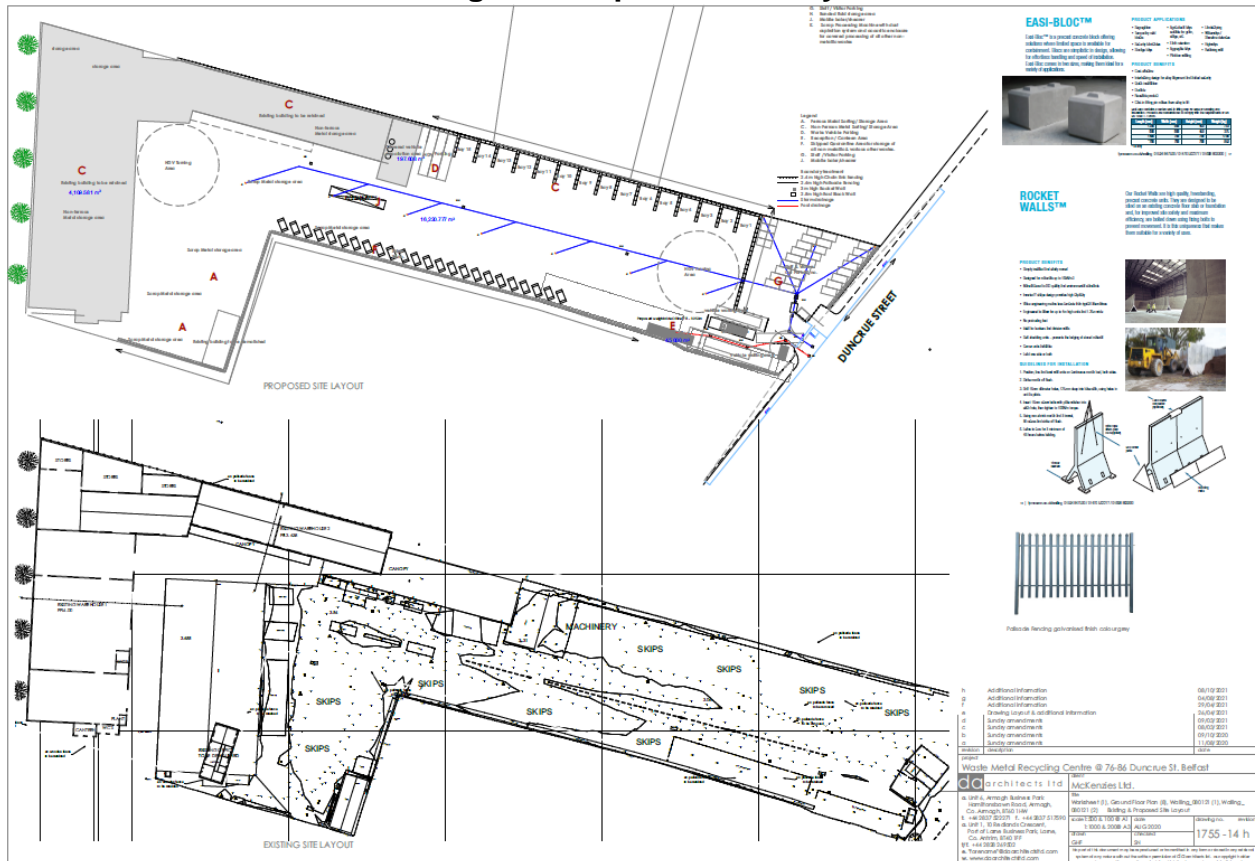
Case Officer Report

1.0 Associated Drawings

Site Location Plan



Existing and Proposed Site Layout



2.0	Characteristics of the Site and Area
2.1	The site is located along Duncrue Street, an existing industrial/commercial area within Belfast Harbour. The adjacent site to the north is vacant. The adjacent site to the south is occupied by a number of commercial business premises.
3.0	Description of Proposal
3.1	The proposed development seeks a change of use from existing industrial storage units to a waste metal recycling facility for export with a new weighbridge, offices/reception and staff facilities along with in curtilage parking/turning and boundary treatment.
4.0	Planning Assessment of Policy and Other Material Considerations
4.1	<p>Policy Context</p> <p>Regional Planning Policy</p> <ul style="list-style-type: none"> • Regional Development Strategy 2035 (RDS) • Strategic Planning Policy Statement for Northern Ireland (SPPS) • Planning Policy Statement 3 (PPS 3) - Access, Parking and Movement • Planning Policy Statement 11 (PPS 11) – Planning and Waste Management • Planning Policy Statement 13 (PPS 13) - Transportation and Land Use • Planning Policy Statement 15 (PPS 15) - Flood Risk <p>Local Planning Policy Context</p> <ul style="list-style-type: none"> • Belfast Urban Area Plan (2001) BUAP • Draft Belfast Metropolitan Area Plan 2015(v2004) • Draft Belfast Metropolitan Area Plan 2015(v2014)
4.2	<p>Relevant Planning History</p> <p>LA04/2020/2547/PAN - Change of use from industrial storage units to waste metal recycling facility, 58 Duncrue Street, Belfast, BT3 9AR.</p>
4.3	Consultations
4.3.1	<p>Statutory Consultations</p> <p>DFI Roads – No objection.</p> <p>DFI Rivers Agency – No objection.</p> <p>NI Water – No objection. Public water supply within 20m and has capacity to serve this proposal. Existing premises already connected to public sewerage network. Although Belfast WwTW is operating above design capacity, this proposal can be approved on the basis of like for like development.</p> <p>NIEA – Water Management Unit – clarification sought on final drainage arrangements - <i>Applicant's team has confirmed that the discharge is to NI Water Infrastructure, as is currently the case and no storm discharge to any surface water body / waterway will be undertaken at the site.</i> Final comment on this clarification from WMU awaited.</p> <p>Regulation Unit – No objections subject to conditions.</p>
4.3.2	<p>Non-Statutory Consultations</p> <p>Environmental Health – No objections subject to conditions.</p>

	<p>Shared Environmental Services – No objection. SES has considered the nature, scale, timing, duration and location of the project and concluded that it is eliminated from further assessment because it could not have any conceivable effect on a European site.</p> <p>Economic Development Unit – No objection. No skills or labour shortages are expected to be encountered. EDU recommend that Developer Contributions should not be applied to either the construction or operational phases of the development.</p>
4.4	Representations
4.4.1	The application has been advertised and neighbours notified and no third party objections have been received.
4.5	<p>Planning Assessment</p> <p>Key Issues</p> <p>The key issues to be considered in the assessment of this application are:</p> <ul style="list-style-type: none"> • The acceptability of the proposed use at this location • Access, parking and traffic management • Environmental Considerations - Drainage, Contamination, Noise
4.6	Development Plan Context
4.6.1	Section 6(4) of the Planning Act (Northern Ireland) 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.
4.6.2	The adoption of the Belfast Metropolitan Area Plan (BMAP) in 2014 was declared unlawful as a result of a judgement in the court of appeal delivered on 18 May 2017. This means that the Belfast Urban Area Plan 2001 (BUAP) and Belfast Harbour Local Area Plan 1990-2005 provides the statutory plan context for the area.
4.6.3	Draft BMAP 2015 (dBMAP 2014), in its most recent, post-examination form remains a significant material consideration when making planning decisions. It was at the most advanced stage possible prior to adoption. However, in assessing this application regard is also had to the provisions of draft BMAP which was published in 2004 (dBMAP 2004).
4.6.4	In dBMAP(v2004) the site falls within a Major Area of existing Employment/Industry within Belfast Harbour Area (BHA 08) and within the Belfast Metropolitan/Settlement Development Limit. In dBMAP (v2014) the site is zoned as an Existing Employment area within Belfast Harbour Area (BHA 06) and within the Belfast Metropolitan/Settlement Development Limit. Within the BUAP and the Belfast Harbour Local Area Plan 1990-2005 the site is unzoned land within the development limit of Belfast.
4.7	Proposed Use
4.7.1	The site is located within Belfast Harbour which is a major employment location in Belfast City Council area. The majority of existing buildings on the site will remain in situ with a small scale weighbridge office/staff facilities proposed in the eastern portion

	<p>of the site close to the entrance from Duncrue Street. The new structure is small in scale and comprises 44 sqm. The proposed use of the site for waste metal recycling is sui generis.</p>
4.7.2	<p>PPS 4 and PPS 11 apply to the consideration of the appropriateness of the proposed use. The site is located within an existing employment area in BMAP 2015 and therefore the proposal requires to be assessed against Policy PED 7 insofar as it relates to zoned land. The site is located in unzoned land in the BUAP and the Belfast Harbour Local Area Plan 1990-200 and therefore Policy PED 7 applies insofar as it relates to unzoned land. Assessment of Policy PED 7 for both unzoned and zoned land is set out below.</p>
4.7.3	<p>Policy PED 7 of PPS 4 (Retention of Zoned Land and Economic Development Uses states that for <i>zoned</i> land development that would result in the loss of land or buildings for economic <i>'development uses in a development plan to other uses will not be permitted, unless the zoned land has been substantially developed for alternative uses'</i>. The Policy further states that <i>'An exception will be permitted for the development of a sui generis employment use within an existing or proposed 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 of the industrial/employment land resource in the locality and the plan area generally'</i>.</p>
4.7.4	<p>The proposed land use is considered compatible with the existing uses in the surrounding area and it is noted that similar uses are located nearby for example an established associated waste recycling business is located in close proximity at Nos. 76-86 Duncrue Street. The scale, nature and form of the development are considered acceptable. Consultees are content, subject to conditions that the proposed development is acceptable.</p>
4.7.5	<p>It is considered that the proposed development would not result in a significant reduction in industrial/employment land resource in the locality or the plan area. The Technical supplement (Employment and Industry) for the Draft LDP states that 550,000sqm of employment space for B use classes will be required in Belfast between 2020 and 2035. Following the urban capacity study undertaken the approximately 1,16 million sqm of employment floorspace is available from committed employment sites and new sites. This demonstrates there is a substantial oversupply of employment space within the Council area and in this case the impact of the loss of the existing storage and distribution facility comprising 4,900 sqm would be negligible. In addition, in the immediate area there is sufficient supply of land for economic development uses given its location within the Harbour Area. In conclusion the proposal meets the exception test and is considered to comply with Policy PED 7 in respect of development on zoned land.</p>
4.7.6	<p>Policy PED 7 states that on unzoned land a development proposal that would result in the loss of an existing Class B2, B3 or B4 use to other uses will only be permitted where it can be demonstrated that a number of criteria are met. An assessment of the criteria is set out below;</p> <p>(a) Redevelopment for a Class B1 business use or other suitable employment use would make a significant contribution to the local economy. <i>The proposed use will create 27 new FTE jobs in the local area which will make a significant contribution on the local economy.</i></p>

	<p>(b) The proposal is a specific mixed-use regeneration initiative which contains a significant element of economic development use and may also include residential or community use, and which will bring substantial community benefits that outweigh the loss of land for economic development use; <i>Not applicable.</i></p> <p>(c) The proposal is for development of a compatible <i>sui generis</i> employment use of a scale, nature and form appropriate to the location. <i>As set out above the scale, nature and form of the development of the proposed sui generis use is considered acceptable.</i></p> <p>(d) The present use has a significant adverse impact on the character or amenities of the surrounding area; <i>Not applicable</i></p> <p>(e) The site is unsuitable for modern industrial, storage or distribution purposes. <i>The site is considered capable of accommodating industrial, storage or distribution uses.</i></p> <p>(f) An alternative use would secure the long-term future of a building or buildings of architectural or historical interest or importance, whether statutorily listed or not. <i>The existing buildings are of no historical or architectural merit therefore this criterion is not applicable</i></p> <p>(g) There is a firm proposal to replicate existing economic benefits on an alternative site in the vicinity. <i>Whilst there is no firm proposal to replicate existing economic benefits on an alternative site there is nevertheless opportunity to replicate storage and distribution uses within the immediate Harbour Area. The proposed use will result in the creation of 27 FTE jobs which will contribute to the local economy.</i></p>
4.7.7	<p>The justification and amplification of Policy PED 7 (para 5.31) states that an exception may be made for a proposal for a <i>sui generis</i> employment use compatible with the existing or proposed economic development use e.g. a builders' supplies merchant or a waste management facility provided a sufficient supply of land for economic development use remains in the locality and the plan area. It is considered that the proposed development is an acceptable, compatible use and there is sufficient land in the immediate locality i.e. Belfast Harbour Estate for economic development uses including undeveloped lands at North Foreshore and within the plan area as referred to above.</p>
4.7.8	<p>Policy WM 1 of PPS 11 (Environmental Impact of a Waste Management) states that proposals for the development of a waste management facility will be subject to a thorough examination of environmental effects and will only be permitted where it can be demonstrated that all of the following criteria are met:</p> <ul style="list-style-type: none"> • the proposal will not cause demonstrable harm to human health or result in an unacceptable adverse impact on the environment; <i>An Environmental Impact determination was carried out upon receipt of this application and it was determined that the proposal would not cause significant environmental impact. The consultations carried out during the processing of this application have not raised any significant environmental issues in respect of the impact of the proposed development. The proposal is considered to meet this criterion.</i> • the proposal is designed to be compatible with the character of the surrounding area and adjacent land uses; <i>The majority of built form on the site already exists. Small scale proposed development (weighbridge/staff facilities office and boundary treatment) is considered to be compatible with the character of the surrounding area and adjacent land uses. The proposal is considered to meet this criterion.</i> • the visual impact of the waste management facility, including the final landform of landfilling or land raising operations, is acceptable in the landscape and the development will not have an unacceptable visual impact on any area designated for

its landscape quality; *The site is not in an area designated for its landscape quality and given the nature of the proposed development i.e. change of use of existing buildings/land the visual impact is considered minimal when compared with the existing impact. No landfilling or land raising operations are proposed as part of this application. The proposal is considered to meet this criterion.*

- the access to the site and the nature and frequency of associated traffic movements will not prejudice the safety and convenience of road users or constitute a nuisance to neighbouring residents by virtue of noise, dirt and dust; *The existing access to the site will be used to serve the proposed development. DFI Roads have offered no objections to the proposed access/parking arrangements. The nearest residential properties are located to the west across the motorway and rail line. The Noise Impact Assessment has considered the noise impact on these residential properties at Glasgow Street and concludes that it is unlikely that issues would arise. Environmental Health having considered the supporting information has not raised any objection to the proposed development subject to conditions. The proposal is considered to meet this criterion.*

- the public road network can satisfactorily accommodate, or can be upgraded to accommodate, the traffic generated; *DFI Roads have no objections to the proposal. The proposal is considered to meet this criterion.*

- adequate arrangements shall be provided within the site for the parking, servicing and circulation of vehicles; *On site staff and visitor parking is provided along with turning and manoeuvring space for HGVs. DFI Roads have no objections to the proposed parking, servicing and circulation space. The proposal is considered to meet this criterion.*

- wherever practicable the use of alternative transport modes, in particular, rail and water, has been considered; *The site is served by accessible alternative transport modes including bus and rail services. The proposal is considered to meet this criterion.*

- the development will not have an unacceptable adverse impact on nature conservation or archaeological/built heritage interests. *Consultations have been received from NIEA who have raised no concerns regarding nature conservation. There are no archaeological/built heritage interests on the site. The proposal is considered to meet this criterion.*

- the types of waste to be deposited or treated and the proposed method of disposal or treatment will not pose a serious environmental risk to air, water or soil resources that cannot be prevented or appropriately controlled by mitigating measures; *Ferrous and non-ferrous waste material will be deposited/treated on site. Environmental Health and NIEA have not raised any objection to the proposed use. On this basis it is considered that the proposed development will not pose a serious environmental risk to air, water or soil resources. The proposal is considered to meet this criterion.*

- the proposed site is not at risk from flooding and the proposal will not cause or exacerbate flooding elsewhere; *Rivers Agency has advised that the site does not lie within the 1 in 100 year fluvial or 1 in 200 year coastal flood plain but the eastern portion of the site is located within the 1 in 200 year climate change coastal flood plain. As such Rivers Agency recommend that the finished floor levels of the proposed development are set with a minimum freeboard of 600mm. A significant portion of the built development on the site is existing and located within the western portion of*

<p>4.7.9</p>	<p><i>the site outside the 1 in 200 year climate change coastal flood plain. The new development (weighbridge/staff facilities office) will be located in the eastern portion of the site and the applicant has been advised of the recommendation regarding the finished floors levels and the use of measures to improve the resilience of new developments in flood risk areas by the use of suitable materials and construction methods. These recommendations will be included as an informative in the decision notice. Notwithstanding, Rivers Agency has no objection to the proposed development. The proposal is considered to meet this criterion.</i></p> <ul style="list-style-type: none"> • the proposal avoids (as far as is practicable) the permanent loss of the best and most versatile agricultural land; <i>Not applicable</i> • In the case of landfilling the proposal includes suitable, detailed and practical restoration and aftercare proposals for the site. <i>Not applicable.</i> <p>Policy WM 2 of PPS 11 states that Proposals for the development of a waste collection or treatment facility will be permitted where the following criteria are met:</p> <p><i>(a) there is a need for the facility as established through the WMS and the relevant WMP; The Arc 21 Waste Management Plan which covers Belfast City Council Area indicates that the principal objectives of The End of Life Vehicles Directive (2000/53/EC) (implemented in Northern Ireland through the End of Life Vehicle Regulations 2003 (Northern Ireland S.R. 2003/493) are an increase in the recycling of End of Life Vehicles (EVs) and their components and the improved environmental performance of all the economic operators involved in the life cycle of vehicles. It is considered that the proposed development does not conflict with the Arc 2 Waste Management Plan and therefore complies with this criterion.</i></p> <p><i>(b) the proposed facility is the Best Practicable Environmental Option (BPEO); The location of the site is considered acceptable and compatible with adjoining land uses within Belfast Harbour Estate as assessed above. The associated business headquarters of the operator of the site is located in close proximity to the application site. The proposed development does not raise unacceptable adverse environmental impacts. It is considered that the proposed site is the BEPO The proposal is considered to meet this criterion.</i></p> <p><i>(c) the proposed facility complies with all of the following criteria:</i></p> <ul style="list-style-type: none"> • it will not result in an unacceptable adverse environmental impact that cannot be prevented or appropriately controlled by mitigating measures (see Policy WM 1); and <i>As set out above it is considered that the proposed development will not result in an unacceptable adverse environmental impact. The proposal is considered to meet this criterion.</i> • significant mineral reserves are not sterilised; and <i>Not applicable</i> • it is suitably located within an active or worked out hard rock quarry or it brings land that is despoiled, derelict or contaminated back into productive use; and <i>Not applicable</i> • in the case of a regional scale landfill or land raising site, its location closely relates to and allows for easy access to key transport corridors and, where practicable make use of the alternative transport modes of rail and water; and <i>Not applicable</i> • detailed measures are included for the appropriate restoration and aftercare of sites that will help to enhance bio-diversity. <i>Not applicable</i> <p>4.7.10</p> <p>The proposed use i.e. waste metal recycling is considered compatible with surrounding uses and is considered acceptable and in compliance with PPS 11 and the SPPS.</p>
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4.7.11	The proposed weigh bridge office is 2.6m high with a flat roof to be finished in grey cladding and 14.4m long with external walls to be finished in PPC blue cladding. Open scrap metal storage areas are proposed within the site to be bounded by a 3m high rocket wall which comprises freestanding precast concrete units, scrap storage bays within the northern portion of the site are to be bounded by a 2.8m high Easi -Block wall (precast concrete blocks). Other boundary treatments included 2.4 m high chain link fencing and 2.4m high palisade fencing. The proposed boundary treatments seek to improve site security and are considered acceptable in this commercial/industrial location and appropriate to the proposed use. The overall height, scale, form and design of the proposed development is in keeping with existing character and appearance of the area and adjacent land uses and compliant with the SPPS.
4.8	Access Parking and Traffic Management
4.8.1	The existing access to the site from Duncrue will be used to serve the proposed development. A staff and visitor car park is proposed at the site entrance accommodating 30 spaces. HGV turning and parking areas including vehicle waiting areas for the weighbridge are located within the site. Parking and servicing arrangements are considered adequate to serve the development. DFI Roads have no objection to the proposed development. The proposal is considered to comply with PPS 3.
4.9	Environmental Considerations
4.9.1	Drainage The Applicant's team has provided confirmation that the proposed site drainage will discharge to NI Water Infrastructure, which is currently the case. A final response is awaited from NIEA however, no change is proposed to the current drainage arrangements.
4.9.2	Contamination
4.9.2.1	The application was accompanied by a Preliminary Contamination Risk Assessment which concluded that there is no unacceptable contamination risks associated with the proposed development. Only minor groundworks are proposed to construct the weighbridge and oil interceptor. The report confirms that no enclosed buildings or spaces will be constructed where ground disturbance is required to construct the weighbridge and oil interceptor. The weighbridge office will have a clear airspace between ground surface and the sealed floor of the unit, mitigating any gas and vapour ingress. All minor penetrations of the retained hardstanding for the connection of the services shall be sited outside the footprint of this building. With respect to ground gas and vapours, the report concludes that any risk is mitigated through the incorporation of several design elements. Section 4.1 of the report concludes that <i>'in summary there are not considered to be any unacceptable contamination risks associated with the proposed development'</i> .
4.9.2.2	Environmental Health and NIEA are satisfied with the conclusions of the Preliminary Contamination Risk Assessment and raise no objection to the proposed development subject to conditions which are set out in the 'Draft Conditions' section below.
4.9.3	Noise
4.9.3.1	A number of Noise Reports have been submitted in support of the proposed development.

4.9.3.2	<p>The Acoustic Review (October 2021) provides clarification on the nature of the operations on the site and states that <i>'the site will receive materials typically brass, copper, aluminium, lead, cable etc for processing and preparation for shipping from export facilities in Belfast Harbour. Items brought by lorry are either off loaded directly into the appropriate bay or, in the case of mixed material loads, are tipped to a central area where a material handler (occasionally two) will separate the product by company requirement and move to the required storage bay. Once sufficient quantities of material have been received it is loaded to lorries for export or sent to other facilities as required by contracts or requirements. Specialist operations continue around the site, predominantly internally. Essentially it is a receive materials, sorted, and sifted externally and move to specialist equipment internally, stored or exported to another site.'</i></p>
4.9.3.4	<p>Environmental Health (EH) advise in their response that a complete list of the equipment likely to be used on site both internally and externally has been documented in the addendum acoustic report and noise measurements for the operation of each piece of equipment is included. EH also advise that the acoustic report includes assessment of impact upon the closest identified sensitive residential premises located on the opposite side of the M2 associated with the proposed operation of plant and equipment.</p>
4.9.3.5	<p>The proposal includes the use of mobile and fixed machinery as a number of processes will be conducted inside buildings whilst other operations will be restricted to fixed locations when working externally. Machinery includes a granulator (to be housed internally), depollution unit, mobile bailer, material handlers, fork lifts, telehandler, bobcat, lorries/service vehicles.</p>
4.9.3.6	<p>EH advise that with regard to the neighbouring commercial premises, some of which include offices and located immediately adjacent to the proposed metal recycling facility, the assessment considers the potential noise impact in the context of the internal standards recommended for office environments as outlined in BS8233:2014. The closest sensitive offices are presented in the noise assessment as being 42m away from the noisiest work area defined within the acoustic report.</p>
4.9.3.7	<p>Based on the reference noise level of the activity of two materials handlers in operation and attenuation with distance the assessment determines the noise level at the office façade to be 70dB_{LAeq} but with a further reduction of approximately 7dB for a reduced angle of view of the work area as the gable window of the nearest office does not have a direct line of site of the main work area which results in a predicted façade level of 63dB_{LAeq}. With this gable window open for ventilation, the noise assessment predicts an internal noise level of circa 48dB_{LAeq} (allowing for a -15dB reduction through an open window). Similarly, the noise assessment considers the impact the other offices in surrounding units and concludes that the internal noise level will be well below the target level of 50dB_{LAeq}.</p>
4.9.3.8	<p>Environmental Health further advise that there may be times when the internal level of 50dB_{LAeq} is exceeded, particularly within Unit 16 the closest unit of the neighbouring Forty Eight North development, as the acoustic assessment is based on the assumption that the materials handlers will only operate within a defined 'work area' 42m away from the offices. EH advise that should the proposed site layout and activity plans change this could impact the neighbouring offices to a greater extent than predicted in the acoustic report and could result in complaint, particularly during the summer when the neighbouring office/s may wish to have a window open. As a result EH state that the implementation and regular review, of the submitted Noise and</p>

	Vibration Management Plan will be key to avoiding adverse noise to impact neighbouring commercial premises and recommend a condition to ensure implementation and monitoring of the NVMP.
4.9.3.9	Environmental Health highlight that in addition to the point above regarding concerns around the impact on existing neighbouring offices, the applicant has revised the proposed site layout to include the proposed 3m high concrete wall extending the full length of the southern boundary of the site. The concrete barrier wall of 3m will have greatest impact at reducing noise at ground floor level of neighbouring premises. In addition to extending the 3m high concrete wall, the Noise and Vibration Management Plan (NVMP) identifies physical controls and managerial good practice to contribute to a proactive approach to minimising unnecessarily excessive noise on site which has the potential to occur if activities were to go unchecked. These measures include educating all staff on the importance of controlling noise levels at source by reducing engine revs and the careful handling of materials, instructing staff on the careful handling of materials and proposing an active role of supervision of all activities along with regular updates.
4.9.3.10	Environmental Health acknowledge that the noise climate at the site will change, there will be a noticeable increase and change in the nature of the noise given the former use involved industrial storage only and would have had less heavy vehicular movements and limited external activity noise. However, EH advise that as long as the NVMP is adopted and regularly reviewed by McKenzie's management along with good neighbour liaison and communication with immediate commercial neighbours it is considered that the proposed change of use should not have an adverse noise impact on neighbouring existing commercial premises, particularly given the context of the location within an area zoned for industrial and commercial use. Environmental Health raise no objections to the proposal subject to conditions which are set out in the 'Draft Conditions' section below.
4.10	Pre-Application Community Consultation
4.10.1	In accordance with the requirements of Section 27 of the Planning Act (NI) 2011, the applicant served a Proposal of Application Notice (PAN) on Belfast City Council on 08 December 2020 (LA04/2020/2547/PAN). Belfast City Council responded confirming that the PAN and associated approach met the requirements of Section 27 of the Planning Act and was acceptable subject to further consultation with Members of the Castle District Electoral Area. The Pre-Application Community Consultation (PACC) Digital Engagement via a dedicated website took place on 23 rd November to 14 th December.
4.10.2	A Pre-Application Community Consultation Report has been produced to comply with the statutory requirement laid out in Section 28 of the Planning Act (Northern Ireland) 2011. The purpose of a PACC report is to confirm that pre-application community consultation has taken place in line with statutory minimum requirements and has taken account of the Council's comments during the PAN process. The report has confirmed advertising for the public event and that the public event took place in accordance with section 5 of The Planning (Development Management) Regulations (Northern Ireland) 2015. The report also confirmed that 24 surrounding properties were provided with an information leaflet providing details of the digital public consultation event.
4.10.3	The report confirms that the development team informed local elected representatives in the Titanic DEA, and the North Belfast MLAs and Member of Parliament of the

<p>4.10.4</p> <p>4.10.5</p>	<p>proposal. The applicant's team has since informed local elected representatives in the Castle DEA of the proposed development.</p> <p>The PACC report set out 2 comments received via the feedback forms. One was an enquiry about the site's location. The second raised queries regarding the boundary treatment and nature of the operation. The applicant responded directly to the queries in both cases.</p> <p>Officers are satisfied that the Pre-Community Consultation Report submitted satisfactorily demonstrates that the applicant has complied with the requirements of Sections 27 and 28 of the Planning Act (NI) 2011 and Section 5 of The Planning (Development Management) Regulations (Northern Ireland) 2015 and has adhered to Council recommendations during the PAN process. The PACC report is considered acceptable.</p>
<p>Neighbour Notification Checked Yes</p>	
<p>Summary of Recommendation: Having regard to relevant policy context and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions with the final wording of conditions delegated to the Director of Planning and Building Control and subject to no substantive issues being raised by NIEA Water Management Unit.</p>	
<p>Draft Conditions:</p> <p>1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <p>2. Prior to commencement of operation of the hereby permitted development, the boundary wall around the site shall be constructed in accordance with the 'proposed site layout' presented in the da architects Ltd drawing no. 1755-14, revision h, and as marked by Planning Service Drawing No. 02B published on 08 October 2021.</p> <p>Reason: Protection against adverse noise impact.</p> <p>3. All door openings to the sheds shall be kept shut while the granulator is in operation.</p> <p>Reason: Protection against adverse noise impact.</p> <p>4. Upon operation of the hereby permitted development, the October 2021 Noise and Vibration Management Plan (NVMP) shall be implemented and adhered at all times with regard specifically to the working area defined for the use of the materials handlers, with reference to the standard and non-standard working hours referred to in the NVMP and routine checks and complaints logged.</p> <p>Reason: Protection against adverse noise impact.</p> <p>5. The Noise and Vibration Management Plan shall be retained at all times as a 'live document' and shall be updated and amended as necessary at least once per year or sooner upon receipt of complaint/s. Records shall be may available to the Council upon request.</p> <p>Reason: Protection against adverse noise impact.</p>	

6. The portacabin accommodation at the hereby permitted development shall be constructed in line with recommendations presented in the Pentland MacDonald Ltd entitled 'Preliminary Contamination Risk Assessment, Site at Duncrue Street, Belfast, for McKenzies NI Ltd / DA Architects Ltd, Pentland Macdonald Ltd Report No. PM21-1054, dated April 2021' to include a clear air space below the floor. Any services required to be provided to the hereby permitted portacabin/s shall not penetrate the floor. Services shall be installed to allow them to enter outside of the footprint via a side wall of the portacabin and with a clear airspace around them.

Reason: Protection of human health.

7. If during the development works, new contamination or risks are encountered which have not previously been identified, works shall cease and the Planning Authority shall be notified immediately. This new contamination shall be fully investigated in accordance with best practice. In the event of unacceptable risks being identified, a Remediation Strategy and subsequent Verification Report shall be agreed with the Planning Authority in writing, prior to the development being occupied. If required, the Verification Report shall be completed by competent persons in accordance with best practice and must demonstrate that the remediation measures have been implemented and that the site is now fit for end-use.

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

Notification to Department (if relevant): Not Applicable

Representations from Elected Members: None

ANNEX	
Date Valid	11th May 2021
Date First Advertised	21st May 2021
Date Last Advertised	27 th August 2021
Details of Neighbour Notification (all addresses) The Owner/Occupier, 142 Duncrue Street,Belfast,Antrim,BT3 9AR The Owner/Occupier, 144 Duncrue Street,Belfast,Antrim,BT3 9AR The Owner/Occupier, 42-44 ,Duncrue Street,Belfast,Antrim,BT3 9AU The Owner/Occupier, 48 Duncrue Street,Belfast,Antrim, The Owner/Occupier, 50-56 ,Duncrue Street,Belfast,Antrim,BT3 9AR The Owner/Occupier, 62-64 ,Duncrue Street,Belfast,Antrim,BT3 9AR The Owner/Occupier, 62-64 ,Duncrue Street,Belfast,Antrim,BT3 9AR The Owner/Occupier, Brooks Belfast,27 Duncrue Street,Belfast,Antrim,BT3 9AL The Owner/Occupier, Store,27 Duncrue Street,Belfast,Antrim,BT3 9AR The Owner/Occupier, Translink, 25 Duncrue Street,Belfast,Antrim,BT3 9AQ The Owner/Occupier, Unit 1,48 Duncrue Street,Belfast,Antrim,BT3 9BJ The Owner/Occupier, Unit 1,68-74 ,Duncrue Street,Belfast,Antrim,BT3 9AR The Owner/Occupier, Unit 10,48 Duncrue Street,Belfast,Antrim,BT3 9BJ The Owner/Occupier, Unit 11,48 Duncrue Street,Belfast,Antrim,BT3 9BJ The Owner/Occupier, Unit 12,48 Duncrue Street,Belfast,Antrim,BT3 9BJ The Owner/Occupier, Unit 13,48 Duncrue Street,Belfast,Antrim,BT3 9BJ The Owner/Occupier, Unit 14,48 Duncrue Street,Belfast,Antrim,BT3 9BJ The Owner/Occupier, Unit 15,48 Duncrue Street,Belfast,Antrim,BT3 9BJ The Owner/Occupier, Unit 17,48 Duncrue Street,Belfast,Antrim,BT3 9BJ The Owner/Occupier, Unit 18,48 Duncrue Street,Belfast,Antrim,BT3 9BJ The Owner/Occupier, Unit 19,48 Duncrue Street,Belfast,Antrim,BT3 9BJ The Owner/Occupier, Unit 2,48 Duncrue Street,Belfast,Antrim,BT3 9BJ The Owner/Occupier, Unit 2,68-74 ,Duncrue Street,Belfast,Antrim,BT3 9AR The Owner/Occupier, Unit 3,48 Duncrue Street,Belfast,Antrim,BT3 9BJ The Owner/Occupier, Unit 4,48 Duncrue Street,Belfast,Antrim,BT3 9BJ The Owner/Occupier, Unit 4,58 Duncrue Street,Belfast,Antrim,BT3 9AR The Owner/Occupier, Unit 4,68-74 ,Duncrue Street,Belfast,Antrim,BT3 9AR The Owner/Occupier, Unit 5,48 Duncrue Street,Belfast,Antrim,BT3 9BJ The Owner/Occupier, Unit 6,48 Duncrue Street,Belfast,Antrim,BT3 9BJ The Owner/Occupier, Unit 7,48 Duncrue Street,Belfast,Antrim,BT3 9BJ The Owner/Occupier, Unit 8,48 Duncrue Street,Belfast,Antrim,BT3 9BJ The Owner/Occupier, Unit 9,48 Duncrue Street,Belfast,Antrim,BT3 9BJ The Owner/Occupier, Unit A,62-66 ,Duncrue Street,Belfast,Antrim,BT3 9AR The Owner/Occupier, Unit B,62-66 ,Duncrue Street,Belfast,Antrim,BT3 9AR The Owner/Occupier, Unit16,48 Duncrue Street,Belfast,Antrim,BT3 9BJ	
Date of Last Neighbour Notification	25 th August 2021
Date of EIA Determination	12th May 2021
ES Requested	No