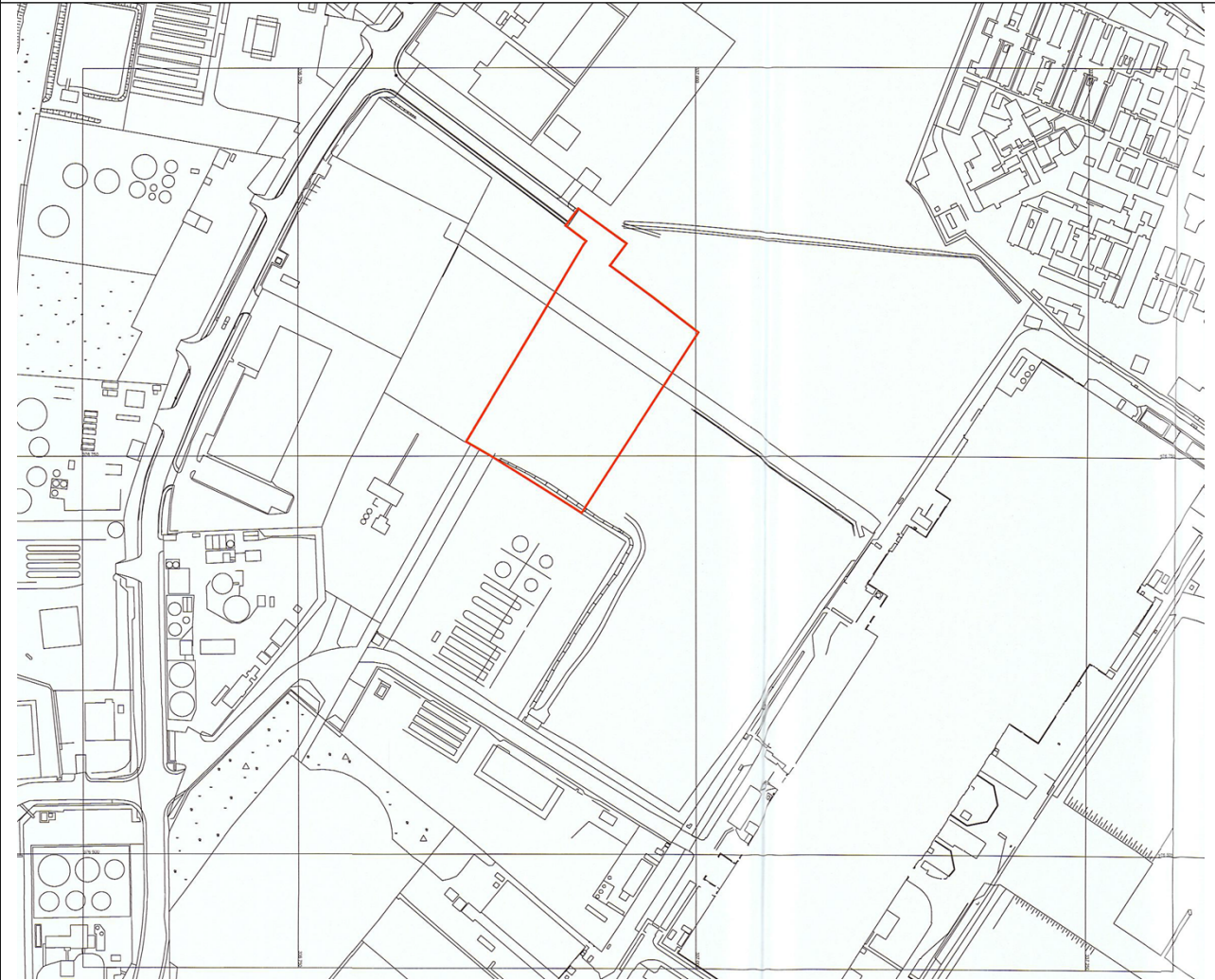


## Development Management Officer Report Committee Application

<b>Summary</b>	
<b>Committee Meeting Date:</b> 19 April 2016	
<b>Application ID:</b> LA04/2016/0057/F	
<b>Proposal:</b> Proposed Centralised Anaerobic Digestion (CAD) Plant, combined heat and power (CHP) plant, ancillary plant and site works.	<b>Location:</b> Lands approximately 100 meters southeast of no. 101b Airport Road West, Belfast BT3 9ED
<b>Referral Route:</b> Director of Planning & Place Referral	
<b>Recommendation:</b>	Approval
<b>Applicant Name and Address:</b> Belfast Harbour Commissioners Harbour Office Corporation Square Belfast BT1 3LA	<b>Agent Name and Address:</b> Clyde Shanks 5 Oxford Street Belfast BT1 3LA
<p><b>Executive Summary:</b></p> <p>The site is located within the development limits of Belfast in the Belfast Metropolitan Area Plan (BMAP) and is identified as being within Zoning BHA 06: Existing Employment Belfast Harbour.</p> <p>The main issues to be considered in this case are:</p> <ul style="list-style-type: none"> <li>• The principle of the Anaerobic Digesters at this location;</li> <li>• Impact on amenity;</li> <li>• Visual impact; and</li> <li>• Traffic Movement and Parking</li> </ul> <p>The principle of the anaerobic digester (AD) plant is acceptable at this location. The proposal at this location does not conflict with area plan designations. It is located within an area that contains employment uses and is not located in or abutting a primarily residential area.</p> <p>In terms of amenity, there are no residential uses in the vicinity of the application site and any adverse impacts on other sensitive land uses can be mitigated.</p> <p>All Consultees have offered no objections to the proposal, subject to conditions.</p> <p>No objections from third parties have been received.</p> <p>Having regard to the Belfast Metropolitan Area Plan 2015, to the policy context and other material considerations, the proposal is considered acceptable.</p> <p><b>Recommendation</b> Approve subject to conditions as set out in the case officer report</p>	

## Case Officer Report

### Site Location Plan



### Characteristics of the Site and Area

#### 1.0 Description of Proposed Development

Full planning permission is sought for a proposed Centralised Anaerobic Digestion (CAD) plant, combined heat and power (CHP) plant, ancillary plant and site works.

The proposed CAD seeks to accept the following EWC Codes:

- 02 07 02 Distillers grain; and
- 02 01 06 Animal Manure

The total amount of waste accepted at the proposed CAD will be 26,550 tonnes per annum split into the following:

- 4,000 tonnes per annum of distillers grain; and
- 22,550 tonne per annum of animal Manure.

The CAD and combined heat and power plant building comprises three tanks - two

	<p><i>digester</i> tanks each measuring 33 metres in diameter and 7 metres in height 9with a further 6.6 metre high flexi biogas storage membrane and one <i>digestate</i> storage tank is 33 metres in diameter and 7 metres in height.</p> <p>There are a number of other buildings on the site including a feedstock reception building, digestate separator, control room and pasteurisation building.</p> <p>The animal manure will be contracted in and transported from satellite farms in the wider Belfast area.</p> <p>The distiller's grain is stored at an existing grain store in McCaughey Road within the Belfast Harbour Estate and will be transported to the site as and when required.</p> <p>The digestate produced which will be in the region of 23,725 tonnes per annum (i.e. 90% of total feedstock), will be delivered to satellite farms for land spreading as per normal farming practice within the requirements of the Nitrates Directive.</p>
<b>2.0</b>	<p><b>Description of Site</b></p> <p>Rectangular in shape, the site is 1.3 hectares in size and relatively flat throughout. The site comprises previously developed land bound by security fencing. An existing temporary private road owned by Belfast Harbour Commissioners traverses the site towards the Bombardier Aerospace complex.</p>
<b>3.0</b>	<p><b>EIA Screening</b></p> <p>The development falls within the scope of Schedule 2 Category 3 (a) of the Planning (Environmental Impact Assessment) Regulations (NI) in that the carrying out of development to provide for industrial installations for the production of electricity, steam and hot water (unless falling within Schedule 1). The Council determined on the 7th April 2016 that an Environmental Statement was not required in this instance.</p>
<b>Planning Assessment of Policy and other Material Considerations</b>	
<b>4.0</b>	<p><b>Planning History</b></p> <p>Adjoining the south east, planning permissions (Z/2012/1387/F and Z/2014/1346/F) have been granted for the construction of a Combined Heat and Power (CHP) generating station for the treatment of Refused Derived Fuel (RDF) by gasification. The applicant was Bombardier Aerospace.</p> <p>Planning application (LA04/2015/0301/F), submitted on 20 March 2015, is currently pending to vary Condition nos. 6 and 7 of the above planning permission Z/2014/1346/F relating to throughput and the Transportation Service Management Plan.</p> <p>In the wider area, planning applications (Z/2004/2271/F, Z/2007/2734/F, Z/2013/1117/F and Z/2013/1267/F) have been approved for a range of development including a distribution centre, concrete batching plant and roof mounted solar photovoltaic (PV) energy at Bombardier Aerospace, Wing Manufacturing and Assembly Facility, Airport Road West, Belfast</p>
<b>5.0</b>	<p><b>Policy Framework</b></p>

5.1	Belfast Metropolitan Area Plan 2015
5.2	Strategic Planning Policy Statement for Northern Ireland Planning Policy Statement 3: Access Movement and Parking Planning Policy Statement 4: Planning and Economic Development Planning Policy Statement 13: Transportation and Land Use Planning Policy Statement 15: Planning and Flood Risk Planning Policy Statement 18: Renewable Energy
<b>6.0</b>	<b>Statutory Consultee Responses</b>
	Transport NI- No objections subject to conditions NIWater- No objections; NIEA- Waste Management- No Objection subject to conditions; NIEA- NED- No objections subject to conditions Rivers Agency- No objections
<b>7.0</b>	<b>Non Statutory Consultee Responses</b>
	Belfast City Council EPU- No Objections subject to conditions Shared Services Team- No Objections
<b>8.0</b>	<b>Representations</b>
	The application was advertised in the local press. There are no neighbours abutting the application site. No letters of objection have been received.
<b>9.0</b>	<b>Other Material Considerations</b>
9.1	Department of Environment Parking Standards Supplementary Planning Guidance on Anaerobic Digesters Anaerobic Digesters - Planning Guidance Note: Northern Ireland Environment Agency (2012) Planning for Waste Management Facilities: A research Study (Chapter 2), Office of the Deputy Prime Minister (2004) The Anaerobic Digestion Portal: The National Non-Food Crops Centre with support of DECC and DEFRA
	Background
<b>10.0</b>	<b>Assessment</b>
10.1	The key issues in the assessment of the proposed development include: <ul style="list-style-type: none"> <li>• The principle of the anaerobic digester at this location;</li> <li>• Visual Impact;</li> <li>• Amenity;</li> <li>• Traffic Movement and Parking;</li> <li>• Flooding; and</li> <li>• Impact on Belfast Lough SPA and ASSI.</li> </ul>
10.2	The Strategic Planning Policy Statement (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 4.18-22 details that sustainable economic growth will be supported.  <u>Principle of proposed development</u>
10.3	The site is located within the development limits of Belfast in the Belfast Metropolitan Area Plan (BMAP) and is identified as being within Zoning BHA 06: Existing Employment Belfast Harbour. Given that there are recent planning approvals for renewable energy schemes within this zoning including a combined heat and power plant at Bombardier Aerospace under planning reference Z/2012/1387/F and the fact that it does not conflict

	<p>with area plan designations it is considered that the principle of development is acceptable.</p>
	<p><u>Assessment against PED 7 of Planning Policy Statement 4</u></p>
10.4	<p>Policy PPS 4 is a material consideration. PED7 identifies that development which would result in the loss of land or buildings zoned for economic development use in a development plan (either existing areas or new allocations) to other uses will not be permitted, unless the zoned land has been substantially developed for alternative uses. 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:</p>
10.5	<ul style="list-style-type: none"> <li>- the proposal is compatible with the predominant industrial use;</li> <li>- it is of a scale, nature and form appropriate to the location; and</li> <li>- provided approval will not lead to a significant diminution of the industrial/employment land resource in the locality and the plan area generally.</li> </ul>
10.6	<p>Para 5.31 goes onto state that: '<i>...an exception may be made for a proposal for a sui generis 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 generally...</i>'. A CAD plant is a waste management facility and therefore 'sui generis' in the context of the Planning (Use Classes) Order (Northern Ireland) 2015. It is therefore considered that the proposed development complies with Policy PED7 as it is compatible with the zoning and surrounding uses, is of an appropriate scale and will provide employment for 4 full time staff. The granting of planning permission for the adjacent Bombardier gasification facility is a clear interpretation of PED 7 and the acceptance of sui generis uses on zoned industrial land. It is also considered that given the expansive nature and size of zoning BHA06, there is sufficient industrial land for redevelopment of other economic land uses. It is therefore considered that the proposal complies with PED 7 of PPS 4.</p>
10.7	<p>Planning policy Statement 18 is also a material consideration. Policy RE1 seeks to ensure that the proposed development will not result in an unacceptable adverse impact on:</p> <ul style="list-style-type: none"> <li>a. public safety, human health, or residential amenity;</li> <li>b. visual amenity and landscape character;</li> <li>c. biodiversity, nature conservation or built heritage interests;</li> <li>d. local natural resources, such as air quality or water quality; and</li> <li>e. public access to the countryside.</li> </ul>
	<p>In terms of criterion (a) the site is located within a COMAH (Control of Major Accidents and Hazards) inner zone designation. The management of the proposed CAD facility will require four full-time job positions. The risk of ignition has also been considered in terms of the required plant. An emergency gas boiler is proposed for combusting any excess gas produced. Given the limited number of staff and the imposition of mitigating measures it is considered that the proposal complies insofar as public safety is concerned. In terms of noise, the industrial nature of the site lends itself to having high background noise levels. The nearest residential properties are located 1.3 km away in Sydenham in East Belfast. A Noise Impact Assessment (NIA) indicates that there will be no unacceptable impact to these residential properties given the separation distance, a view shared by Belfast City Council's Environmental Protection Unit.</p>
10.8	<p>In terms criteria (b) and (c) the site has not been designated as having any landscape value by the Area Plan. It is not within an Area of Outstanding Natural Beauty (AONB),</p>

	Area of Outstanding High Scenic Value (AOHSV) or a Local Landscape Policy Area (LLPA).
10.9	The proposed throughput will have minimal impact on local roads given the expected trips to be generated per day. The location, infrastructure and altered access arrangements proposed are more than adequate for this type of development in this industrial location.
10.10	<u>Feedstocks and Product Storage</u>  The feedstock proposed comprises distillers grains and animal manure. On arriving at the site, slurry will be piped directly from the tanker into the sealed reception tanks.
10.11	A detailed Air Quality Impact Assessment has been carried out as part of this application submission which concludes that there will be no unacceptable impact. This assessment was informed by pre-application discussions with Belfast City Airport who required the report to demonstrate that there would no detrimental impact on airport visibility or oxygen levels as a result of CHP emissions.
10.12	<u>Assessment against Planning Policy Statement 11</u>  Planning Policy Statement 11: Planning and Waste Management is a material consideration. This policy document sets out the Department's planning policies for the development of Waste Management Facilities. It seeks to ensure the highest standards so that waste can be dealt with in a way, which minimises impacts on the environment.
10.13	The particular policy relevant to a proposal of this nature is Policy WM2 'Waste Collection and Treatment Facilities'. Policy WM2 must be considered in light of Policy WM1 'Environmental Impact of a Waste Management Facility'.
10.14	Policy WM1 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 a number of criteria are met.
10.15	Following consultation with NIEA Land and Resource Management, Environmental Health and Water Management Unit offer no objection regarding the impact of the proposal on human health or the environment.
10.16	It is considered that the types of waste to be treated and the proposed method of treatment will not pose a serious environmental risk to air, water or soil resources that cannot be prevented or appropriately controlled by mitigating measures. The application proposes to utilise animal manure derived from satellite farms in the Greater Belfast area and distillers grains / energy crops in order to produce energy through the process of anaerobic digestion. Advice was sought from Environmental Health and NIEA in relation to the environmental effects of the proposal. Both offered no objection to the detail of the proposal.
10.17	It is anticipated that odour emissions from the proposed plant will be adequately mitigated against as the digestion plant has an airtight seal in order to collect the gases given off during the process. The digestate remaining after the AD process will have a significantly reduced odour therefore not posing any significant nuisance to other businesses within the zoning or indeed residential properties further afield.
10.18	NIEA will be responsible for regulating the site and the licensing process will require the

	<p>application to demonstrate that any associated environmental impacts will be acceptable. NIEA are content with the detail of the proposal. It is therefore concluded that the proposal will not pose serious environmental risk to air, water or soil resources that cannot be controlled by mitigating measures.</p> <p><u>Policy WM2 – Waste Collection and Treatment Facilities</u></p>
10.19	<p>Policy WM 2 states that proposals for the development of a waste collection or treatment facility will be permitted where certain criteria are met. Within the context of Policy WM2 this proposal is assessed as follows:</p>
10.20	<p>The application site is located adjacent to a recently approved combined heat and power plant and is suitably located within an area which does not contain sensitive land uses such as residential, therefore meeting the locational criteria of this policy.</p>
10.21	<p>In terms of 'Best Possible Environmental Option' (BPEO) the proposed facility is to be located within an existing employment area as zoned in BMAP 2015. BPEO promotes sustainability and covers issues relating to collection, transportation, treatment, recycling, recovery and disposal of waste. The proposal in this instance will utilise manure from satellite farms in the greater Belfast area and distillers grain stored in a nearby building. It will facilitate the reuse/recovery of material in the production of a renewable energy source thus promoting sustainability.</p>
10.22	<p>Following consultation with NIEA Water Management Unit, NIEA Land and Resource Management and Environmental Health it is considered that the development is appropriate to the nature and hazards of the wastes concerned.</p>
10.23	<p>As previously discussed in the consideration of Policy WM1 the proposal will not result in an unacceptable adverse environmental impact. Accordingly, the proposal meets the criteria of policy WM2.</p> <p><u>Supplementary guidance document titled 'Anaerobic Digesters'</u></p>
10.24	<p>The Supplementary Planning Guidance (SPG) document titled Anaerobic Digesters provides additional advice and guidance specific to Anaerobic Digestion (AD) to complement the background information already set out in the Best Practice Guidance to PPS 18. The information set out in this SPG should be read in conjunction with both PPS18 and its associated Best Practice Guidance. It has been drawn up taking account of similar material available for other parts of the UK and the Republic of Ireland. This guidance document sets out the key planning issues, some of which are more relevant given its location with the development limits. Whilst only in draft with a clear caveat that state '<i>When published in final form, this SPG will be a material consideration in the determination of planning applications for AD development</i>', it still offers assistance and guidance on the key issues to be considered. Care has been taken to ensure that the proposed EWC codes, layout of the site, processes and associated digestate will not prejudice or adversely impact either human health or the natural environment.</p> <p><u>Traffic and Parking</u></p>
10.25	<p>The proposal has been assessed against Policy AMP 7 of PPS 3: Access, Movement and parking. It has been accepted that the proposal will not prejudice road safety or inconvenience the flow of traffic and there is adequate car parking, a view shared by Transport NI.</p>

<p>10.26</p> <p>10.27</p> <p>10.28</p> <p>10.29</p>	<p><u>Scale, Massing and Design</u></p> <p>The height, scale and massing of the buildings and associated plant are considered acceptable given the site context and are comparable to other buildings in the area.</p> <p><u>Flooding</u></p> <p>Planning Policy 15: Planning and Flood Risk is a material consideration. The flood map (NI) indicates that the proposed site does not lie within the 1 in 200 coastal flood plain. A Drainage Assessment dated December 2015 was submitted by the applicant. Rivers Agency has accepted the details contained within it and on that basis have no grounds to object. It is considered that the proposal fully complies with FLD 3 of PPS 15.</p> <p><u>Impact on Natural Heritage features</u></p> <p>The application site is in close proximity to Belfast Lough SPA/Belfast Lough Open Water SPA/Inner Belfast Lough ASSI which is of international and national importance and are protected by Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995 (as amended), and The Environment (Northern Ireland) Order 2002. Through consultation with NIEA- NED, CPD and the Shared Service Team which included the carrying out of a Habitat Regulations Assessment it has been concluded that the impact of the proposal on these protected areas will be minimal; and on that basis the application can be recommended for approval subject to the imposition of planning conditions.</p> <p><u>Other material considerations</u></p> <p>The plant represents a capital investment of approximately £5m and will generate up to 20 jobs during construction and four full time employees once operational.</p>
<p><b>10.0</b></p>	<p><b>Summary of Recommendation:</b> Approval</p> <p>Having regard to the development plan, relevant planning policies, and other material considerations, it is determined that the development will not result in demonstrable harm to the interests of acknowledged importance. Approval is therefore recommended.</p>
<p><b>11.0</b></p>	<p><b>Conditions</b></p> <p>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.</p> <p>Reason: Time Limit.</p> <p>2. The feedstock hereby accepted at the facility shall be limited to energy crops, distillers grain (EWC code 02 07 02) and animal manure (EWC 02 01 06) and no other feedstock.</p> <p>3. The Anaerobic Digester (AD) will accept a maximum of 26,550 tonnes per annum.</p> <p>Reason: In the interests of environmental protection and public health.</p> <p>4. Of the 26,550 tonnes per annum the Anaerobic Digester will accept a</p>



maximum of 4,000 tonnes of distillers grain / energy crops (EWC code 02 07 02) and a maximum of 22,550 tonnes per annum of animal manure (EWC 02 01 06).

Reason: In the interests of environmental protection and public health.

5. There shall be no external storage of waste.

Reason: in the interests of environmental protection and in the interest of amenity of residents in the area.

6. A Nutrient Management Plan must be provided to Belfast City Council prior to commissioning of the Centralised Anaerobic Digestion (CAD) Plant. This should identify the land parcels on which the digestate will be spread, confirming that no digestate will be spread within 7.5km of a designated site.

Reason: To safeguard the protection of designated sites.

7. A buffer of at least 10 metres must be maintained between the location of refuelling, storage of oil/fuel, concrete mixing and washing areas, storage of machinery/material/spoil and all watercourses.

Reason: To safeguard the protection of designated sites.

8. A detailed Construction Method Statement (CMS) must be submitted to Belfast City Council, for consultation and agreement with NIEA Water Management Unit, at least eight weeks prior to the commencement of construction. The CMS should include robust pollution prevention measures to protect groundwater and other waterways for the construction, deconstruction and operational phases of the application. Refer to DOE Standing Advice Note No.4 – Pollution Prevention Guidance (April 2015) advice on Construction Method Statements.

Reason: To ensure that pollutants are not released to the aquatic environment.

9. Prior to commencement of the development, the applicant shall submit to Belfast City Council, for approval, a Contaminated Land Preliminary Risk Assessment which follows the methodology outlined in *Model Procedures for the Management of Land Contamination* (CLR11) and contain a full description of the site and its surroundings, a determination of the history of the site and its surroundings, identification of the current and past land uses and a Preliminary Conceptual Site Model outlining all potential Source-Pathway-Receptor pollutant linkages.

Reason: Protection of human health.

10. In the event that a Contaminated Land Quantitative Risk Assessment is required and prior to commencement of the development, this Risk Assessment shall be submitted to Belfast City Council for approval.

The Risk Assessment shall follow the methodology outlined in *Model Procedures for the Management of Land Contamination* (CLR11) . This report must incorporate:

- A detailed site investigation in line with British Standards BS10175:2011+A1:2013.
- Any ground gas investigations should be conducted in line with BS8485:2015 and BS8576:2013.

- A satisfactory assessment of the risks (including a Revised Conceptual Site Model) associated with any contamination present, conducted in line with current Defra and Environment Agency guidance. In addition, risks associated with ground gases shall be assessed under the methodology outlined in CIRIA C665;

The ground gas characterisation must be agreed with Belfast City Council prior to the development of the Remediation Strategy.

Reason: Protection of human health

11. In the event that a Contaminated Land Remediation Strategy is required and prior to the commencement of the development, the applicant must submit to Belfast City Council, for approval, a detailed Remediation Strategy outlining the measures to be undertaken to ensure that the identified pollutant linkages are demonstrably broken and no longer pose a potential risk to human health.

Reason: Protection of human health.

12. Prior to the operation of the development, the applicant shall provide to Belfast City Council, for approval, a Contaminated Land Verification Report. This report must demonstrate that the remediation measures outlined in the contaminated land Remediation Strategy have been implemented.

The Verification Report shall demonstrate the successful completion of remediation works and that the site is now fit for the proposed end-use. It must demonstrate that any identified significant pollutant linkages are effectively broken. The Verification Report should be in accordance with current best practice and guidance as outlined by the Environment Agency.

Reason: Protection of human health.

13. The development hereby permitted shall not become operational until the vehicular access, including visibility splays of 2.4 m x 60.0 m, has been constructed in accordance with the approved layout Drawing No. 3 'Proposed Site Layout and Site Access Detail 2743-L03' bearing the Belfast City Council Planning Office date stamp 18 December 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.

14. The development hereby permitted shall not become operational until hard surfaced areas have been constructed in accordance with the approved layout Drawing No. 3 'Proposed Site Layout and Site Access Detail 2743-L03' bearing the Belfast City Council Planning Office date stamp 18 December 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.

15. A minimum of 6 No. cycle parking spaces shall be provided and permanently retained close to the Control Room for use by staff and visitors to the

	<p>development.</p> <p>Reason: to encourage the use of alternative modes of transport for development users.</p> <p>16. The development hereby permitted shall operate in accordance with the Service Management Plan appended to the Transport Assessment Form bearing the Belfast City Council Planning Office date stamp 18 February 2016.</p> <p>Reason: In the interests of road safety and the convenience of road users.</p> <p>17. The development hereby permitted shall operate in accordance with a Travel Plan to be agreed with Transport NI. This will include provision of the Translink TaxSmart Initiative and the Bike2Work Initiative or equivalent measures agreed by TransportNI.</p> <p>Reason: To encourage the use of alternative modes of transport to the private car in accordance with the Transportation Principles.</p> <p>18. A Emergency Evacuation Plan shall be submitted to and approved by Belfast City Council prior to the operation of the development.</p> <p>Reason: In the interests of public safety</p>
12.0	<p><b>Notification to Department (if relevant)</b></p> <p>N/A</p>
13.0	<p><b>Representations from Elected members:</b></p> <p>N/A</p>

<b>ANNEX</b>	
<b>Date Valid</b>	18th December 2015
<b>Date First Advertised</b>	29th January 2016
<b>Date Last Advertised</b>	29 <sup>th</sup> January 2016
<b>Details of Neighbour Notification (all addresses)</b> N/A	
<b>Date of Last Neighbour Notification</b>	N/A
<b>Date of EIA Determination</b>	7th April 2016
<b>ES Requested</b>	No
<b>Planning History</b>	