

Planning Committee Report LA01/2019/0063	26th February 2020
PLANNING COMMITTEE	

Linkage to Council Strategy (2015-19)	
Strategic Theme	Protecting and Enhancing our Environment and Assets
Outcome	Pro-active decision making which protects the natural features, characteristics and integrity of the Borough
Lead Officer	Development Management & Enforcement Manager
Cost: (If applicable)	N/a

<u>No:</u> LA01/2019/0063/F	<u>Ward:</u> DUNLOY
<u>App Type:</u> Full Planning	
<u>Address:</u> Crosstagherty Civic Amenity Site and transfer station 7 Burnquarter Road Ballymoney	
<u>Proposal:</u> Section 54 application planning permission previously given for the construction of a civic amenity site and waste transfer station of lands owned by Council. Permission now sought to add street cleansing residues (European Waste Catalogue waste code 20 03 03) and biodegradable kitchen and canteen waste (European Waste Catalogue waste code 20 01 08) to site conditions.	
<u>Con Area:</u> n/a	<u>Valid Date:</u> 30/01/2019
<u>Listed Building Grade:</u> n/a	
Applicant: Causeway Coast and Glens Borough Council 66 Portstewart Road Coleraine BT52 1EY	
Agent: N/A	
Objections: 0	Petitions of Objection: 0
Support: 0	Petitions of Support: 0

EXECUTIVE SUMMARY

- This is a Section 54 application seeking to revise planning permission previously given for the construction of a civic amenity site and waste transfer station to add street cleansing residues (European Waste Catalogue waste code 20 03 03) and biodegradable kitchen and canteen waste (European Waste Catalogue waste code 20 01 08) to site conditions at the existing Crosstagherty Civic Amenity Site and Transfer Station (Burnquarter Road Ballymoney).
- The site is located within the countryside, outside of any defined settlement development limits as defined in the Northern Area Plan 2016.
- This is an existing civic amenity and waste transfer station. The principle of this site as a waste site is therefore established.
- The addition of 2 waste codes is considered acceptable having regard to the relevant matters in Policies WM 1 and WM 2.
- Any additional traffic impact is acceptable and complies with WM1 and PPS 3 requirements.
- There are no objections from the consultees.
- There are no third party objections to the proposal.
- The application is recommended for Approval.

Drawings and additional information are available to view on the Planning Portal- www.planningni.gov.uk

1 RECOMMENDATION

- 1.1 That the Committee has taken into consideration and agrees with the reasons for recommendation set out in Section 9 and the policies and guidance in sections 7 and 8 and resolves to **APPROVE** planning permission subject to the conditions set out in section 10.

2 SITE LOCATION & DESCRIPTION

- 2.1 The application site is located at 7 Burnquarter Road Ballymoney.
- 2.2 The site accommodates a Council facility for a waste and transfer station. The site has a large shed with metal fencing around the perimeter. This is a rural area, with little development surrounding the site and the topography is relatively flat at this site.
- 2.3 The site is located on the Burnquarter Road outside the Settlement Development Limits as designated in the Northern Area Plan.

3 RELEVANT HISTORY

D/1999/0353/F Proposed Civic Amenity Site. Existing Landfill site, Burnquarter Road, Crosstagherty Td, Ballymoney Permission Granted 28/07/2000

D/2002/0306/F Extension of existing civic amenity site and erection of steel framed recyclable storage and transfer station and associated roads. Crosstagherty Civic Amenity Site, Burnquarter Road, Ballymoney Permission Granted 12/06/2003

D/2010/0298/F Extension to existing civic amenity site to provide a concrete area for temporary bulking-up of materials in bays constructed of precast concrete wall panels. Crosstagherty Civic Amenity Site and Waste Transfer Station, Burnquarter Road, Ballymoney Permission Granted 28/03/2013

4 THE APPLICATION

- 4.1 Planning Permission is sought to add street cleansing residues (European Waste Catalogue waste code 20 03 03) and biodegradable kitchen and canteen waste (European Waste Catalogue waste code 20 01 08) to site conditions.

Habitats Regulation Assessment

- 4.2 The potential impact this proposal on Special Areas of Conservation, Special Protection Areas and Ramsar sites has been assessed in accordance with the requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995 (as amended). The proposal would not be likely to have a significant effect on the features, conservation objectives or status of any of these sites.

5 PUBLICITY & CONSULTATIONS

5.1 External

Neighbours: There have been no representations to this proposal.

Internal

NIEA WMU: No objection to the proposal.

DfI Roads: No objection to the proposal.

Rivers Agency: No objection to the proposal.

Environmental Health: No objection to the proposal

6 MATERIAL CONSIDERATIONS

- 6.1 Section 45(1) of the Planning Act (Northern Ireland) 2011 requires that all applications must have regard to the local plan, so far as material to the application, and all other material considerations. Section 6(4) states that in making any determination where regard is to be had to the local development plan, the determination must be made in

accordance with the plan unless material considerations indicate otherwise.

- 6.2 The development plan is:
- The Northern Area Plan 2016 (NAP)
- 6.3 The Regional Development Strategy (RDS) is a material consideration.
- 6.4 The Strategic Planning Policy Statement for Northern Ireland (SPPS) is a material consideration. As set out in the SPPS, until such times as a new local plan strategy is adopted, councils will apply specified retained operational policies.
- 6.5 Due weight should be given to the relevant policies in the development plan.
- 6.6 All material considerations and any policy conflicts are identified in the “Considerations and Assessment” section of the report.

7 RELEVANT POLICIES & GUIDANCE

The Northern Area Plan 2016

The Strategic Planning Policy Statement (SPPS)

Planning Policy Statement 3 (PPS 3) – Access, Movement and Parking

Planning Policy Statement 11 – Planning and Waste Management

DCAN 15: Vehicular Access Standards

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to the addition of further waste codes and traffic matters.

Planning Policy

- 8.2 The proposal must be considered having regard to the

Northern Area Plan, SPPS, PPS policy documents and supplementary planning guidance specified above.

Addition of Further Waste Codes.

- 8.3 This is an existing civic amenity and waste transfer station. The principle of this site as a waste site is therefore established. Permission is solely being sought to accept residues from street cleansing and bio-degradable kitchen and canteen waste. These are defined as:
- street cleansing residues (European Waste Catalogue waste code 20 03 03)
 - biodegradable kitchen and canteen waste (European Waste Catalogue waste code 20 01 08)
- 8.4 The relevant policies PPS 11: Planning and Waste Management Policy WM 1 Environmental Impact of a Waste Management Facility and WM2 Waste Collection and Treatment Facilities. Having regard to this site as an established and operating civic amenity and waste transfer station, many of the criteria within WM1 & WM 2 are either established or met and are given little weight in the consideration of this application.
- 8.5 Criteria 2&3 and 11&12 of WM1 are considered to not be relevant given this is an existing waste transfer station and these relate to the principal of development.
- 8.6 Criteria 1-3 of Policy WM2 relate to the “*proposed facility*”. As the application does not relate to a proposed facility, but rather it is an operating facility, these are not relevant to this proposal. The first criteria in no.4 relates to regional facilities. This is considered a local facility as it caters for the local population and Council area; not the waste needs of the wider region. The proposal does not involve the incineration of waste.
- 8.7 The critical matter to consider is the acceptability of the 2 additional waste codes at this facility. Policy WM1 states that proposals will only be acceptable where it will not cause demonstrable harm to human health or result in an unacceptable adverse impact on the environment. Having regard to the existing operations of the site, and the competent authorities; Environmental Health, Waste Management Regulation Unit and

DAERA raise no objection, it is considered that the addition of these 2 waste codes will not result in demonstrable harm to human health or result in an unacceptable adverse impact on the environment and complies with this part of the policy.

- 8.8 As this proposal does not involve any physical or built development, or excavation, the development will not have an unacceptable adverse impact on nature conservation or archaeological/built heritage interests as it only relates to the type of waste coming to the site.
- 8.9 WM 1 also requires the consideration of 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. DAERA Water Management Unit and Waste Management Regulation Unit have been consulted as the competent authorities and raise no objection.
- 8.10 The proposed site is an existing operation and Rivers Agency has been consulted as the competent authority on drainage and flooding matters who raise no objection to these additional waste codes. Therefore, the addition of waste codes will not be at risk from flooding nor cause or exacerbate flooding elsewhere having regard to Rivers Agency response.
- 8.11 WM2 requires proposals involving the sorting and processing of waste, are carried out within a purpose built or appropriately modified existing building, unless it can be demonstrated that part or all of the proposed operation can only be carried out in the open. Having regard to the existing operations of the site, and the competent authorities; Environmental Health, DAERA Waste Management (Regulation) and Water Management units raise no objection, it is considered that the addition of these 2 waste codes are policy compliant on this matter.
- 8.12 WM 2 also require that the built development associated with the proposed methods of handling, storage, treatment and processing of waste is appropriate to the nature and hazards of the wastes concerned and it will not result in an unacceptable adverse environmental impact that cannot be prevented or appropriately controlled by mitigating measures. Having regard to the existing operations of the site, and the competent

authorities; Environmental Health, DAERA Waste Management (Regulation) and Water Management units raise no objection, it is considered that the addition of these 2 waste codes that the WM 2 requirements are satisfied.

Traffic Matters

8.13 WM 1 requires that

- 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 public road network can satisfactorily accommodate, or can be upgraded to accommodate, the traffic generated;
- adequate arrangements shall be provided within the site for the parking, servicing and circulation of vehicles;
- wherever practicable the use of alternative transport modes, in particular, rail and water, has been considered.

8.14 This is an existing facility and the existing access will be used. All other existing arrangements apply. DfI Roads has been consulted as the competent authority on traffic matters and it raises no objection. Having regard to the existing traffic movements as a householder recycling and waste facility and DfI's response, the proposal satisfies this part of WM1 and is consistent with AMP 2 of PPS 3.

9 CONCLUSION

This Section 54 application to to add street cleansing residues (European Waste Catalogue waste code 20 03 03) and biodegradable kitchen and canteen waste (European Waste Catalogue waste code 20 01 08) is considered acceptable having regard to NAP 2016 and Policies WM1 and WM 2 of PPS 11 and AMP 2 of PPS 3. There are no objections from the relevant consultees including DAERA's Waste Management (regulation) unit. Approval is recommended.

10 CONDITIONS & INFORMATIVES

1. This decision notice is issued under Section 55 of The Planning Act (Northern Ireland) 2011.

Reason: This is a retrospective application.

2. The hereby approved waste bulking up area shall be used for the storage of scrap metal, soil, rubble, large weeds, timber and green waste only as indicated on stamped approved drawing No 02C received on 25th November 2011 application No D/2010/0298/F.

Reason: To ensure protection of the environment.

3. The access to and layout of the hereby approved storage are shall be in accordance with stamped approved Drawing No.02C received on the 25th November 2011, application No D/2010/0298/F.

Reason: In the interest of road safety and convenience of road users and to ensure that adequate provision has been made for parking and traffic circulation within the site.

4. Any access ramps or steps associated with the hereby approved development shall be provided within the curtilage of the site.

Reason: To prevent encroachment into the public road in the interests of road safety and the convenience of road users.

5. The development hereby permitted shall not become operational until effective vehicle wheel washing facilities have been installed and brought into operation.

Reason: To prevent the carryover of mud or debris onto the public road in the interest of road safety and convenience.

6. The waste materials accepted at the facility hereby approved shall be restricted to those within the Waste Management Licence and include the following European Waste Catalogue Codes:

20.03.03 street cleansing residues
20.01.08 biodegradable kitchen and cleansing waste

Reason: In the interests of environmental protection.

7. Hours of operation should be limited to Monday-Saturday-08:00-17:00. Outside of these hours of operation:
 - a. The premises shall not remain open for business
 - b. Deliveries shall not be made to and from the site
 - c. Plant and equipment shall not be operated

Reason: To Protect Residential Amenity at Nearby Receptors

Informatives:

1. This permission does not alter or extinguish or otherwise affect any existing or valid right of way crossing, impinging or otherwise pertaining to these lands.
2. This permission does not confer title. It is the responsibility of the developer to ensure that he controls all the lands necessary to carry out the proposed development.
3. This determination relates to planning control only and does not cover any consent or approval which may be necessary to authorise the development under other prevailing legislation as may be administered by the Council or other statutory authority.
4. You should refer to any other general advice and guidance provided by consultees in the process of this planning application by reviewing all responses on the Planning Portal at <http://epicpublic.planningni.gov.uk/publicaccess/>.

