



<b>Planning Committee Report LA01/2017/0999/F</b>	<b>23<sup>rd</sup> October 2019</b>
<b>PLANNING COMMITTEE</b>	

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

<b><u>No:</u></b>	<b>LA01/2017/0999/F</b>	<b><u>Ward:</u></b>	<b>Aghadowey</b>
<b><u>App Type:</u></b>	<b>Full Application</b>		
<b><u>Address:</u></b>	<b>47m N E of 67 Moneybrannon Road, Coleraine.</b>		
<b><u>Proposal:</u></b>	<b>Erection of 4 no. broiler units for up to 37,000 birds per unit, new concrete apron, new meal silos drainage and associated landscaping.</b>		
<b><u>Con Area:</u></b>	<b>N/A</b>	<b><u>Valid Date:</u></b>	<b>1<sup>st</sup> August 2017</b>
<b><u>Listed Building Grade:</u></b>	<b>N/A</b>		
<b>Agent:</b>	<b>R Robinson &amp; Sons</b>		
<b>Applicant:</b>	<b>Mr G McIlroy</b>		
<b>Objections:</b>	<b>13</b>	<b>Petitions of Objection:</b>	<b>0</b>
<b>Support:</b>	<b>0</b>	<b>Petitions of Support:</b>	<b>0</b>

## **Executive Summary**

- This proposal is considered acceptable at this location in the open countryside having regard to the Northern Area Plan 2016 and all other material considerations.
- The site is located to group with an existing farm business within the open countryside. Due to the location, nature and scale of the proposed development, the poultry units will be integrated into the countryside and there will be no adverse impact on the character of the locality or the surrounding area.
- The proposal is acceptable in terms of natural heritage interests.
- The proposal will not have an unacceptable effect on residential amenity.
- There have been 13 objections received to this application and no statutory consultees have raised any concerns with the proposal.
- The proposal complies with all relevant planning policies including the Northern Area Plan, SPPS, PPS 2, PPS 3 and PPS21.

Drawings and other information are available to view on the Planning Portal- [www.planningni.gov.uk](http://www.planningni.gov.uk)

## **1 RECOMMENDATION**

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

## **2 SITE LOCATION & DESCRIPTION & CHARACTER OF AREA**

- 2.1 The application site is located adjacent to an existing large scale commercial farm complex with multiple buildings which are owned by the applicant. The farm has associated farm houses within the curtilage and the complex is located within the open countryside south of Coleraine town. The application site consists of several small fields used for pasture. Each field has a defined boundary with hedges and post and wire fencing. The land is quite low lying and level with the adjoining farm complex but has gentle undulations in the surrounding area. There are electricity lines running along the west side of the site. To access the site there is an existing laneway which serves the large existing farm complex. There is a concrete lane with a small security building with additional bio –checks established at the entrance to the poultry sheds already on the ground.

## **3 RELEVANT HISTORY**

LA01/2016/1523/PAN submitted 8<sup>th</sup> Dec. 2016.  
47m N.E. of 67 Moneybrannon Road, Coleraine.  
Proposed erection of 4 new broiler units for up to 37,000 birds per unit. New concrete apron, new meal silos, drainage and associated landscaping.  
PAN agreed on 17<sup>th</sup> Jan. 2017.

## 4 THE APPLICATION

- 4.1 The application proposes the erection of 4 no. broiler units for up to 37,000 birds per unit, new concrete apron, new meal silos, drainage and associated landscaping.
- 4.2 The Design and Access Statement was received with the application.

## 5 PUBLICITY & CONSULTATIONS

### External:

- 5.1 **Neighbours:** Thirteen (13) objections have been received.

The representations raise concerns with:

- No evidence of assessment of the impact of the poultry litter from the site.
- Cumulative impact of the project and other projects throughout N. Ireland.
- Why has there not been any modelling of the impact of poultry waste on European protected sites and priority habitats.
- Why has there not been assessment of 7km of land around the specific locations of the litter spread.
- Details required of the anaerobic digester involved in taking waste litter.
- It states some waste to go to Republic of Ireland, details required and concerns about cumulative impacts.

- Concerns regarding environmental impact of a huge poultry factory farm.
- No ammonia assessment undertaken.
- N.Ireland and the Republic of Ireland have exceeded limit in ammonia and intensive agriculture is the main source.
- Health risks from slurry spread or in incinerators and the impact on watercourses throughout N.Ireland.
- HRA undertaken by SES are based on an inappropriate screening policy.
- The MPLUS documentation has no factual information regarding the destination of waste produced. NIEA used an inappropriate screening policy.
- The MPLUS agreement did not have a strategic environmental assessment completed at time of its approval as required by law.
- No evidence Planning Authority has consulted with another member state as per ESPOO Convention.
- The Anaerobic Digester Plants plant cited as potential processing facility for the waste did not have an EIA or HRA completed at the time of planning approval and is therefore unlawful.
- Non regulated poultry units which do not require an IPPC permit have a greater impact on ammonia concentrations at designated sites than the regulated intensive units.
- Appropriate assessment must include cumulative and in-combination impacts of the project and other projects and plans on European sites in N.I., other member states and particular trans- boundary sites.

- Planning permissions for 179 anaerobic digester waste treatment plants were unlawful as the appropriate assessments cannot be relied upon.
- The environmental information is flawed as it only considers one harmful emission ammonia.
- 98% of special areas of conservation exceed levels of nitrogen deposition at which ecological damage occurs.
- Harmful effects of the project on protected habitat types and species.
- Query if Tully AD has sufficient capacity, if it has a licence and if it is compliant with the Habitats Regulations?

**Internal:**

5.2 **DFI Roads:** No objection subject to conditions.

**Environmental Health:** No objection. EHO Refer to requirement of permit from NIEA.

**Shared Environmental Service:** No objection.

**NIEA Land Soil Air:** No objection.

**NIEA Natural Heritage and Conservation areas:** No objection.

**NIEA Drainage and water:** No objection.

**DARDNI:** Have confirmed farm business ID in existence for over 6 years and that applicant claims single farm payments in the last 6 years.

**NI Water:** No objection.

**Rivers Agency:** No objection.

**Gas Pipeline consultation GNI (UK):** No objection.

**Health & Safety Executive (N.I.):** No objection.

## **Proposal of Application Notice**

- 5.3 As this application is considered a major application it must comply with the Proposal of Application Notice and carry out community consultation at least 12 weeks prior to the submission of the application.
- 5.4 A Proposal of Application Notice was submitted on 8th Dec. 2016 under LA01/2016/1523/PAN. The applicant advised that they intended to undertake the following forms of consultation:
- Press notice of the public event in the local paper where further information could be obtained.
- 5.5 The public event was held on 25<sup>th</sup> Jan. 2016 in the Garvagh Community Building.

## **Community Consultation Report**

- 5.6 The community consultation report (CCR) was submitted as part of the planning application within the E.S., received on 27<sup>th</sup> July 2017 which is more than 12 weeks after the Proposal of Application Notice was received, as required by the legislation.
- 5.7 It contained the methods of consultation carried out and the comments and feedback from this exercise. The report demonstrates that the consultation was carried out as agreed in the Proposal of Application Notice.
- 5.8 The event was advertised in a local newspaper (Coleraine Times on 11<sup>th</sup> Jan. 2017.)
- 5.9 There were no attendees at the public event.
- 5.10 The CCR demonstrates that adequate community consultation has taken place.

## **6 MATERIAL CONSIDERATIONS**

- 6.1 Article 45(1) of the Planning Act (Northern Ireland) 2011 states that, “where an application is made for planning permission, the council or, as the case may be, the Department, in dealing with the application, must have regard to the local development plan,

so far as material to the application, and to any 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:

- 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**

Northern Area Plan 2016

Strategic Planning Policy Statement

PPS 2 Natural Heritage

PPS 3 Access, Movement and Parking

PPS 21 Sustainable Development in the Countryside



## **8 CONSIDERATIONS & ASSESSMENT**

- 8.1 The main considerations in the determination of this application relate to: the submission of an Environmental Statement; the principle of the development; visual integration and impact on character; impact on natural or built heritage; impact on neighbouring residential properties and other matters.

### **Environmental Statement**

- 8.2 The proposed development falls within category 17(a) of Schedule 1 of the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017. The application was submitted with an Environmental Statement.
- 8.3 The Environmental Statement included sections to aid the assessment of noise, air quality and odour, ecology, water environment, transport, socio-economic impact and poultry litter disposal. The Environmental Statement was advertised, neighbours were notified and consultees were consulted on the content of the Environmental Statement. The Environmental Statement informed the assessment of the application.

### **Principle of development**

- 8.4 The application site is located in the open countryside as defined by the Northern Area Plan 2016.
- 8.5 The SPPS states that sustainable development shall be permitted having regard to the development plan and all other material considerations unless the proposed development will cause demonstrable harm to interests of acknowledged importance.
- 8.6 Paragraph 6.73 provides a context for agriculture and forestry development: provision should be made for development on an active and established (for a minimum 6 years) agricultural holding or forestry enterprise where the proposal is necessary for the efficient operation of the holding or enterprise. New buildings must be sited beside existing farm or forestry buildings on the holding or enterprise.

- 8.7 Policy CTY 1 of PPS 21 sets out the range of types of development which, in principle, are considered to be acceptable in the countryside and that will contribute to the aims of sustainable development. One of the types of development is agricultural and forestry development in accordance with Policy CTY 12.
- 8.8 Policy CTY 12 states that planning permission will be granted for development on an active and established agricultural and forestry holding where it is demonstrated that:
- 8.9 **a) It is necessary for the efficient use of the agricultural holding.**

DARD have confirmed that the farm business ID number has been active and established for the required period and that the business claims a single farm payment. This is expansion of an existing farm business as the applicant already has poultry units serving up to 111,000 broilers. The addition of another 4 units with a maximum of 148,000 birds per unit will expand the business to serve a capacity to a maximum of 259,000 broilers. The scheme is part of the Moy Park project. The buildings are necessary for the efficient use of the agricultural holding and the economic efficiency of the holding. The proposal complies with this part of policy.

- 8.10 **b) It is appropriate to the location in terms of character and scale.**

In terms of character and scale the proposed buildings fit in with the character of the existing long established farm complex as they reflect the current character of the locality. The existing complex consists of multiple agricultural buildings and several associated houses set down a concrete laneway and set back from the roadside by approximately over 260 metres. The site will be positioned north of the farm and is to the rear of the existing buildings when viewed from the public road system, therefore providing screening from view. The land is lowly undulating and any new poultry sheds will cluster with the farm complex. The character of the site is already established with

large agricultural and poultry sheds. The character of the wider area incorporates a number of large farm complexes either at roadside or down laneways. The proposal will fit in with the existing character of this area and is of a satisfactory scale. The new units will reflect the existing character and scale and complies with this part of policy.

**8.11 C) It visually integrates into the local landscape and additional landscaping is provided as necessary.**

In terms of integration, the buildings will be sited to cluster with the existing farm complex of buildings and will be visually linked and integrated into the landscape given the existing character. The new buildings will be positioned to cluster with the existing farm complex which consists of multiple poultry houses, other agricultural sheds and several associated farm houses and is located down a laneway set back from the road by approximately 400 metres. The new buildings will be visually linked with the existing farm complex and uses the same long established access. There are limited critical views from the public road due to local topography and the new buildings will be sited north of the existing farm complex which screens it from public views. The land is generally flat in this area with low hills. A landscaping plan has been submitted which shows replacement of existing roadside vegetation behind visibility splays and the planting of new hedges to the new boundaries surrounding the proposed buildings. The site is not prominent on the landscape and complies with this part of policy.

**8.12 d) It will not have an adverse impact on the natural or built heritage.**

The proposal takes the number of birds that the installation can facilitate above the threshold defined in Section 17 of Schedule 1 of the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017. As such the application was accompanied by an Environmental Statement. The Environmental Statement has concluded that there will not be unacceptable adverse impact on nature conservation interests.

A number of objections have been received, mainly regarding potential harmful effects from the intensive farming industry in Northern Ireland and including this proposal and its impact on the natural environment.

Within the Environmental Statement there are a number of assessments on the environment. The Officials have consulted the competent authorities within the appropriate areas of expertise, namely Shared Environmental Services and NIEA (Regulations team and Natural Environment Division) and Environmental Health. The objections have been passed to the appropriate consultees for assessment and appropriate comment.

Shared Environmental Service have undertaken a Habitats Regulations Assessment. The assessment concluded the potential impact of this proposal on Special Protection Areas, Special Areas of Conservation 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). Shared Environmental Services state the proposal is eliminated from further assessment because it could not have any conceivable effect on the features of any European site. Therefore appropriate assessment was not required.

NIEA Regulation Unit (RU) (Pollution Prevention and Control Team) state in their consultation reply that the key environmental issues associated with the operation of poultry farms are (a) the potential impacts of emissions (odour, dust, ammonia) on sensitive receptors and (b) utilisation of manures. Litter utilisation: Sustainable utilisation of litter is a critical environmental aspect of the operation of the farm, particularly since the cumulative impact of poultry litter generated by this and other proposals may be significant.

Initially the Environmental Statement stated that the poultry litter would be used as land spread in ROI, mushroom composting, power generation and anaerobic digestion. However in response to a request for clarification, the agent advised by letter on 30<sup>th</sup> July 2018 that all poultry litter produced on farm was to be utilised through Tully Biogas plant in Ballymena. Tully Biogas is an authorised anaerobic digestion

plant – Tully Biogas Ltd (PPC Permit P0469/15A). As part of the application for a PPC permit variation the applicant will be required to identify the specific outlet(s) they intend to utilise and to provide evidence that the outlet(s) has the capacity to utilise the litter and has the appropriate authorisation(s) in place.

Air quality impacts: The applicant has submitted an “Air Quality Impact Assessment” dated 31st January 2017. This report indicates that the impacts of emissions of odour, dust and ammonia on sensitive receptors (third party dwellings, sensitive habitats) are likely to be acceptable. The applicant has submitted an application to the Inspectorate for a PPC permit variation and the Inspectorate is currently in the process of determining this application. Before the Inspectorate issues a PPC Permit it needs to be satisfied that the proposal will have an acceptable environmental impact. This includes impacts of odour, ammonia and dust emissions on sensitive local receptors and utilisation of manures produced from the proposed installation. NIEA state that before the applicant can operate the new expanded installation it must have a Pollution Prevention and Control (PPC) permit variation. In addition, it is important to note that the matter of public health impact will be considered in detail as part of the Pollution Permit process.

Regulation Unit (RU) (Pollution Prevention and Control Team) have confirmed that the Tully AD which will receive the litter from the proposal has a permit to operate. NIEA also confirm that Tully AD is compliant with Habitats Regulations. NIEA also state that Tully AD has a capacity of 40,000 tonnes per year and in 2018 it is on track to accept over 37,000 tonnes. Whether Tully AD has reserved capacity for this particular proposal will be a contractual and commercial matter between the Tully AD operator and the waste supplier.

NIEA Natural Habitat state in their consultation reply that they have no concerns in relation to Natural Heritage. They state that there are no designated sites within 7.5km of the application site. Therefore no Special Areas of Conservation (SAC) are in proximity to the application site. NIEA comment on Ammonia and priority habitats: As per NIEA procedures a desk top search

for priority habitats within a 2km radius of the site identified a Site of Local Nature Conservation (SLNCI) Knockaduff. Air modelling had been requested and received indicating 26% which is well within the limits set by NIEA and therefore deemed acceptable.

NIEA also comment on Priority Species: The site is clearly improved agricultural grassland bound by hedgerow. The environmental statement describes the hedgerow as species poor therefore not a priority this is accepted by Natural Environment Division (NED). The environmental statement explains searches as per NIEA Specifications were undertaken for protected species including badgers finding no evidence of the species or in the case of newts, otters, etc. there were no habitats in which to support such species which NED also agrees. There are no buildings within the red line boundary (RLB) but the ecologist assessed the adjacent buildings and found the buildings to be new and having no potential to support breeding bats. As those buildings appear to be retained there is unlikely to be a significant impact on the local bat population. Also as the drawings show there to be minimal impact to the existing species poor habitat and in fact further planting is proposed this can only be a benefit.

Having considered the Environmental Statement and subsequent objections, NIEA are satisfied that the proposal is unlikely to significantly impact the Knockaduff SLNCI. The Environmental Statement has been accompanied by a number of specific assessments relating to impact on the natural environment and states in its conclusion that there will not be an unacceptable adverse impact on nature conservation interests. Taking into account the Environmental Statement and the consultation responses from the competent authorities, it is apparent that the proposal will not have an adverse impact on the natural or built heritage. Therefore the proposal complies with this part of policy.

**8.13 e) It will not result in a detrimental impact on the amenity of residential dwellings outside the holding.**

The closest properties with no link to the application and outside the holding are within 270 metres. The Environmental statement states that in terms of noise, the modern building specification

of the proposed poultry houses (including insulation and double glazing windows) along with routine maintenance of ventilation systems will ensure that noise levels are at acceptable levels at nearby receptors. The E.S. states that operational impact is therefore considered to be negative (slight). Environmental Health has provided informatives as part of any approval with regards construction noise impact.

As part of the Environmental Statement an odour impact assessment was submitted. NIEA have stated in their consultation response that the applicant has submitted an Air Quality Impact Assessment and additional information as part of the submitted Environmental Statement which indicate that the impacts of emissions of odour, dust and ammonia on sensitive receptors (third party dwellings, sensitive habitats) are likely to be acceptable. Therefore based on their response there will not be a detrimental impact on the amenity of residential dwellings outside the holding and the proposal therefore complies with this part of policy.

### **Proposed buildings**

- 8.14 In the case where new buildings are proposed, CTY 12 requires: that existing buildings be used; the design and material are sympathetic, and; they are sited adjacent to existing farm or forestry buildings. Having regard to the specific nature of the development and the specific bio-security required for modern poultry units, there are no suitable existing buildings at this location and the buildings need to be a particular size and shape. The design and materials of the building are sympathetic to the locality and they are located to cluster with the existing farm buildings. The poultry houses are of a simple design and buildings of this style are characteristic of the rural area.

The proposal meets all of the above criteria and therefore complies with Policy CTY 12.

### **Visual Integration and Impact on Character**

- 8.17 Policy CTY 13 allows for a building in the countryside where it can be visually integrated into the surrounding landscape and it is of an appropriate design.

As mentioned above under point c) the proposal will visually integrate into the surrounding landscape and is an appropriate design.

- 8.18 Policy CTY 14 states that planning permission will be granted for a building in the countryside where it does not cause a detrimental change to, or further erode the rural character of an area. Given the new poultry shed will be positioned to the rear of the existing large farm complex it will not cause a detrimental change to the rural character of this area.

### **Other matters**

- 8.19 Policy NH1 of PPS 2 deals with European and Ramsar sites. As outlined above SES have completed the appropriate assessment in this regard and have concluded that the development would not have a significant effect on the features of any European site.
- 8.20 Policy AMP3 of PPS3 deals with access to public roads. DFI Roads have been consulted and offered no objection subject to conditions.
- 8.21 As documented at paragraph 5.1 there are a number of objection issues.

DAEARA NIEA and SES have been consulted on the objections which refer to natural heritage considerations. The key theme is the detrimental impact on the environment from intensive farming facilities within N.Ireland and the subsequent disposal of the litter which is the by product. The objections also refer to inadequate assessments by key consultees within the planning process. There is no evidence that these assessments have been inadequate.

The application has been accompanied with a letter stating that the Tully biogas plant in Ballymena has a 20 year contract for the disposal of litter waste from the proposed poultry units. Therefore there is no proposed litter spreading on the farm or other land either in N. Ireland or the Republic of Ireland. It is stated that the Biogas plant is located near Ballymena therefore litter waste will not be transported outside N.Ireland. Therefore



having regard to the location of the site and the destination of waste, there has been no requirement for the Planning Authority to consult with another member state as per ESPOO Convention. The Biogas plant is approved and is subject to NIEA/ IPRI licencing. A HRA was undertaken when determining the original permit application for Tully AD. It cannot operate without the variation to the existing permit. It forms part of the Moy Park litter utilisation strategy. NIEA have been consulted as the competent authority on this matter and have offered no objections. NIEA are satisfied with the Moy Park updated litter utilisation strategy which takes into account cumulative impact of poultry litter generated by this proposal and other proposals in the countryside. They have stated in their response that the proposal and the subsequent disposal of waste litter from the operations on site are subject to IPRI licencing and monitoring and must comply with those associated regulations. Again, it is important to note that the matter of public health impact will be considered in detail as part of the Pollution Permit process.

NIEA have also stated in their consultation response that the applicant has submitted an Air Quality Impact Assessment and additional information as part of the submitted Environmental Statement. This indicates that the impacts of emissions of odour, dust and ammonia on sensitive receptors (third party dwellings, sensitive habitats) are likely to be acceptable. The Environmental Statement submitted takes into account assessments relating to noise, air quality, ecology, water environment, litter disposal/ nitrates management and assessment of significance of effects. The competent authorities NIEA and Environmental Health have no objections. On this basis the objections received do not hold sufficient weight to warrant refusal of this proposal.

## **9 CONCLUSION**

- 9.1 The proposed development is considered acceptable in this location having regard to the Northern Area Plan and other material considerations. The proposed development is an appropriate use in the countryside, it is sited adjacent to other existing farm buildings on an active and established farm. The proposal is acceptable in terms of its layout and appearance.

The proposal is acceptable with regards to natural heritage impacts. Likewise the proposal will not cause unacceptable negative amenity impacts. Approval is recommended.

## **10 CONDITIONS/ INFORMATIVES**

### **10.1 Regulatory Conditions:**

1. As required by Section 61 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.

Reason: Time Limit.

2. The proposed landscaping shall be carried out in accordance with drawing No. 05 which was received 23-NOV-2017 and the appropriate British Standard or other recognised codes of practice. The works shall be carried out prior to the operation of any part of the development hereby approved.

Reason: To ensure the provision of a high standard of landscape.

3. All storm water from the development site should not be discharged to nearby watercourses unless first passed through pollution interception and flow attenuation measures. Storm water can carry pollutants into watercourses and high volume discharges can alter the prevailing hydrological regime, both of which can impact on fisheries interests.

Reason: To prevent pollution of watercourses.

4. Work methods and materials must not impinge upon any nearby watercourses. The use of cement/concrete on site will require careful management. While they are versatile building materials, they are also highly toxic to aquatic life and therefore must be kept out of all drains and watercourses.

Reason: To prevent pollution of watercourses.

5. All poultry litter generated from the proposal shall be utilised through Tully Biogas plant in Ballymena. Should this arrangement

alter in future, a suitable alternative arrangement will be agreed with the NIEA.

Reason: To ensure that the poultry litter arising from this proposal will be utilised in a sustainable manner and in compliance with legislative requirements, therefore providing protection of the aquatic environment.

6. The proposed development must be to the design specified and stocked at a capacity no greater than that assumed in the report "*Air Quality Impact Assessment – McIlroy Poultry Farm Rp001 2017007*" dated 31st January 2017, i.e.37,000 birds".

Reason: To mitigate potential adverse odour impacts on sensitive 3rd party receptors.

7. No development shall take place within the approved site until the vehicular access, including visibility splays and any forward sight distance, has been provided in accordance with Drawing No. 03/2 bearing the date stamp 23<sup>rd</sup> Nov. 2017. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250mm 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.

8. The access gradient to the dwelling hereby permitted shall not exceed 8% (1 in 12.5) over the first 5 m outside the road boundary.

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

9. Prior to the commencement of any development the applicant must be granted a permit to operate from NIEA.

Reason: To ensure prevention and control of any possible pollution.

## INFORMATIVES

1. The applicant should demonstrate best environmental practice when working close to watercourses. The potential for deleterious matter to enter a watercourse is of primary concern. Impacts on the aquatic environment such as a decrease in water quality can cause a significant impact upon various life history stages of fish species.
2. The applicant will be required to obtain a variation to the existing Pollution Prevention and Control (PPC) permit P0404/12A prior to first operating the expanded installation.
3. Precautions shall be taken to prevent the deposit of mud and other debris on the adjacent road by vehicles travelling to and from the construction site. Any mud, refuse, etc. deposited on the road as a result of the development, must be removed immediately by the operator/contractor.
4. Notwithstanding the terms and conditions of the Causeway Coast and Glens Borough Council's approval set out above, you are required under Articles 71-83 inclusive of the Roads (NI) Order 1993 to be in possession of the Department for Infrastructure's consent before any work is commenced which involves making or altering any opening to any boundary adjacent to the public road, verge, or footway or any part of said road, verge, or footway bounding the site. The consent is available on personal application to the TransportNI Section Engineer whose address is Causeway Coast and Glens (West), County Hall, Castlerock Road, Coleraine. A monetary deposit will be required to cover works on the public road.
5. All construction plant and materials shall be stored within the curtilage of the site.
6. It is the responsibility of the Developer to ensure that water does not flow from the site onto the public road (including verge or footway) and that existing road side drainage is preserved and does not allow water from the road to enter the site.
7. The applicant must refer and adhere to all the relevant precepts contained in Standing Advice Note No. 12 – Agricultural Developments. The applicant must refer and adhere to all the

relevant precepts contained in Standing Advice Note No. 12 – Agricultural Developments.

The applicant must note this document is being reviewed and in regards to dirty water. The effluent must have a Biochemical Oxygen Demand (BOD) no greater than 2000 mg/litre, total nitrogen concentration no greater than 0.5 kg/m<sup>3</sup> and no greater than 0.5% dry matter (as specified in the NAP Regulations)

(Standing Advice Notes are available on the NI Planning Portal [www.planningni.gov.uk](http://www.planningni.gov.uk) under Advice/NIEA Guidance.)

Water Management Unit recommends the applicant refers and (where applicable) adheres to the precepts contained in Standing Advice Note No. 5 – Sustainable Drainage Systems in order to minimise the polluting effects of storm water on waterways. Slurry or dirty water should not be disposed of to a swale.

Frequently an apron of hard standing or concrete is placed in-front of the pop holes of free range poultry houses. The hard standing must be lined with an impermeable membrane and the effluent from it or a concrete apron must be collected as slurry in an appropriate slurry tank.

Discharge consent, issued under the Water (Northern Ireland) Order 1999, is required for any discharges to the aquatic environment and may be required for site drainage during the construction phase of the development. Any proposed discharges not directly related to the construction of the development, such as from septic tanks or wash facilities, will also require separate discharge consent applications. The applicant should refer to in Standing Advice Note No. 11 – Discharges to the Water Environment.

The development includes excavation of an underground structure (tank). Depending on the geological setting, the potential exists for the water table to be encountered during these works. The applicant should refer to Standing Advice Note No. 18 – Abstraction and Impoundment.

In accordance with the Water Abstraction and Impoundment (Licensing) Regulations (Northern Ireland) 2006 (as amended) it is a mandatory requirement that upon the abstraction and/or

diversion and/or impoundment of water from the natural river channel/lake, coastal or groundwater sources, an abstraction/impoundment licence should be obtained unless the operations specified are Permitted Controlled Activities. The discharge of water from a dewatering operation will require consent to discharge, under the Water (Northern Ireland) Order 1999.

Due to the close proximity of the site to a watercourse, care will need to be taken to ensure that polluting discharges do not occur during the works phase. The applicant should refer and adhere to the precepts contained in Standing Advice Note No. 4 – Pollution Prevention Guidelines.

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.

The applicant should ensure that measures are in place to prevent pollution of surface or groundwater as a result of the activities on site, both during construction and thereafter.

8. Public water supply within 20m of your proposal, the Developer is required to consult with NIW to determine how the proposed development can be served. Application to NIW is required to obtain approval to connect.
9. Developers should acquaint themselves of their statutory obligations in respect of watercourses as prescribed in the Drainage (Northern Ireland) Order 1973, and consult the Rivers Agency of the Department of Agriculture accordingly on any related matters.
10. Any proposals in connection with the development, either temporary or permanent which involve interference with any watercourse at the site: such as diversion, culverting, bridging; or placing any form of structure in any watercourse, require the written consent of the Rivers Agency. Failure to obtain such consent prior to carrying out such proposals is an offence under

the Drainage Order which may lead to prosecution or statutory action as provided for.

11. Any proposals in connection with the development, either temporary or permanent which involve additional discharge of storm water to any watercourse require the written consent of the Rivers Agency. Failure to obtain such consent prior to permitting such discharge is an offence under the Drainage Order which may lead to prosecution or statutory action as provided for.
12. If, during the course of developing the site, the developer uncovers a watercourse not previously evident, he should advise the local Rivers Agency office immediately in order that arrangements may be made for investigation and direction in respect of any necessary measures required to deal with the watercourse.
13. Where an undesignated watercourse flows through or adjacent to a development site, it is strongly advised that a working strip of appropriate width is retained to, in future, enable riparian landowners to fulfil their statutory obligations/responsibilities.
14. The applicant is advised to contact NIW Waterline on 03457 440088 or [waterline@niwater.com](mailto:waterline@niwater.com), upon receipt of this consultation to discuss any areas of concern. Application forms and guidance are also available via these means. If during the course of developing the site the developer uncovers a pipe not previously evident, NIW should be notified immediately in order that arrangements may be made for investigation and direction in respect of any necessary measures required to deal with the pipe. Notify NIW Waterline on 03458 770002.
15. Public water supply within 20m of your proposal, the Developer is required to consult with NIW to determine how the proposed development can be served. Application to NIW is required to obtain approval to connect. There is no foul sewage discharge from this proposed development. Applicant proposes to discharge surface water to swales.
16. No connection should be made to the public sewer from 23rd May 2016, in accordance with the Water and Sewerage Services (Northern Ireland) Order 2006 (as amended Water and Sewerage

Services Act (Northern Ireland) 2016), until the mandatory Sewer Adoption Agreement has been authorised by NIW.

17. Statutory water regulations are in force, which are designed to protect public water supplies against contamination, undue consumption and misuse. All internal plumbing installation must comply with the current Water Supply (Water Fittings) Regulations (Northern Ireland).

Applicants should contact NI Water's Water Fittings Regulations team via [waterline@niwater.com](mailto:waterline@niwater.com) if they have any queries.

18. The applicant's attention is drawn to Article 4 of the Wildlife (Northern Ireland) Order 1985 (as amended) under which it is an offence to intentionally or recklessly: kill, injure or take any wild bird; or take, damage or destroy the nest of any wild bird while that nest is in use or being built; or at any other time take, damage or destroy the nest of any wild bird included in Schedule A1; or obstruct or prevent any wild bird from using its nest; or  take or destroy an egg of any wild bird; or disturb any wild bird while it is building a nest or is in, on or near a nest containing eggs or young; or disturb dependent young of such a bird.

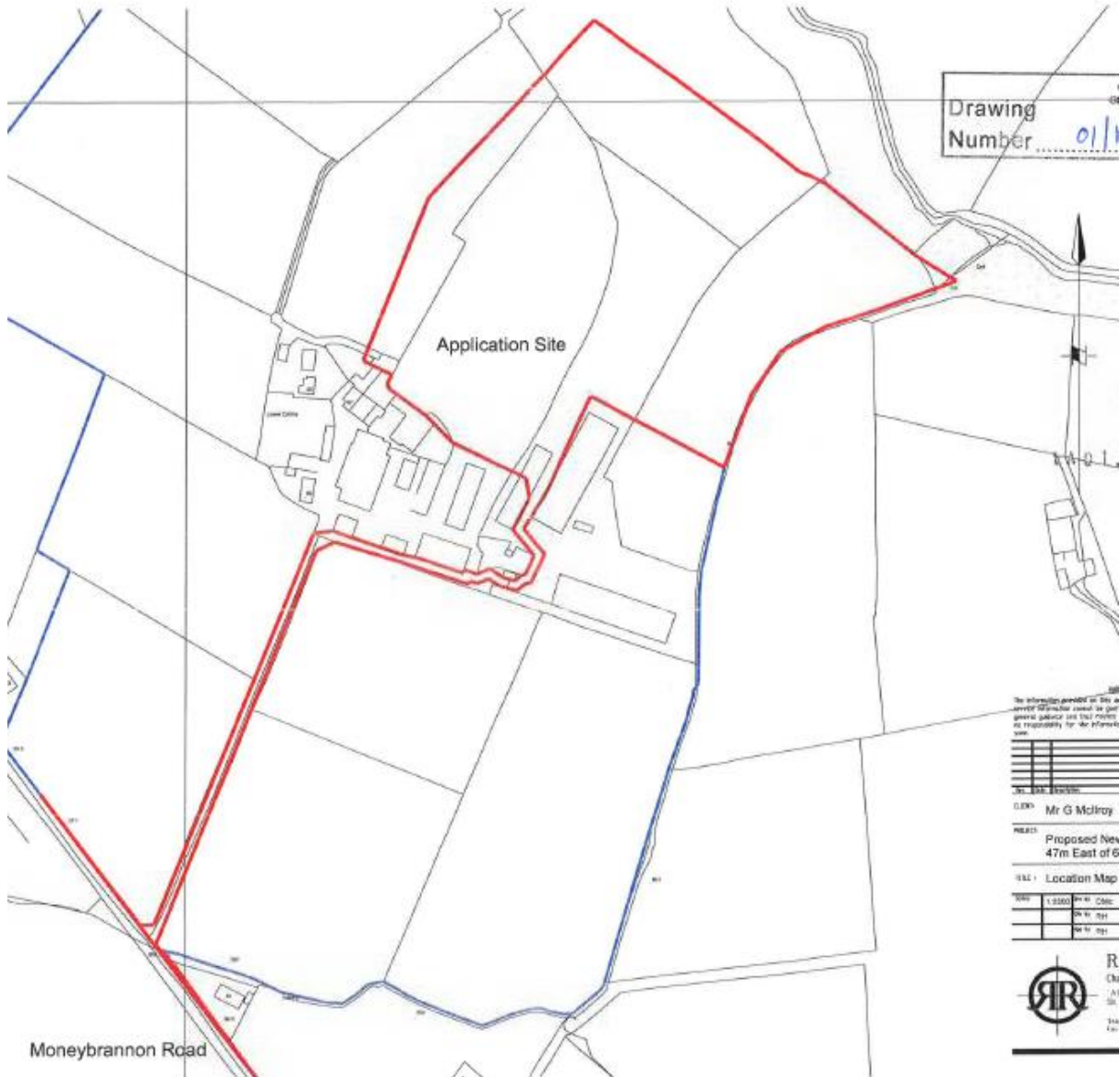
Any person who knowingly causes or permits to be done an act which is made unlawful by any of these provisions shall also be guilty of an offence. It is therefore advised that any tree, hedge loss or vegetation clearance should be kept to a minimum and removal should not be carried out during the bird breeding season including 1<sup>st</sup> March to 31<sup>st</sup> August, unless pre-clearance surveys show an absence of breeding birds.

19. Construction Noise Impact

BS 5228: 1997 in relation to construction activities states, "Noise and vibration can be the cause of serious disturbance and inconvenience to anyone exposed to it and in certain circumstances noise and vibration can be a hazard to health. "Therefore, Causeway Coast and Glens Borough Council's Environmental Health Department would request that the following informative be attached to any Planning Permission granted: "Noise from construction activities should – not exceed 75 dB  $L_{Aeq, 1hr}$  between 07.00 hours and 19.00 hours on Monday to Fridays, or 75 dB  $L_{Aeq, 1hr}$  between 08.00 hours and 13.00 on Saturdays, when measured at any point 1 metre from any façade of any residential accommodation, and not exceed 65 dB  $L_{Aeq, 1hr}$  between 19.00



hours and 22.00 hours on Monday to Fridays, or 13.00 hours to 22.00 hours on Saturdays when measured at any point 1 metre from any façade of any residential accommodation, and not be audible between 22.00 hours and 07.00 hours on Monday to Fridays, before 08.00 hours or after 22:00 hours on Saturdays, or at any time on Sundays, at the boundary of any residential accommodation. (As a guide the total level (ambient plus construction) shall not exceed the pre-construction ambient level by more than 1 dB(A). This will not allow substantial noise producing construction activities but other “quiet” activities may be possible). Routine construction and demolition work which is likely to produce noise sufficient to cause annoyance will not normally be permitted between 22.00 hours and 07.00 hours.”





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