

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 14 June 2016	
Application ID: Z/2009/0688/F	
Proposal: Retention of existing recycling facility building and erection of new recycling facility building and associated retaining wall.	Location: 1080 Upper Crumlin Road, Belfast, BT14 8RX
Referral Route: Major Application	
Recommendation:	
Applicant Name and Address: Mr J Bates Thornhill Holdings 1080 Upper Crumlin Road Belfast BT14 8RX	Agent Name and Address: Sustain Ltd 55 Clarehill Road, Moira, BT67 0PD
<p>Executive Summary:</p> <p>The application seeks full planning permission for the retention of an existing recycling facility building and erection of a new recycling facility building and associated retaining wall.</p> <p>The key issues in the assessment of the proposed development include:</p> <ul style="list-style-type: none"> - Principle of use and development on the Site – Visual Impact - Natural Heritage - Ground Stability - Impact on amenity - Access and Parking - Contamination <p>The site is located beyond the development limits of the Belfast Metropolitan Area Plan - on lands just north of the Crumlin Road / Upper Hightown Road Site of Local Nature Conservation Importance (SLNCI).</p> <p>14 letters of objection have been received on the application.</p> <p>Transport NI, NIWater, NIEA Waste Management Unit, NIEA Heritage Development & Change Branch, Belfast City Council's Environmental Protection Unit and the Landscape Architects Branch of the Department of the Environment have offered no objections to the proposal and have recommended a number of conditions be attached to any approval.</p> <p>The site does not benefit from any planning approvals associated with a waste facility, but has been operating unauthorised for a number of years. This application attempts to regularise the use and activities on site.</p> <p>It is considered that the proposed and existing building will integrate into this low lying rural site</p>	

with the aid of an existing roadside bund. The new building will be set into the existing roadside embankment, facilitated by a 5m high retaining wall. All relevant consultees offer no objection in terms of access, contamination, visual impact, impact on amenity and ground stability.

The proposal has been assessed against relevant Policies including – Strategic Planning Policy for Northern Ireland, Planning Policy Statement 3: Access Movement and Parking, policies WM1 and WM2 of Planning Policy Statement 11 – ‘Planning and Waste Management, policy CTY1 of Planning Policy Statement 21 – ‘Sustainable Development in the Countryside’ and policy PED3 of Planning Policy Statement 4 – ‘Planning and Economic Development’.

It is considered, on balance, that the proposal complies with relevant policy and guidance.

Recommendation

Approval with conditions and informatives set out below

1.3	<p>The wastes that will be stored on the site are listed in Section 17 and 20 of the European Waste Catalogue Codes and include:</p> <p>Chapter 17</p> <ul style="list-style-type: none"> - 17 01 01 Concrete - 17 01 02 Bricks - 17 01 03 Tiles and ceramics - 17 02 01 Wood - 17 02 02 Glass - 17 02 03 Plastic - 17 04 01 Copper, Bronze' Brass - 17 04 02 Aluminium - 17 04 05 Iron and Steel <p>Chapter 20</p> <ul style="list-style-type: none"> - 20 01 01 Paper and Cardboard - 20 01 02 Glass - 20 01 38 Wood other than that mentioned in 20 01 37 - 20 01 39 Plastics - 20 01 40 Metal
1.4	The total amount of waste accepted at the proposed Waste Treatment Facility will be 362 cubic metres per day.
1.5	It has been stated by the agent that materials shall be deposited in the indicated storage/ sorting areas where they will be sorted and separated into individual skips. The sorted materials are then collected and processed off-site. The use would therefore fall under Use Class B4 (Storage and Distribution) of the Planning (Use Classes) Order (Northern Ireland) 2015.
2.0	Description of Site
2.1	A brown field site located on falling land off Upper Crumlin Road (a protected route). The site is predominately hard standing with a large storage shed, skips and assorted waste on a relatively flat area cut into hillside. The site is surrounded by bunding planted with leylandi trees with a variety of rural plant species also present. Crumlin Road / Upper Hightown Road Site of Local Nature Conservation Importance (SLNCI), as designated in the BMAP 2015, lies immediately to the south of the site. Beyond the bunding on the southern boundary the land slopes steeply away. Mixed woodland and dense scrub is present on these slopes and this area marks the northern boundary of the SLNCI.
Planning Assessment of Policy and other Material Considerations	
3.0	Planning History
3.1	<p>Z/1993/2001 - Construction of shed for the manufacturing of skips and general engineering work and construction of concrete ramp for transfer station. Approved 28th May 1993</p> <p>Z/1997/2779/O - Proposal: Site for equestrian centre with ancillary facilities and bridle paths. Approved 18th November 1998</p> <p>Z/2003/1923/F - Construction of workshop. Approved 9th March 2004.</p>

	Z/2010/0087/F - Retrospective application for bunding to existing roadside embankment. Approved 26 th October 2010
4.0	Policy Framework
4.1	Belfast Metropolitan Area Plan 2015
4.2	SPPS Regional Development Strategy Strategic Planning Policy Statement for Northern Ireland Planning Policy Statement 2 – Natural Heritage Planning Policy Statement 3 - Access, Movement and Parking Planning Policy Statement 4 – Planning and Economic Development Planning Policy Statement 6 - Planning, Archaeology and the Built Heritage Planning Policy Statement 11 – Planning and Waste Management Planning Policy Statement 21 – Sustainable Development in the Countryside
5.0	Statutory Consultees Transport NI – No objection NI Water – No objection NIEA Waste Management Unit – No objection NIEA Natural Environment Division - No objection NIEA Water Management Unit - No objection NIEA Landscape Architects Branch – No objection
6.0	Non-Statutory Consultees Environmental Health BCC – No objection DFP – Central Procurement Directorate
7.0	Representations The proposal has been neighbour notified and advertised in the local press. A total of 14 objections have been received in relation to the application. The main issues raised in the objections included: <ul style="list-style-type: none"> - Traffic increase not considered (increase not indicated on P1 form) - Unacceptable/ unsafe access into site, inadequate visibility splays - Impact on LLPA - Cumulative impact of this and two accompanying applications - Inadequate ground investigations (only a phase 1 risk assessment) - Unauthorised landfilling in the area - No details of sorting or baling equipment - Inadequate noise assessment as no specific details of machinery - No details of types and volumes of waste - Insufficient air quality and odour assessment as types of waste are not known - No baler included in proposal. This is present on site - No details of existing and proposed details in open yard - The presence of Japanese Knotweed to the south of the site - No discharge consent for proposed soakaway
8.0	Other Material Considerations Delivering Resource Efficiency: The Northern Ireland Waste Management Strategy 2013;

	Towards Resource Management: The Northern Ireland Waste Management Strategy 2006 - 2020; Arc21 Waste Management Plan.
9.0	Assessment
9.1	The key issues in the assessment of the proposed development include: <ul style="list-style-type: none"> - Principle of use and development on the Site – Visual Impact - Natural Heritage - Ground Stability - Impact on amenity - Access and Parking - Contamination - Consideration of objections <p>Principle of use and development on the Site - Visual Impact</p>
9.2	The site is located beyond the development limits of the Belfast Metropolitan Area Plan. The main policy context of PPS 21: Sustainable Development in the Countryside promotes a presumption in favour of development subject to planning and environmental matters. The site is also located just north of the Crumlin Road / Upper Hightown Road Site of Local Nature Conservation Importance (SLNCI).
9.3	For the purposes of assessment the proposal must be looked at as two separate parts, the retention and change of use of the existing workshop and the acceptability of the new recycling facility.
9.4	The new build element of the proposal has been assessed against paragraphs 4.23-4.29 of the SPPS. The design is typical of industrial type sheds. In terms of visual impact the proposed building and existing building sit at a much lower level than the Crumlin Road and are screened significantly by an existing roadside bund (approved under planning application Z/2010/0087/F). Although the building is of a significant scale at 8.5m high and 30m long, the existing roadside bund would ensure that the proposed building will not be unduly prominent from the main public views. With the benefit of this roadside bunding the new building would be only partly visible from the main road, particularly from the southern approach. For this reason the proposed new build would not have a detrimental impact on the character of this rural area.
9.5	PPS21 Policy CTY1 sets out a number of range of non-residential development which in principle are considered acceptable in the countryside: <ul style="list-style-type: none"> - Farm diversification proposals in accordance with Policy CTY11; - Agricultural and forestry development in accordance with Policy CTY12; - Industry and business use in accordance with PPS4; - Outdoor sport and recreational uses in accordance with PPS8; - Renewable energy projects in accordance with PPS18; or - A necessary community facility to serve the local rural population As the proposal is clearly an industrial use and must therefore also be assessed against Planning Policy Statement 4.
9.6	The new building has therefore been assessed against Policy PED3: The Expansion of an Established Economic Development Use of PPS4.
9.7	This policy states that the expansion of an established economic development use in the countryside will be permitted where the scale and nature of the proposal does not harm the rural character or appearance of the local area and there is no major increase in the site area of the enterprise. Although the proposal does not include an extension to the

	<p>curtilage of the existing site the proposed new building represents a significant intensification on the site with the total floor area of the two existing buildings totalling approximately 700 square metres and the floor area of the new building amounting to 600 square metres.</p> <p>9.8 The proposed new build element is located within a well established operational site and would successfully integrate into its roadside setting given the low lying nature of the site and the existing roadside bund, and thus should not impact on the character of the area.</p> <p>9.9 Proposals for expansion will normally be expected to be accommodated through the reuse or extension of existing buildings on site. Where it is demonstrated that this is not possible, new buildings may be approved provided they are in proportion to the existing building(s) and will integrate as part of the overall development. Part of the proposal includes the retention of the use within the existing building which is long established and as stated above the new building, which is in proportion to the existing building, would sympathetically integrate into this roadside setting.</p> <p>9.10 Any extension or new building should respect the scale, design and materials of the original building(s) on the site and any historic or architectural interest the original property may have. As stated above the new building would certainly respect the built form on the site. There are no buildings of any particular historic or architectural interest on the site.</p> <p>9.11 Policy WM1 of PPS 11 – Planning and Waste Management provides a framework for the examination of environmental effects and set outs 12 criteria which must be met:</p> <ul style="list-style-type: none"> • <i>the proposal will not cause demonstrable harm to human health or result in an unacceptable adverse impact on the environment;</i> <p>All relevant consultees are satisfied in terms of human health and any potential environmental impact.</p> <ul style="list-style-type: none"> • <i>the proposal is designed to be compatible with the character of the surrounding area and adjacent land uses;</i> <p>The new building is set into the existing slope on what is a well established operational site. Although of a significant scale the building is set 8 m lower than the road and its siting shall benefit from an established roadside bund which will screen the building from the north-western approach along the Upper Crumlin Road. The eastern approach is screened by existing trees around the access and existing buildings on the site.</p> <ul style="list-style-type: none"> • <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;</i> <p>A landscape and visual impact assessment has been submitted in support of the application. Landscape Architects Branch has assessed the findings of the report and consider them to be acceptable. Any potential visual impact is reduced given the low lying finished ground level. The roadside bund will screen the building from the north whilst distant views of the building from the south shall benefit from the backdrop of the embankment to immediately north of the site and rising lands beyond.</p> <ul style="list-style-type: none"> • <i>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</i>
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9.12	<p><i>neighbouring residents by virtue of noise, dirt and dust;</i></p> <p>Transport NI has offered no objections to the proposal.</p> <ul style="list-style-type: none"> <i>• the public road network can satisfactorily accommodate, or can be upgraded to accommodate, the traffic generated;</i> <p>Transport NI has not indicated any issue with regard to the ability of the existing road network to accommodate the proposal and have offered no objections on this basis.</p> <ul style="list-style-type: none"> <i>• adequate arrangements shall be provided within the site for the parking, servicing and circulation of vehicles;</i> <p>Transports NI are satisfied with the existing arrangements on the site.</p> <ul style="list-style-type: none"> <i>• wherever practicable the use of alternative transport modes, in particular, rail and water, has been considered;</i> <p>Not applicable given the sites relatively remote location.</p> <ul style="list-style-type: none"> <i>• the development will not have an unacceptable adverse impact on nature conservation or archaeological/built heritage interests.</i> <p>NIEA have offered no objections to the proposal.</p> <ul style="list-style-type: none"> <i>• 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;</i> <p>No hazardous waste is to be stored on the site.</p> <ul style="list-style-type: none"> <i>• the proposed site is not at risk from flooding and the proposal will not cause or exacerbate flooding elsewhere;</i> <p>Established site which does not lie within a floodplain and is thus unlikely to have any significant impact in terms of potential flooding.</p> <ul style="list-style-type: none"> <i>• the proposal avoids (as far as is practicable) the permanent loss of the best and most versatile agricultural land;</i> <p>The site is long established use and the proposal involves little in the way of disruption to existing unaltered land.</p> <ul style="list-style-type: none"> <i>• In the case of landfilling the proposal includes suitable, detailed and practical restoration and aftercare proposals for the site.</i> <p>No landfilling is proposed as part of this application.</p> <p>Policy WM2 'Waste Collection and Treatment Facilities' of PPS11 is also relevant in the assessment of this application.</p> <p>Proposals for the development of a waste collection or treatment facility will be permitted where:</p> <p><i>(a) there is a need for the facility as established through the WMS and the relevant WMP, except in the case of Waste Water Treatment Works (WWTWs) where the need must be demonstrated</i></p>
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to the Department's satisfaction;

The proposal follows the overall thrust of overarching Waste Management Plans and Strategies and their commitment to sustainability in such facilities.

(b) the proposed facility is the BPEO;

This requirement is no longer relevant as of 25th November 2013.

(c) the proposed facility complies with one or more of the following locational criteria:

it is located within an industrial or port area of a character appropriate to the development;

it is suitably located within an active or worked out hard rock quarry or on the site of an existing or former waste management facility including a landfill site;

it brings previously developed, derelict or contaminated land back into productive use or makes use of existing or redundant buildings;

in the case of a civic amenity and similar neighbourhood facilities the site is conveniently located in terms of access to service a neighbourhood or settlement whilst avoiding unacceptable adverse impact on the character, environmental quality and amenities of the local area;

where the proposal is in the countryside, it involves the reuse of existing buildings or is on land within or adjacent to existing building groups. Alternatively where it is demonstrated that new buildings/plant are needed these must have an acceptable visual and environmental impact;

Proposals for the development of a waste collection or treatment facility will be permitted where, when in the countryside, as in this case, it involves the reuse of existing buildings or is on land within or adjacent to existing building groups. In this case the proposal would comply with part of this criterion as the proposal involves the re-use of an established workshop and the new building is located beside this established building. Part of this criterion also requires the facility to be 'suitably' located. Located on low-lying ground and set into the existing roadside embankment, the integration of the building shall be enhanced by the existing roadside bund.

(d) the following criteria are also met:

- in the case of a regional scale waste collection or treatment facility, its location relates closely to and benefits from easy access to key transport corridors and, where practicable makes use of the alternative transport modes of rail and water;*

Not applicable in this case as this is a small scale proposal.

- 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;*

NIEA have offered no objections in terms of the proposed changes to the existing building or the new building.

- 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 waste(s) concerned;*

	<p>No issues have been raised through the consultation process with regards to the ability of the existing or proposed building to handle the said waste.</p> <ul style="list-style-type: none"> • <i>proposals for the incineration of waste and other thermal processes, shall incorporate measures to maximise energy recovery both in the form of heat and electricity, taking account of prevailing technology, economics and characteristics of the waste stream involved; and</i> <p>Not applicable in this case.</p> <ul style="list-style-type: none"> • <i>it will not result in an unacceptable adverse environmental impact that cannot be prevented or appropriately controlled by mitigating measures (see Policy WM 1).</i> <p>As stated above the proposed and indeed existing building are set at a much lower level than the main road and the proposed building will be set into the existing roadside embankment (as shown in the proposed cross section) and with the aid of the existing roadside bund will not be visually prominent and should integrate comfortably into the site and its rural setting.</p> <p>Natural Heritage</p> <p>NIEA Natural Heritage have identified features around the site, including mature tree lines, mixed woodland and scrub that provide high value foraging habitat for bats. Bats are a European Protected Species under the Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995 (as amended) and are subject to a strict level of protection. NIEA are concerned that any additional lighting of the site may cause disturbance to foraging bats and displace them from foraging areas and as such have provided a condition to address this concern. This condition is detailed in Section 11 below.</p> <p>Ground Stability</p> <p>The Geotechnical and Advisory Section of the Central Procurement Directorate has reviewed the information provided with regard to the proposed retaining wall positioned along the northern boundary of the site, to the rear of a proposed recycling building. The proposed retaining wall will be approximately 3.5m high and is positioned at the toe of a 7m high embankment which rises up to the Upper Crumlin Road. An excavation approximately 3 - 4m deep may be required to construct the foundation for the retaining wall which could result in possible undermining of road above. I also note that the proposal involves minor steepening of the embankment.</p> <p>No objections have been offered in principle to the works described on the drawings provided but a number of conditions have been suggested should approval be granted. These conditions are detailed at Section 11 below.</p> <p>Impact on amenity</p> <p>The proposal has been assessed against paragraphs 4.11 and 4.12 of the SPPS. EHO has considered the potential noise impact from the proposal and did not determine a noise impact assessment necessary given the distance from residential premises and the proposed hours of operation, namely 9am to 5pm.</p> <p>EHO reviewed a Management Plan submitted in support of the above proposal to address concerns raised in relation to potential noise and vermin associated with the proposal. In order, therefore, to ensure that the details within the Management Plan are adhered to, EHO have requested that a condition is attached to any planning permission</p>
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	granted. This condition is detailed at Section 11 of the report below.
9.17	The agent has stated that the materials to be brought on site will not include any food stuffs or other bio-degradable waste that would produce unpleasant odours and as such no additional measures will be put in place to reduce odour from the building. No external storage/ processing is proposed.
9.18	<p>Access and Parking</p> <p>The proposal has been assessed against Policies AMP7, 8 and 9 of PPS3. Transport NI has pointed out that, in the interests of road safety, the access should comply with current guidance in Development Control Advice Note 15 but have offered no objections to the proposal.</p>
9.19	<p>Contamination</p> <p>Environmental Protection Unit have highlighted that the site of the proposed development is located on and in close proximity to land use types that have the potential to cause contaminated land and pose a risk to human health. These land use types include former quarries located on the site and a small area of reclaimed land located approximately 400m from the site (formerly a quarry). EPU subsequently requested a contaminated land risk assessment that outlines all potential pollution linkages.</p>
9.20	A Phase 1 Preliminary Risk Assessment (March 2010) was subsequently submitted. This determined that there are no significant pollutant linkages and concluded that the top 1.5m of ground is to be excavated from the site surface and any residual contamination within the shallow ground which may present a risk to the identified receptors will effectively be removed. The hard-standing floor which forms part of the development proposal will provide an effective barrier to mitigate any residual contamination issues. As a result EPU have stated that the source of any potential contamination at the site is likely to be removed.
9.21	Based on the preliminary risk assessment presented in support of this application there are a number of potential pollutant linkages on the application site which merit further investigation. NIEA LRM Land Quality Unit therefore initially recommended that approval is withheld pending the provision of a Generic Quantitative Risk assessment supported by an intrusive site investigation. Should unacceptable risks be identified a remediation strategy should also be proposed.
9.22	A Phase 2 Intrusive Investigation report has been provided by Enviro Centre (EC) in support of this application. The Site Investigation report includes generic quantitative risk assessment (GQRA), informed by intrusive site investigations.
9.23	No unacceptable risks to the environment from ground or groundwater contamination have been identified as a result of the site investigations therefore WM Unit's Land and Groundwater Team have no objections to the development provided conditions are placed on any planning decision notice as recommended below.
9.24	<p>Consideration of objections</p> <p>The following issues were raised in a total of 14 letters of objection:</p> <p><i>Traffic increase not considered (increase not indicated on P1 form)</i> <i>Unacceptable/ unsafe access into site, inadequate visibility splays</i></p>

	<p>Transport NI have offered no objections to the proposal. They have acknowledged that the existing access should comply with current guidance.</p> <p><i>Impact on LLPA</i></p>
9.25	<p>LAB considered the close proximity of the site to the LLPA and have stated there is obviously good reason why this site was not included and the proposal would not be out-of-keeping with the immediate existing land use. We are aware of the seasonal variances in visibility but these would not be a strong enough factor in our opinion to find the proposal unacceptable. There will still be a degree of screening provided by the mounding and the levels. View J of the Landscape and Visual Impact Assessment shows</p>
9.26	<p>that the proposal can be reasonably visually integrated even without existing vegetation or planting. Again the height of the bund is a matter for our planning colleagues to assess.</p> <p><i>Cumulative impact of this and two accompanying applications</i></p>
	<p>Each application is dealt with on its own merit and against all relevant policies. Landscape Architects Branch stated that their preference would be for the height of the existing bund to remain as it is due to its screening function.</p>
9.27	<p>In reply to the assertion that the proposal would have an unacceptable visual impact LAB believe that, on balance, the new recycling facility can be visually integrated reasonably well into its surroundings. We have considered how the building would sit in the landscape when viewed from all critical angles and viewpoints as well as the context and exterior colour and finishing of the building.</p>
9.28	<p>LAB considered the agent's Landscape and Visual Impact Assessment to be an objective and reasonable assessment.</p> <p><i>Inadequate ground investigations (only a phase 1 risk assessment)</i></p>
9.29	<p>In considering these points Waste Management Unit considers the risks in the context of the conceptual site model and whether there is (a) a potential environmental receptor at risk in relation to contamination at the site and (b) is there a potential source of contamination at the site.</p>
9.30	<p>On the risks to environmental receptors WM's Land and groundwater Team are satisfied that the site investigations have not identified a source of contamination at the site therefore the shortcomings identified by MC are not substantive.</p>
9.31	<p>WM Unit's Land and Groundwater Team have no objections to the development provided conditions and informatives are placed on any Planning Decision Notice as detailed below.</p>
9.32	<p>On the risks to environmental receptors NIEA Waste Management's Land and groundwater Team are satisfied that the site investigations have not identified a source of contamination at the site, therefore the shortcomings identified by MC are not substantive.</p>
9.33	<p><i>Unauthorised landfilling in the area</i></p> <p>Ultimately this is an enforcement matter and falls outside the scope of this planning application.</p>

<p>9.34</p> <p>9.35</p> <p>9.36</p> <p>9.37</p> <p>9.38</p> <p>9.39</p> <p>9.40</p> <p>9.41</p> <p>9.42</p>	<p><i>No details of sorting or baling equipment</i></p> <p>Application for proposed baler currently under consideration (Z/2012/1193/F).</p> <p><i>Inadequate noise assessment as no specific details of machinery</i></p> <p>EPU have determined that a noise impact assessment was not necessary given the distance from the nearest residential property.</p> <p>Environmental Protection Unit has reviewed the additional objections and considered the potential noise impact from the proposal and did not determine a noise impact assessment necessary given the distance from residential premises and the proposed hours of operation, namely 9am to 5pm</p> <p><i>Insufficient air quality and odour assessment as types of waste are not known</i></p> <p>No objection raised by EPU in terms of Air Quality. A full list of waste types has been provided as part of the application.</p> <p><i>No baler included in proposal</i></p> <p>Application for proposed baler currently under consideration (Z/2012 /1193/F).</p> <p><i>No details of existing and proposed details in open yard</i></p> <p>Existing and proposed levels shown as well as existing and proposed north-south section through site.</p> <p><i>The presence of Japanese Knotweed to the south of the site</i></p> <p>A thorough search for Japanese Knotweed was carried out along the boundaries of the site and no evidence of it being present was found. The steep slopes to the south of the site were considered too dangerous to survey and are nevertheless outside the red line boundary.</p> <p><i>No discharge consent for proposed soakaway</i></p> <p>NIEA Waste Management Unit confirmed that there is discharge consent under the terms of the Water (Northern Ireland) Order 1999 for this site</p>
<p>10.0</p> <p>10.1</p> <p>10.2</p>	<p>Summary of Recommendation: Approval</p> <p>This is an established waste storage site. It is considered that the proposed and existing building will integrate into this low lying rural site with the aid of an existing roadside bund. The new building will be set into the existing roadside embankment, facilitated by a 5m high retaining wall. All relevant consultees offer no objection in terms of access, contamination, visual impact, impact on amenity and ground stability.</p> <p>It is considered, on balance, that the proposal complies with relevant policy and guidance.</p>

11.0	Conditions
11.1	<p>As required by Article 34 of the Planning (Northern Ireland) Order 1991, 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>
11.2	<p>The waste materials to be accepted at the facility hereby approved shall be restricted to the following European Waste Catalogue Codes and no other EWC Codes:</p> <ul style="list-style-type: none"> - 17 01 01 Concrete - 17 01 02 Bricks - 17 01 03 Tiles and ceramics - 17 02 01 Wood - 17 02 02 Glass - 17 02 03 Plastic - 17 04 01 Copper, Bronze' Brass - 17 04 02 Aluminium - 17 04 05 Iron and Steel - 20 01 01 Paper and Cardboard - 20 01 02 Glass - 20 01 38 Wood other than that mentioned in 20 01 37 - 20 01 39 Plastics - 20 01 40 Metal
11.3	<p>All operations shall take place internally within the waste transfer station building on site.</p> <p>Reason: In the interests of environmental protection and public health.</p>
11.4	<p>No waste materials shall be stored or deposited outside of the waste transfer station building on site.</p> <p>Reason: In the interests of environmental protection and public health.</p>
11.5	<p>The waste transfer station will accept a maximum of 30,000 tonnes per annum.</p> <p>Reason: In the interests of environmental protection and public health.</p>
11.6	<p>The waste transfer station will store a maximum of 100 tonnes of unprocessed waste at any one time.</p> <p>Reason: In the interests of environmental protection and public health.</p>
11.7	<p>The waste transfer station will store a maximum of 150 tonnes of processed waste at any one time.</p> <p>Reason: In the interests of environmental protection and public health</p>

11.8	<p>The applicant should be required to obtain TransportNI Geotechnical Certification (HD 22/08) for any amendments to an existing embankment or cutting supporting an adopted road.</p> <p>Reason: To protect existing Roads Service assets and ensure stability of construction works.</p>
11.9	<p>Where the retaining wall is within 6m of an adopted road boundary or supports the road boundary, the retaining wall will be subject to Roads Service technical approval.</p> <p>Reason: To protect existing Roads Service assets and ensure stability of construction works.</p>
11.10	<p>The applicant should ensure the design and installation of the retaining wall is certified by an appropriately qualified and experienced Chartered Engineer.</p> <p>Reason: To ensure stability of construction works.</p>
11.11	<p>The applicant shall ensure that measures identified within the management plan are strictly followed to ensure that nearby residential properties do not suffer intermittent disturbance and loss of amenity as a result of activities associated with the proposed recycling facility.</p> <p>Reason: In the interests of amenity and public health.</p>
11.12	<p>There shall be no additional external lighting on the site except for any necessary motion sensor security lights fitted to the new building.</p> <p>Reason: To minimise disturbance to bats through additional artificial lighting.</p>
11.13	<p>After completing the remediation works with regard to contamination; and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with Department. This report should be completed by competent persons in accordance with the Model Procedures for the Management of Land Contamination (CLR11).</p>
11.14	<p>The verification report should present all the remediation and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and achieving the remedial objectives.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p>
11.15	<p>Prior to the commencement of any works a construction method statement must be agreed with the Council in consultation with NIEA Waste Management Units's in relation to any work to be conducted in; near or liable to affect any waterway in order to agree a method statement with the contractors. This includes culverts, alterations to culverts, diversions and crossings whether temporary or permanent. However, this list is not exhaustive and all aspects of the work should be considered for the risk of pollution.</p> <p>Reason: In the interests of environmental protection.</p>
11.16	<p>If during the development works, new contamination or risks are encountered which have not previously been identified, works should cease and the Department shall be notified immediately. This new contamination shall be fully investigated in accordance with the Model Procedures for the Management of Land Contamination (CLR11). In the event of</p>

unacceptable risks being identified, a remediation strategy shall be agreed with the Department in writing, and subsequently implemented and verified to its satisfaction.

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

Informatives

The applicant is advised that the proposed commencement of Part III of the Waste and Contaminated Land (NI) Order 1997 may introduce retrospective environmental liabilities to the applicant following the development of this site. The comments provided by Belfast City Council are without prejudice to any future statutory control which may be required under Part III or any other future environmental legislation.

The applicant should ensure that the management of all materials onto and off this site are suitably authorized through the Waste Management Regulations (NI) 2006 and/or the Water Order (NI) 1999.

The purpose of the Conditions 11.7 and 11.9 is to ensure that any site risk assessment and remediation work is undertaken to a standard that enables safe development and end-use of the site such that it would not be determined as contaminated land under the forthcoming Contaminated Land legislation i.e. Part 3 of the Waste and Contaminated Land Order (NI) 1997. It remains the responsibility of the developer to undertake and demonstrate that the works have been effective in managing all risks.

The applicant's attention is drawn to Article 15 of the Wildlife (Northern Ireland) Order 1985 (as amended) under which it is an offence for any person to plant or otherwise cause to grow in the wild any plant which is included in Part II of Schedule 9 of the Order, which includes (Japanese knotweed). This highly invasive plant species has been recorded on site and control measures must be taken to ensure that any works do not cause it to spread either on or off the site.

Any soil, containing (Japanese knotweed) plant or seed material, which is removed off site, is classified as controlled waste under the Controlled Waste Regulations (Northern Ireland) 2002. The Controlled Waste (Duty of Care) Regulations (Northern Ireland) 2002 places a duty of care on 'anyone who produces, imports, stores, transports, treats, recycles or disposes of waste to take the necessary steps to keep it safe and to prevent it from causing harm, especially to the environment or to human health'. In the case of (Japanese knotweed) it is the duty of the waste producer to inform the licensed waste carrier and licensed landfill site that the controlled waste material contains (Japanese knotweed) as part of the waste transfer process.

Please see the following link for Best Practice Guidance:

<http://invasivespeciesireland.com/toolkit/best-practice-management/>

The applicant is advised to ensure that all plant and equipment associated with the proposal is so situated, operated and maintained as to prevent the transmission of noise to nearby residential properties.

Should Japanese Knotweed be found at the site in the future further information should be sought from the Invasive Species Officer, Northern Ireland Environment Agency, Klondyke Building, Cromac Avenue, Gasworks Business Park, Belfast BT7 2JA. Tel: 028 905 69556.

NIEA recommend that any additional planting at the site should be with native species only. This will enhance the biodiversity of the site. Further information on native planting

	<p>can be found here: http://www.doeni.gov.uk/niea/native_species_planting_guidance_jan_2012.pdf</p> <p>The following EWC Codes are accepted on the site:</p> <ul style="list-style-type: none"> - 17 01 01 Concrete - 17 01 02 Bricks - 17 01 03 Tiles and ceramics - 17 02 01 Wood - 17 02 02 Glass - 17 02 03 Plastic - 17 04 01 Copper, Bronze' Brass - 17 04 02 Aluminium - 17 04 05 Iron and Steel - 20 01 01 Paper and Cardboard - 20 01 02 Glass - 20 01 38 Wood other than that mentioned in 20 01 37 - 20 01 39 Plastics - 20 01 40 Metal
12.0	Notification to Department (if relevant) N/A
13.0	Representation from elected member N/A
	<p>Signature(s)</p> <p>Date:</p>
Neighbour Notification Checked	Yes

ANNEX	
Date Valid	24th August 2009
Date First Advertised	22nd August 2011
Date Last Advertised	22nd August 2011
<p>Details of Neighbour Notification (all addresses) 1075 Crumlin Road, Ballysillan Upper, Belfast, Antrim, BT14 8RX, 1075 Crumlin Road, Upper Ballysillan, Belfast, BT14 8RX 1078 Upper Crumlin Road, Belfast, BT14 8RX 1079 Crumlin Road, Ballysillan Upper, Belfast, Antrim, BT14 8RX, 1080 Crumlin Road, Ballysillan Upper, Belfast, Antrim, BT14 8RX, 1082 Upper Crumlin Road, Belfast, BT14 8RX 1085 Crumlin Road Ballysillan Upper Belfast 1085 Crumlin Road, Belfast, BT14 Kevin Gillespie 4 Carnalea Drive Ballykillare (Main Portion) Bangor Jim Bradley 9 Social Economy Village Hannashstown Hill Belfast BT17 0XS Grainne Rice Hoy & Dorman Limited, 20 Adelaide Street, Belfast, BT2 8GD Grainne Rice Ann McCormick Rosanna McCann John Laverty Unit 45, Mallusk Drive, Ballywonard, Mallusk Enterprise Park, Newtownabbey, Antrim, BT36 4GN, John Laverty Unit 45, Mallusk Enterprise Park, Newtownabbey, Co Antrim, BT36 4GN</p>	
Date of Last Neighbour Notification	2 nd August 2011
Date of EIA Determination	9 th May 2013
ES Requested	No
Drawing Numbers and Title	
Notification to Department (if relevant)	
Date of Notification to Department: Response of Department:	