

<b>Title of Report:</b>	<b>Planning Committee Report – LA01/2024/1187/F</b>		
<b>Committee Report Submitted To:</b>	<b>Planning Committee</b>		
<b>Date of Meeting:</b>	<b>26<sup>th</sup> February 2025</b>		
<b>For Decision or For Information</b>	<b>For Decision – Council Interest</b>		
<b>Linkage to Council Strategy (2021-25)</b>			
Strategic Theme	Cohesive Leadership		
Outcome	Council has agreed policies and procedures and decision making is consistent with them		
Lead Officer	Senior Planning Officer		
<b>Budgetary Considerations</b>			
Cost of Proposal	Nil		
Included in Current Year Estimates	N/A		
Capital/Revenue	N/A		
Code	N/A		
Staffing Costs	N/A		
<b>Screening Requirements</b>	Required for new or revised Policies, Plans, Strategies or Service Delivery Proposals.		
Section 75 Screening	Screening Completed:	N/A	Date:
	EQIA Required and Completed:	N/A	Date:

Rural Needs Assessment (RNA)	Screening Completed	N/A	Date:
	RNA Required and Completed:	N/A	Date:
Data Protection Impact Assessment (DPIA)	Screening Completed:	N/A	Date:
	DPIA Required and Completed:	N/A	Date:

**App No:** LA01/2024/1187/F

**Ward:** Dundooan

**App Type:** Full Planning

**Address:** Craighulliar Landfill, Ballymacrea Road, Portrush

**Proposal:** Use of existing waste transfer station to allow for storage and transfer of dry recyclables and mixed municipal wastes due to closure of existing landfill site. (Amendment to planning permission (C/2002/1040/F – Shed for the storage and transfer of dry recyclables.)

**Con Area:** N/A

**Valid Date:** 30.10.2024

**Listed Building Grade:** N/A

**Applicant:** Causeway Coast and Glens Borough Council, Cloonavin, 66 Portstewart Road, Coleraine, BT52 1EY

**Agent:** Taggarts, 23 Bedford Street, Belfast, BT2 7EJ.

**Objections:** 0      **Petitions of Objection:** 0

**Support:** 0      **Petitions of Support:** 0

## **EXECUTIVE SUMMARY**

- The site is located in the rural area to the southeast of the settlement of Portrush. The site is not subject to any zonings or designations as set out in the Northern Area Plan 2016.
- Planning Approval C/2002/1040/F was granted permission on 14/01/04 for a shed for the storage and transfer of dry recyclables.
- This application seeks planning permission to use the existing waste transfer station to allow for storage and transfer of dry recyclables and mixed municipal wastes due to closure of the existing landfill.
- This proposal is acceptable taking into consideration the planning history on the site (the principle of a building used for the storage and transfer of waste has been established)
- DFI Roads, NIEA WMU, Environmental Health and NIEA (Regulation Unit) have all been consulted and no objection has been raised.
- There are no third party representations.
- Approval is recommended.

**Drawings and additional information are available to view on the Planning Portal:**

<https://planningregister.planningsystemni.gov.uk/simple-search>

## **1.0 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 sections 7 and 8 and resolves to **Approve** planning permission subject to the conditions set out in section 10.

## **2.0 SITE LOCATION & DESCRIPTION**

- 2.1 The site is located to the southeast of the settlement of Portrush, in the open countryside. The site comprises an existing landfill site, known as Craigahulliar Landfill, with associated sheds, access roads and other ancillary structures/ buildings.
- 2.2 The development surrounding the site is predominantly for tourism (Craigahulliar caravan site abuts a portion of the southern boundary) and residential, surrounded by open countryside.
- 2.3 The site is not subject to any specific zonings or designations as set out in the northern Area Plan 2016.

## **3.0 RELEVANT HISTORY**

C/2002/1040/F.

Craigahulliar Landfill Site, Ballymacrea Road, Portrush. Shed for the storage and transfer of dry recyclables. Approval - 14/01/04.

LA01/2024/0192/S54 Craigahulliar Landfill, Ballymacrea Road, Portrush. Variation of Condition 2 to add an additional EWC code (20 03 01), including putrescible wastes. C/2002/1040/F original condition - 'The building shall be used for the storage and transfer of paper, cardboard, plastic bottles, tin cans and aluminium cans only' to Condition 2 Proposed condition - 'The building shall be used for the storage and transfer of paper, cardboard, plastic bottles, tin cans, aluminium cans and mixed municipal wastes only'

Application Withdrawn: 23.10.24.

## **4.0 THE APPLICATION**

- 4.1 This is a full application for Use of existing waste transfer station to allow for storage and transfer of dry recyclables and mixed municipal wastes due to closure of existing landfill site. (Amendment to planning permission (C/2002/1040/F – Shed for the storage and transfer of dry recyclables.)

### **Habitat Regulations Assessment**

- 4.2 The potential impact of this proposal on Special Protection Areas, Special Areas of Conservation and Ramsar sites has been assessed under planning application LA01/2024/0192/S54 in accordance with the requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended). It is concluded that the proposal would not be likely to have a significant effect on the features of any European site.

### **Environmental Impact Assessment**

- 4.3 Regulation 13 (a) sets out that an EIA screening is required if the change or extension to the development exceeds the 0.5ha. threshold of 11 (b); it includes disposal by incineration or; it is within 100m of a waterway/strata.
- 4.4 The red line area outlined for the existing development is greater than 0.5ha. The proposal will make use of an existing shed (which will remain the same) and not increase in size. The shed is more than 250m from the closest waterway/ strata. Given the foregoing and that the proposal is unlikely to have a significant environmental effect on the environment, it is considered an ES is not required having regard to the size & scale of the shed and the introduction of further limited waste types.

## **5.0 PUBLICITY & CONSULTATIONS**

### **5.1 External:**

No objections or representations were received.

## 5.2 Internal:

DFI Roads: No objection.

NIEA WMU: No objection.

EHO: No objection.

NIEA (Regulation Unit): No objection.

## 6.0 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:

- Northern Area Plan 2016

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.

## 7.0 RELEVANT POLICIES & GUIDANCE

The Northern Area Plan 2016

Strategic Planning Policy Statement (SPPS)

PPS 11 – Planning and Waste Management

## **8.0 CONSIDERATIONS & ASSESSMENT**

8.1 The main considerations in the assessment of this proposal include principle of development, environmental impact and other issues.

### **Principle of Development**

8.2 Planning permission was granted under C/2002/1040/F for erection of a shed for the storage and transfer of dry recyclables. Therefore, the principle of the development is established on site.

8.3 The current application seeks full permission to add mixed municipal wastes to the categories of waste which can be stored and transferred from the shed. This is required due to the closure of the associated landfill.

### **Environmental Impact**

8.4 Policy WM 1 of PPS 11, Environmental Impact of a Waste Management Facility, states that proposals for the development of a waste management facility will be subject to a thorough examination of environmental effects and will only be permitted where it can be demonstrated that all of the following criteria are met:

*The proposal will not cause demonstrable harm to human health or result in an unacceptable adverse impact on the environment.*

8.5 Regulation Unit, Water Management Unit and Environmental Health are content with the proposal. Regulation Unit notes that a licence modification, under the Pollution Prevention and Control (Industrial Emissions) Regulations (NI) 2013, will be required to add the EWC code and increase annual tonnage. EHO note that NIEA has primary regulatory responsibility for the landfill site, therefore impacts in the form of noise and air quality etc, may be required to be re-appraised as part of the PPC permit process. Having regard to Environmental Health raising no objection, the existing use, and the submission of odour management plan, the proposal is considered to meet this policy test.

*The proposal is designed to be compatible with the character of the surrounding area and adjacent land uses;*

8.6 The proposal is sited within an existing waste management facility. There is a caravan park nearby. However, the odour management plan submitted demonstrates that there would be no undue impact to nearby sensitive receptors in this regard. The proposal is in keeping with the character of the immediate site.

*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;*

8.7 The visual impact of the subject shed will not be altered by the Proposal and meets this test.

*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;*

8.8 The submitted TAF demonstrates that there will be no additional traffic to the site as a result of the proposal. DFI Roads has no objections to the proposal. Therefore, the nature and frequency of traffic will not prejudice other road users having regard to the current arrangement.

*the public road network can satisfactorily accommodate, or can be upgraded to accommodate, the traffic generated;*

8.9 There will be no additional traffic to the site as a result of the proposal.

*adequate arrangements shall be provided within the site for the parking, servicing and circulation of vehicles;*

8.10 There will be no additional vehicles/ vehicle movements associated with the proposal.

*wherever practicable the use of alternative transport modes, in particular, rail and water, has been considered;*



8.11 There is an established storage and transfer procedure in place. It would not be practicable to use alternative transport modes.

*the development will not have an unacceptable adverse impact on nature conservation or archaeological/built heritage interests.*

8.12 It is considered that the development will not have an unacceptable impact on nature conservation, archaeological or built heritage as the proposal relates to the addition of further wastes to be sorted within an existing facility.

*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;*

8.13 RU, WMU and EHO are content with the additional waste category, subject to the necessary permit being granted. It is not considered that the proposal will pose a serious environmental risk.

*the proposed site is not at risk from flooding and the proposal will not cause or exacerbate flooding elsewhere;*

8.14 The proposed will have no effect in terms of flooding. No additional hard standing, buildings, or extension of buildings is proposed.

*the proposal avoids (as far as is practicable) the permanent loss of the best and most versatile agricultural land;*

8.15 No existing agricultural land is required for the proposal.

*In the case of landfilling the proposal includes suitable, detailed and practical restoration and aftercare proposals for the site.*

8.16 Not applicable to proposal as there is no landfilling proposed.

### **Other Issues**

8.17 The Agent submitted a Supporting statement, Odour Management Plan, Transport Assessment Form and landowner map in support of this application. The purpose of the application to add mixed municipal wastes to the type of waste which can be stored and

transferred from the shed. The change is required to ensure the Council will still have capacity to process waste following the closure of the adjacent landfill (October 2024). The Supporting Statement goes into detail about how waste will be stored and transferred from the site.

- 8.18 The Transport Assessment Form advises that there will be no additional traffic movements generated by the variation and therefore an increase in noise from HGVs is not likely.
- 8.19 Certificate C has been signed and indicates that appropriate notice has been served on those with an interest in any lands outside the ownership of the applicant.
- 8.20 DFI Roads raises objection to the proposal.
- 8.21 NIEA WMU considered the impacts of the proposal on the surface water environment and on the basis of the information provided is content with the proposal subject to conditions, any statutory permissions being obtained and the applicant referring and adhering to DAERA standing advice.
- 8.22 NIEA Regulation unit states that if planning permission is granted the applicant will be required to apply for a substantial permit variation to their PPC permit, from the Regulation Unit within NIEA. If MSW containing putrescible waste is temporarily stored, the shed shall be fully contained and bunded to prevent liquid runoff. The maximum storage time for waste shall be 48 hours to prevent pest infestation and odour problems. The site working plan will require updating and approval from NIEA before work commences.
- 8.23 Environmental Health state it is understood that the Regulation Unit (RU) of DAERA NIEA, has primary regulatory responsibility for Craigahullier Landfill, which is a permitted installation under the Pollution Prevention and Control (Industrial Emissions) Regulations (NI) 2013, - Permit Reference: P0148/06A4. Under the PPC Regime, emissions from the installation to land, air and water are regulated under the permit conditions, this includes noise, pollutant emissions and air quality impacts. Therefore, it is envisaged that if planning permission is granted noise, air pollutant emissions and land contamination risks associated with the proposed development

may be required to be appraised as part of the PPC permit/variation of conditions (relevant change). It is also noted that a transport assessment form has been submitted and advises that there will be no additional traffic movements generated by this variation and therefore an increase in noise from HGVs is not likely. On this basis the Environmental Health has no adverse comment to make regarding this proposal.

8.24 Having regard to the consultation responses and planning policy it is considered the proposal is acceptable and should be allowed.

## **9.0 CONCLUSION**

9.1 The proposed amendment to the original permission C/2002/1040/F, regarding the type of waste which can be stored and transferred from the shed, is considered acceptable having regard to the Northern Area Plan 2016, SPPS, PPS 11 and other material considerations. The proposal seeks to add municipal waste to the categories of waste which can be stored and transferred from the existing shed. This is to allow the Council to store and transfer municipal waste as the landfill was due to close in October 2024. Approval is recommended.

## **10.0 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 building shall be used for the storage and transfer of paper, cardboard, plastic bottles, tin cans and aluminum cans and mixed municipal wastes only.

Reason: To protect the amenity of the adjoining area.

3. No development shall take place until a fence has been erected 7m from the ASSI rock face, on a line to be agreed with the Department's Environment and Heritage Service; Natural Heritage. No works or construction activity shall take place within the fenced area without the consent of the Department. The fence shall not be removed until all works are complete.

Reason: To protect the earth science interest.

4. No construction activity associated with the development, including removal, dumping or storage of materials, shall take place within 7m of the designated ASSI rock face.

Reason: To protect the integrity of the designated ASSI.

5. No vehicles or construction equipment shall be used within 7m of the ASSI rock face.

Reason: To protect the integrity of the designated ASSI.

6. If MSW containing putrescible waste is temporarily stored, the shed shall be fully contained and bunded to prevent liquid runoff.

Reason: To keep contaminants within the building.

7. The maximum storage time for waste in the shed, subject of this application, shall be 48 hours.

Reason: To prevent pest infestation and odour problems.

## **INFORMATIVES**

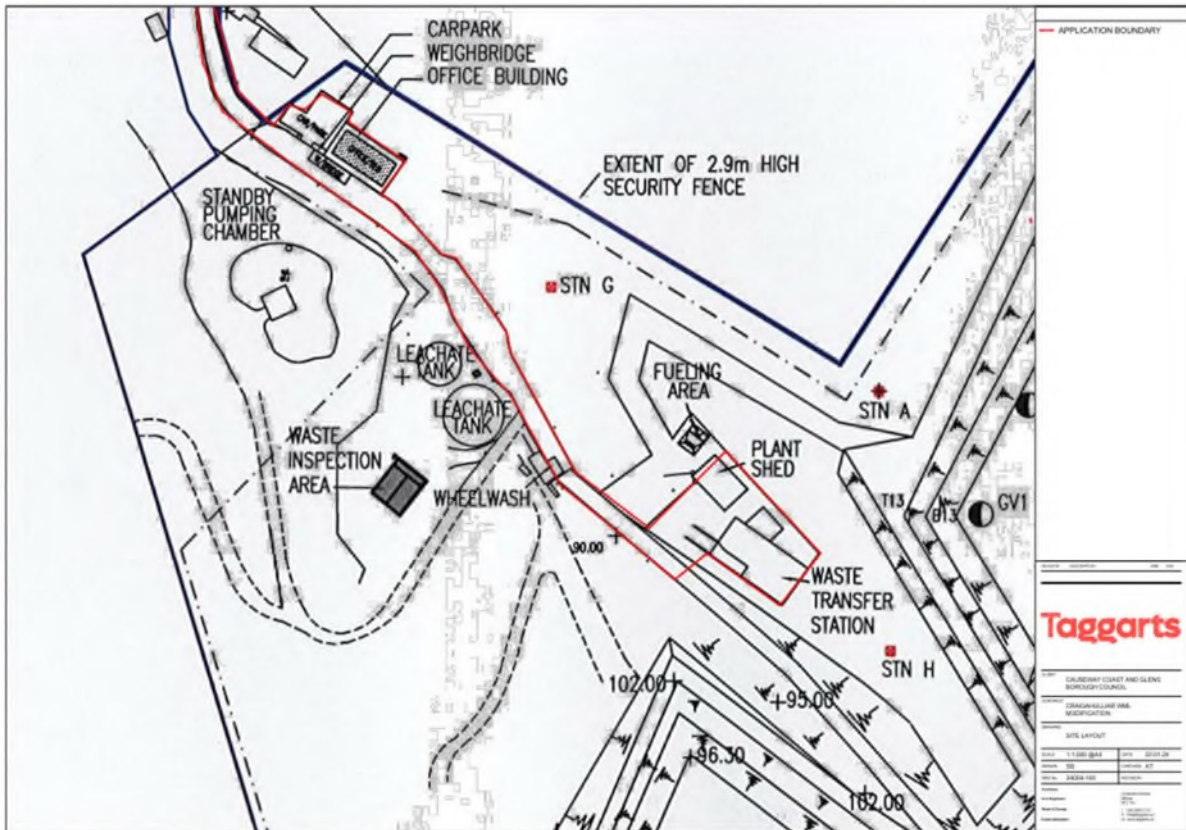
1. This approval does not dispense with the necessity of obtaining the permission of the owners of adjacent sites for the removal of or building on the party wall or boundary whether or not defined.
2. This permission does not alter or extinguish or otherwise affect any existing or valid right of way crossing, impinging or otherwise pertaining to these lands.
3. 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.
4. 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.
5. 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:  
<https://planningregister.planningsystemni.gov.uk/simple-search>

# Site Location Map



# Proposed Site Plan



# Erratum & Addendum

## LA01/2024/1187/F

### 1.0 Erratum

1.1 Dfl Roads raises no objection to the proposal. However, Paragraph 8.20 states the following:

*“8.20 DFI Roads raises objection to the proposal.”*

This should read as follows:

“8.20 DFI Roads raises no objection to the proposal.”

### 2.0 Update

2.1 1 letter of objection has been received in relation to this application. Concerns relate to:

- The objector recently received planning approval for a dwelling less than 50 metres from the landfill site.
- Objector thought Landfill Site had closed and was being turned into a GeoPark
- Odour and smell will impact on the enjoyment of the new dwelling
- Proposal will generate complaints from nearby caravan park.

2.2 The distance from the approved dwelling to the shed subject of this application is nearly 220 metres; not less than 50 metres. The odour management plan states that the closest dwelling to the proposed development is approximately 200 metres to the northwest.

2.3 This application relates to a use within the shed. The shed is neither a temporary permission nor has it a timeline condition terminating the use or facility.



- 2.4 An odour management plan has been submitted as part of the application. Regulation Unit (RU) of DAERA NIEA, has primary regulatory responsibility for Craigahullier Landfill, which is a permitted installation under the Pollution Prevention and Control (Industrial Emissions) Regulations (NI) 2013, - Permit Reference: P0148/06A4. Under the PPC Regime, emissions from the installation to land, air and water are regulated under the permit conditions, this includes noise, pollutant emissions and air quality impacts. Such risks associated with the proposed development may be required to be appraised as part of the PPC permit /variation of conditions and if considered to be unacceptable would not be Permitted. This is considered within the PCR Paras 8.22&8.23.
- 2.5 The shed received planning approval in 2004,prior to the caravan site being operational. The caravan site has operated together with the landfill site and shed. The site is regulated by a PPC permit.

### **3.0 Recommendation**

- 3.1 That the Committee note the contents of this Erratum & Addendum and agree with the recommendation to approve the application in accordance with Paragraph 1.1 of the Planning Committee Report.

# Erratum and Addendum 2

## LA01/2024/1187/F

### 1.0 Erratum

1.1 In Para 8.23 of the PCR in references that the Licence is - *Permit Reference: P0148/06A4* that requires modification. However, it is the Waste Management Licence for Craigahulliar Waste Transfer Station (WTS), WML10/22 LN/08/15, that requires modification.

1.2 In Section 10 of the PCR, the following condition is also recommended should planning permission be granted:

*8. The site working plan shall be updated to include all relevant waste codes and submitted to the Council and approved in writing, in consultation with NIEA, prior to any mixed municipal wastes being delivered, stored or treated on site.*

*Reason: To ensure the working of the site is acceptable and to protect the amenity of the adjoining area.*

### 2.0 Background

2.1 This application was presented to the February 2025 meeting of the Planning Committee as a *Council Interest Item*. Following further objection and a verbal addendum to these, the application was deferred as the hyperlink to the Planning Committee Report was incorrect and to allow representation from the Planning Applicant at the Planning Committee to answer any technical questions Members may have.

### 3.0 Update

3.1 2 further letters of objection were received after the 10am Deadline on Monday 24<sup>th</sup> February 2025 and were dealt with by a verbal

addendum. One of these letters included a review of the Odour Management Plan which was dated 9th January 2025 and this was also addressed by the verbal addendum.

3.2 A summary of the matters raised in the first objection is considered accordingly:

- *I have not received neighbour notification for this amended application despite sharing @125m boundary with the application site I have concerns that this is an attempt to avoid due consideration by neighbours - **As this objector did not qualify to be notified under the statutory provisions as set out in legislation, they would not have been notified.***
- *The application site includes land which is not in the ownership or control of the applicant (This was previously brought to the attention during the processing of the previous application and has not been corrected in this subsequent application). The ownership certificate is therefore invalid as it contains false information (I understand that this is an offence) - **Certificate C has been signed and notice served on the interested party we are aware of. The objector does not state who or what land is included in the application site were noticed has not been served.***
- *It is contrary to a number of recent, ratified Council decisions regarding this site – **the objector gives no information or detail on what these ratified decisions are to allow these to be considered or assessed in the context of this application.***
- *There has been no assessment of the adverse impact on adjacent applications, both recently approved and under consideration by the PACNI – **No information has been provided in this regard as to what the adjacent applications being referred to are.***
- *It is contrary to the commitments of the Council (CBC) to revert this site to an eco park once the landfill site was*

***Closed* – it is understood that the works sought within this application is to facilitate the closure of the landfill site otherwise the landfill would need to continue.**

- 3.3 In concluding, the objector states that due to these issues, this application will be refused.
- 3.4 A second objection attaches an RSK Review which provides more detail on the issue of potential for odour from this proposed development, by reviewing the Odour Management Plan submitted.
- 3.5 The matters raised in this Review, which has been circulated to Members, are considered accordingly.
- 3.6 The Craighulliar site contains 2 waste management operations, a landfill site regulated under a PPC Permit and a waste transfer station regulated under a waste management licence – both are regulated by NIEA. Both operations are reviewed, approved and regulated by NIEA for the operation of the waste management facilities. This regulatory control is outside of Planning and has a higher authority than planning.
- 3.7 As the Waste Transfer station is the lower risk waste management site, it is the Waste management licence that requires a variation in this instance rather than the PPC permit.
- 3.8 A waste management licence modification application has been submitted to NIEA for the additional EWC code for black bin waste at the Craighulliar waste transfer station. Of particular relevance and note is the modified Waste Management licence cannot be granted in the absence of a planning permission.
- 3.9 NIEA carries out an assessment and has not raised any concern regarding the granting of the waste management licence modification. As part of NIEA's assessment, it considers any potential impacts to the amenity of the area, including odour. Based on its assessment, it will require that the site can comply with the conditions of the waste management licence in relation to odour. Section 5.2 of the WML relates specifically to the monitoring and control of odour.

3.10 NIEA Regulation Unit was consulted on the application and it considered the potential for odour from the site in the submitted Odour Management Plan. NIEA offered no objection to the addition of the waste to the waste transfer station and states:

*“If Municipal Waste containing putrescible waste is temporarily stored, the shed shall be fully contained and bunded to prevent liquid runoff. The maximum storage time for waste shall be 48 hours to prevent pest infestation and odour problems. The site working plan will require updating and approval from NIEA before work commences.”*

It is proposed that these matters have been dealt with by condition.

3.11 The purpose of this planning application is to allow the landfill site to close. There is the potential for further landfilling on this site under an existing planning consent which is material to the consideration.

3.12 The applicant’s Agent considers that this offers the following environment, amenity and odour improvements / betterment:

- The Municipal or black bin waste will be sent off site via the waste transfer station within 48 hours. However, the Council will endeavour to have all black bin waste removed by the end of each working day. This is environmental betterment rather than the waste being deposited in the landfill adjacent to the caravan park where it will decompose / rot generating gases such as methane, carbon dioxide and hydrogen sulphide. The disposal of waste in the landfill will give rise to these landfill gases for 60 years after the date the waste was placed. The decomposition of waste in a landfill site can also attract pests such as flies and vermin. The use of a waste transfer station will ensure this waste is continuously removed from the site therefore significantly reducing the risk of odour and pests.
- Allowing the black bin waste to be added to the transfer station ensures the council can deal with the waste in accordance with the waste hierarchy ensuring waste is sent

for recovery, where relevant waste is turned into a fuel, rather than disposed of in landfill. Landfill disposal is the least preferred option under the waste hierarchy.

- Allowing black bin waste to be added to the transfer station will allow the landfill site to close, rather than remain operational. In the result of this application being approved and a variation to the WML being granted, this will allow the landfill to be sealed with a low permeability cap and the landfill restored to a green field. This will provide a number of benefits to the caravan park which includes the removal of risk of odours from the landfill, the removal of the risk of pests and vermin from the landfill, the removal of the risk of wind-blown litter from the landfill and a more acceptable visual landform. The landfill would be viewed as a green field rather than a large area of black bin waste.

#### **4.0 Recommendation**

- 4.1 That the Committee note the contents of this Erratum & Addendum, and agree with the recommendation to approve the application in accordance with Paragraph 1.1 of the Planning Committee report.