



WDR & RT TAGGART

ARCHITECTURE CIVIL ENGINEERING WASTE & ENERGY PROJECT MANAGEMENT

28th May 2020

For the Attention of [REDACTED]
NIEA
Cromac Avenue
Klondyke Building
Gasworks Business Park
Belfast
BT7 2JA

Dear [REDACTED]

RE-GEN WASTE LTD

**WASTE MANAGEMENT LICENCE APPLICATION - NEW WASTE TRANSFER STATION AT
NARROWWATER WARRENPOINT**

Please find enclosed a Waste Management Licence application for a new waste transfer station at the former Gilbert Ash Complex, Narrowwater, Warrenpoint.

This application outlines a proposed new facility for the storage of recovered and recyclable wastes prior to shipping. This application includes:

- Application Form
- Re-Gen Certificate of Incorporation
- Details of Technical Competence
- Working Plan – Including Drawings, Planning Permission and Certificate of Technical Competence
- Fire Prevention Plan
- Fire Risk Assessment
- Expenditure Plan and Financial Provision
- Landowner Consent Form

In order to address the Financial Provision requirements, upon agreement of the Expenditure Plan, a [REDACTED] bond will be issued to NIEA.

Please note the required application fee of £3,754.00 will be paid by BACS.

I trust the above is in order however if you have any queries please do not hesitate to contact me.

Yours sincerely,

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for and on behalf of
WDR & RT TAGGART

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Encs



Comhairle Ceantair
**an Iúir, Mhúrn
agus an Dúin**

**Newry, Mourne
and Down**
District Council

Application Ref: LA07/2015/0244/F

Date Received: 8 May 2015.

Proposal: This application is for the change of use from the current zoning as 'Employment Land' to 'Port Operational Land' to bring it in line with the rest of the Harbour Estate. All activity on the site will be for the carrying out the statutory function of the port under the Warrenpoint Harbour Authority Order 2002.

Location: Lands adjacent to No 62 Newry Road Warrenpoint and the Gilbert Ash Complex Newry Road Warrenpoint incorporating the Narrowwater Business Park

1.0. Site Characteristics & Area Characteristics:

- 1.1.** This site is located adjacent to the existing industrial enterprise units north west of Warrenpoint Harbour.
- 1.2.** The site has been subject to engineering works, some infilling of inert material, levelling, the erection of boundary fencing and planting along the roadside and to the north western boundary.
- 1.3.** This site is primarily situated within land zoned for existing and proposed economic development within the Banbridge/ Newry and Mourne Area Plan 2015. There is also a protected disused transport route which runs parallel to the roadside. Within the immediate area there are several industrial uses

together with the recreational use of the golf club on the opposite side of the road. Narrow Water Castle and Keep is situated further to the north west of the site.

2.0. Site History:

2.1. LA07/2015/0056/F - 25 metres northwest of 62 Newry Road, Warrenpoint, Construction of pipelines (2no) and 7 horizontal storage tanks for the supply by ship of liquid Carbon Dioxide, with a total storage capacity of 3,200 tonnes and venting by silencer at jetty. The storage tanks will have plant access steelwork and a new hard standing area, and new access road. A loading bay with weighbridge to include containerised weighbridge station for 2 road tankers. A containerised Motor Control Centre will supply power and a containerised refrigeration centre of 20 sq m to keep Carbon dioxide at normal operating temperature. A containerized Quality Assurance Lab of 20sq m. Permission Granted 30.10.2015.

2.2. P/2008/0926/O - 62 Newry Road, Warrenpoint. Site for mixed use development Permission Granted 24.06.2010

3.0. Planning Policies & Material Considerations:

Strategic Planning Policy Statement (SPPS)

Regional Development Strategy 2035 (RDS)

Banbridge, Newry and Mourne Area Plan 2015 (BNAMAP)

Planning Policy Statement 2 (PPS 2) Natural Heritage

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

Planning Policy Statement 4 (PPS 4) Economic Development

Planning Policy Statement 15 (PPS 15) Flooding

4.0. Consultations:

NIEA (Natural and Historic Environment Division NED, HED), Historic Buildings Unit, Historic Monuments Unit, Marine Environment Division, Water Management Unit, Natural Heritage and Conservation Areas.

DAERA Shared Environmental Services (SES)

DfI Transport NI (TNI)
Newry Mourne & Down (Environmental Health Department)
DAERA Rivers Agency
Louth County Council

5.0. Objections & Representations

- 5.1.** The application was advertised in May 2015 and Feb 2019 (amended plans) and nearest neighbours notified in March 2017 and February 2019. No Objections were received.

6.0. Consideration and Assessment:

- 6.1.** Sustainable development is central to the Strategic Planning Policy Statement and the planning system. This requires the integration and balancing of a number of factors, including economic and environmental, in planning decision-taking.
- 6.2.** Section 45 of The Planning (Northern Ireland) Act 2011, requires the council to have regard to the Local Development Plan as far as material to the application and to any other material considerations. Section 6 (4) of the Planning Act (Northern Ireland) 2011 requires that the determination of proposals must be in accordance with the development plan unless material considerations indicate otherwise.
- 6.3.** This site is located within the settlement limit of Warrenpoint, as defined by the Banbridge, Newry and Mourne Area Plan 2015 (BNAMAP 2015). The site is zoned for economic development under zoning WB 25 in Volume 3 of the Area Plan. This zoning has three key site requirements, (discussed below). The remainder of the land is allocated for existing economic development under Allocation ECD 1 in Volume 1 of the Plan. Volume 1 of the Plan 'Plan Strategy and Framework', Page 31, states that Class B2 (Light Industrial) and Class B4 (Storage and Distribution) Use Classes, (as defined within The Planning Use Classes Order) will normally be acceptable on land zoned for economic development.

- 6.4.** The proposal, to expand port lands, is based on the growth in port activity in recent years. The Port provides a significant economic role within the Newry, Mourne and Down District. An Economic Statement has been submitted to demonstrate the port's economic role. Warrenpoint Harbour is recognised as the second largest harbour in Northern Ireland after the Belfast Harbour Authority, with an annual turnover in 2016 of 5.35million. The land will be utilised for the carrying out the statutory function of the port under the Warrenpoint Harbour Authority Order 2002. It will be used to store products, both taken from the port for transport to other countries and from boats for transfer to other parts of the country. In effect the port lands acts as a storage and distribution centre for several businesses. In this way the proposal is, in principle, compliant with the Area Plan provisions and the associated Use Classes, Class B4 (Storage and Distribution), as outlined in Para 6.2 above.
- 6.5.** Zoning WB 25 also specifies a number of key site requirements and the site also contains a protected disused railway route running alongside the Newry Road. The first of these key site requirements requires that the layout and siting of buildings shall ensure that buildings do not back onto the Newry Road; the second requirement is that any open storage shall be located so as to be screened from view from the public road; and the third requirement is for a belt of trees of native species to help screen development on the site. These were all considered as part of the assessment of this application.
- 6.6** Planning Policy Statement 4 (PPS 4) 'Economic Development' provides the policy framework for economic development of the type proposed. The relevant proposals are PED 1, PED 7 and PED 9.
- 6.7.** PED 1 considers proposals within settlement limits. It states that proposals for a *Class B4 Storage or Distribution Use* will be permitted in an area specifically allocated for such purposes in a development plan. In addition a Class B4 development will also be permitted in an existing or proposed industrial/employment area where it can be demonstrated that: the proposal is compatible with the predominant industrial/employment use; is of a scale, nature and form appropriate to the location; and provided approval will not

lead to a significant diminution in the industrial/employment resource both in the locality and the plan area generally.

6.8. PED 7 of PPS 4 which deals with the 'retention of zoned lands and economic development uses' states that development that would result in the loss of land or buildings zoned for economic development use in a development plan (either existing areas or new allocations) to other uses will not be permitted, unless the zoned land has been substantially developed for alternative uses. An exception will be permitted for the development of a *sui generis* employment use within an existing or proposed industrial/employment area where it can be demonstrated that: the proposal is compatible with the predominant industrial use; it is of a scale, nature and form appropriate to the location; and provided approval will not lead to a significant diminution of the industrial/employment land resource in the locality and the plan area generally.

6.9. PED 9 of PPS 4 which sets out the 'general criteria for economic development' states that a proposal for economic development use, in addition to the other policy provisions of this Statement, will be required to meet all the following criteria:

- (a) it is compatible with surrounding land uses;
- (b) it does not harm the amenities of nearby residents;
- (c) it does not adversely affect features of the natural or built heritage;
- (d) it is not located in an area at flood risk and will not cause or exacerbate flooding;
- (e) it does not create a noise nuisance;
- (f) it is capable of dealing satisfactorily with any emission or effluent;
- (g) the existing road network can safely handle any extra vehicular traffic the proposal will generate or suitable developer led improvements are proposed to overcome any road problems identified;
- (h) adequate access arrangements, parking and manoeuvring areas are provided;
- (i) a movement pattern is provided that, insofar as possible, supports walking and cycling, meets the needs of people whose mobility is impaired, respects

existing public rights of way and provides adequate and convenient access to public transport;

(j) the site layout, building design, associated infrastructure and landscaping arrangements are of high quality and assist the promotion of sustainability and biodiversity;

(k) appropriate boundary treatment and means of enclosure are provided and any areas of outside storage proposed are adequately screened from public view;

(l) is designed to deter crime and promote personal safety; and

(m) in the case of proposals in the countryside, there are satisfactory measures to assist integration into the landscape.

6.10. It is considered that the proposal is compatible with the zoned economic use. The adjacent lands are in use as existing industrial employment lands. The provision of storage facilities on the site, in line with the existing harbour use, would be acceptable and in accordance with the terms of the statutory area plan, as outlined above at Para 6.2 and 6.3. In this respect the proposed use of the site for storage and distribution is also considered to comply with the requirements of PED 1 and PED 7 of PPS 4.

6.11. The Planning Department has assessed the scale nature and form of the proposal as part of its assessment of the application and its potential impact, in terms of scale, nature and form, on the immediate area. Warrenpoint is not only a Port Town but it is also a key tourist gateway to the Mournes. One of the Council's Key Corporate Business Objectives is to promote and deliver the district as a tourist area within the island of Ireland. It is also the function of Planning to balance the need for development of this nature against the impact on the landscape and natural and built heritage, all of which contribute to the district's key environment and tourism asset.

6.12. The site is immediately adjacent to the A2 dual carriageway, the 'Gateway' to Warrenpoint and the Mournes AONB and is quite open when viewed from approaches to the town. It is also adjacent to Carlingford Lough and a number of listed structures, in particular Narrow Water Castle and Keep.

- 6.13.** Planning Policy Statement 6 (PPS 6) 'Planning Archaeology and Built Heritage', in particular Policy BH 1 and BH 11, provides the policy context for this proposal and its potential impact on built heritage, including listed monuments and structures - in this case the nearby Narrow Water Castle and its environs.
- 6.14.** Planning Policy Statement 2 (PPS 2) 'Natural Heritage', in particular Policy NH 1, highlights the need to assesses the impact this proposal would have on both National and European Designated sites, natural habitats and protected species. There are several designated sites located surrounding this application site. These include Carlingford Shore SAC, Carlingford Lough SPA, Carlingford Lough Ramsar and Carlingford Lough ASSI. Warrenpoint Harbour Authority, as a competent authority in its own right, submitted an HRA (Habitats Regulations Assessment).
- 6.15.** As part of this assessment, the Planning Department consulted a number of statutory agencies, in particular NIEA, (Natural and Historic Environment Division NED, HED), (Historic Buildings Unit, Historic Monuments Unit, Marine Environment Division, Water Management Unit, Natural Heritage and Conservation Areas) and DAERA Shared Environmental Services (SES).
- 6.16.** HED Historic Buildings Unit has confirmed that while it is content with the impact this sole change of use application would have on the adjacent built heritage, it has also requested that it should be consulted on any further development which may occur on site. This is to ensure that the specified criteria in Policy BH 1 and BH 11 can be met and secured in the future.
- 6.17.** Consultation was undertaken, during the assessment of this application, with Natural Environment Division (NED) and Shared Environmental Services (SES). Consultation was also carried out with Louth County Council. It did not raise any objections to the proposal in its final response. Details of the responses are available on the planning portal.

6.18. In its final responses, SES has confirmed that it carried out a full Stage 2 Appropriate Assessment of the proposal, having considered the HRA submitted by the applicant. It has concluded, having considered the nature scale, timing, duration and location of the project that, provided the following mitigation is conditioned in any planning approval, the proposal will not have an adverse effect on site integrity of any European site.

1. All construction works must take place within the red line boundary and a suitable buffer of at least 10 metres must be maintained between the location of all construction works including refuelling, storage of oil/fuel, concrete mixing and washing areas, storage of machinery/material/spoil etc. and the red line boundary.

Reason: To protect the tidal river and hence European Sites from the adverse impacts due to potential construction polluting discharges.

2. Emergency spill procedures must be in place prior to construction works on site and during operation of the facility.

Reason: To protect the tidal river and hence European Sites from the adverse impacts due to accidental polluting discharges. It has concluded that The Planning Department considered the content and is in agreement with the outcome.

6.19. SES has subsequently confirmed to the Planning Department that, in terms of a recent court ruling, it reviewed the HRA template in 2018 and processes to reflect the conclusions of the ruling. This proposal has not been through this updated SES template and process. In the absence of any new environmental information it is clear SES would still take the case to HRA Stage 2 Appropriate Assessment and append the conditions recommended in its earlier response. The Planning Department accepts the findings of the HRA Stage 2 assessment and outcome of the consultation process. It is satisfied that the proposal is in line with the Habitats Directive and NI Regulations and recent court judgements.

6.20. DoE Marine Response Team commented that the application site is adjacent to Carlingford Lough ASSI, which is declared under the Environment Order (Northern Ireland) 2002. The site is designated for bird species, coastal saltmarsh, mudflats and earth science features. Provided the proposal is

confined to the red line boundary there should be no impact on the site selection features of the designated site. Marine Environment Division has considered the impacts of the proposal and on the basis of the information provided is content with the proposal with a condition and informatives. The Loughs Agency has also considered the information provided and would have no objection in principle to the proposed development.

- 6.21.** The potential impacts on adjacent built and natural features, resultant from the open/outside storage of materials on the application site, must also be assessed. Due to the location and open nature of the site, it is considered that any future use should be effectively screened by the provision of an appropriate robust boundary landscaping scheme and planning conditions to secure its delivery. The applicant submitted a landscaping plan which includes boundary planting. It is considered that an enhanced planting scheme will be required to ensure future uses on the site are acceptable in visual terms at this important location.
- 6.22.** A height restriction should also be placed to control the future use of the site and its potential impact when viewed from the road network and the water. Given the site's key requirements within the Plan Zoning together with the designation of the ANOB and the built heritage context, it is considered that a height restriction for outside storage, of no more than 5.5m would be acceptable in this instance. The would ensure that the proposal would comply with Policies NH 6 as well as NH 1 and NH 3 of PPS 2. Warrenpoint Harbour Authority, the competent authority, should also be made aware of HED's concerns and its request to be consulted on any future development on the lands.
- 6.23.** It is further considered that the proposed use of the lands as Port Lands, for storage and distribution purposes in line with the current Harbour as proposed, will not lead to a significant diminution in the industrial/employment resource both in the locality and the plan area generally. The use of lands for storage purposes in conjunction with an existing economic resource will enhance the existing employment resource.

- 6.24.** In the light of all the above it is considered that the proposal will be of a scale, nature and form appropriate to the location and will be acceptable and in accordance with the requirements of the statutory area plan and policies PED 1 and PED 7 of PPS 4.
- 6.25.** PPS 3 'Access, Movement and Parking' provides the policy basis for access arrangements and impact on road safety and the flow of traffic on adopted roads. This application proposes to access the public road by utilising the existing access to the port. The existing access is on to the A2 Protected Route. There is sufficient space on site to allow for turning and parking of vehicles. A new internal access will be created from the site to the existing port lands. TNI Roads was consulted on these issues and confirmed no objections to the proposal, in its formal consultation response. In the light of this the proposed access arrangements are considered in accordance with Policy Amp 2 and Policy AMP 3 of PPS 3.
- 6.26.** The existing disused transport link, as identified in the Area Plan, is protected under Policy AMP 5 of PPS 3. The applicant has stated that the line of the disused line will be protected but on a slight alternative route. This can be addressed and delivered by planning condition.
- 6.27.** The majority of the site lies within the Q1-200 year coastal flood plain. A Flood Risk Assessment has been submitted and Rivers Agency has been consulted on its contents. DfI Rivers Agency has confirmed it has considered the FRA and has no reason to disagree with its conclusions. Consequently it cannot sustain a reason to object to the proposal from a flood risk perspective. This is subject to consent to discharge being granted. This can be condition to be submitted to the Planning Authority prior to commencement of this proposal.
- 6.28.** Water Management Unit has confirmed that it has considered the impacts of the proposal on the surface water environment and is content subject to conditions.
- 6.29.** There is no further impact in relation to crime or site security.

6.30. The Planning Department consulted Environmental Health Department as part of its assessment of the application. It confirmed that it reviewed the information submitted in relation to noise, odour and dust. The information provided indicates that the area of ground will be used for storage including the external storage of RDF bales. While referring to previous complaints from local business operators in relation to odour and flies from the storage of RDF bales, it stated that the assessments completed in support of the application conclude that the proposal will not have any negative impact on local residents or properties. It recommended that a number of planning conditions to ensure protection of residential amenity. It further advised that that Waste Management Unit of NIEA should be consulted on this application as a Waste Management Licence will be required for the storage of waste on the proposed site. This is a separate matter beyond planning and can be addressed through an appropriate planning informative.

6.31. Overall, in the light of all the above, it is considered that the proposal complies the prevailing planning policy requirements, as outlined above.

7.0. Recommendation:

7.1. It is recommended that the proposal should be approved subject to the strict planning conditions attached which will ensure the proper use of the site and the protection of this extremely important natural and built setting.

Conditions:

1. The development hereby approved shall be begun before the expiration of 5 years from the date of this decision notice.

Reason: Time Limit

2. All construction works must take place within the red line boundary and a suitable buffer of at least 10m must be maintained between the location of all construction works including refuelling, storage of oil,/fuel, concrete mixing

and washing areas, storage of machinery/ material/spoil etc and the red line.

The boundary of the designated sites shall not be disturbed in any way.

Reason: To protect the tidal river and hence the European sites from adverse impacts due to potential construction polluting discharges.

3. All construction activity shall be confined within site boundaries, and the boundary of the designated areas shall not be disturbed in any way without written consent from the relevant department, NIEA Natural Environment Division.

Reason: To protect the integrity Carlingford Lough ASSI and to avoid it being damaged by construction vehicles, deposited materials, contaminated run-off, or any other activity during the construction period or thereafter. Any works occurring within the designated site but outside the red line planning application boundary are subject to The Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) and the Environment (Northern Ireland) Order 2002 (as amended).

4. Emergency spill procedures shall be in place prior to construction works on site and during operation of the facility.

Reason: To protect the tidal river and hence the European sites from adverse impacts due to potential construction polluting discharges.

5. A detailed Construction Method Statement (CMS) shall be submitted, for consultation and agreement with NIEA Water Management Unit, at least eight weeks prior to the commencement of any construction. The CMS should include robust pollution prevention measures to protect the water environment during the construction Phase

Reason: To ensure effective avoidance and mitigation measures have been planned for the protection of the water environment.

6. The use hereby approved shall not commence until a Schedule 6 Agreement with Rivers Agency has been submitted to and agreed in writing by the Planning Authority.

Reason: To Avoid Flooding.

7. The access to the application site shall be through the existing Port Lands and shall utilise the existing access to the Port and no other means of access.

Reason: In the interests of road safety and traffic progression.

8. The application site, as approved, shall be used for the purposes of Class B2 (Light Industrial) and Class B4 (Storage and Distribution) Use Classes, (as defined within The Planning Use Classes Order) only and for no other purpose.

Reason to ensure the proper use of the site and that the proposal complies with the terms of the statutory plan.

9. Vehicular activity on site must utilise the existing access to the Port and be restricted between the hours of 11pm and 6am.

Reason: To protect residential amenity.

10. To control potential nuisances from the site from flies and vermin the applicant must ensure that all mitigation measures and controls as per "Odour and Nuisance Assessment 14108 - Warrenpoint Harbour Authority Section 5.8 - 5.9" are put in place prior to operations commencing on site.

Reason: To protect residential amenity.

11. The layout and siting of any buildings on the site shall ensure that buildings do not back onto the Newry Road.

Reason: to ensure protection of the setting of the site and the natural and built heritage and that the proposal complies with the terms of the statutory plan.

12. A detailed landscaping planting scheme, to include a 5-metre landscaping boundary planting scheme along the entire north east and north west boundaries of the site, with appropriate tree and ground planting species, together with a detailed landscape management, planting and maintenance plan, shall be submitted to the Council's Planning Department for agreement in writing within 3 months from the date of this approval. This should include the retention and enhancement of the existing landscape boundary

treatments. This should also include details of the location and future use of the disused transport route, as identified in the statutory area plan.

Reason: to ensure protection of the setting of the site and the natural and built heritage and that the proposal complies with the terms of the statutory plan.

13. The detailed landscape management and planting plan shall be fully implemented within the first available planting season following its agreement in writing by the Council's Planning Department. If within a period of 5 years from the date of the planting of any tree, shrub or hedge, that tree, shrub or hedge is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Council, seriously damaged or defective, another tree, shrub or hedge of the same species and size as that originally planted shall be planted at the same place, unless the Council gives its written consent to any variation. The approved screenings shall be allowed to grow and retained at a height of a minimum of 6m and a width of 5m unless modifications are necessary to prevent danger to the public in which case a full explanation and application shall be submitted to the Planning Department in writing for agreement.

Reason: to ensure protection of the setting of the site and the natural and built heritage and that the proposal complies with the terms of the statutory plan.

14. The total stacked height of any outside storage or storage facility on the application site hereby approved shall be limited to a height of no more than 5.5metres from existing ground level.

Reason: To protect the setting of the application site and adjacent built and natural heritage features.

Informatives:

NIEA HED Historic Monuments Unit has considered the impacts of the application and on the basis of the information provided is content with the proposal. Due to possible future visual impacts upon the state care site at Narrow Water, Warrenpoint Harbour Authority should ensure that HMU are consulted on any further developments on site.

The applicant is advised to ensure that all plant and equipment associated with the above process is operated and maintained in such a way as to prevent the transmission of noise, odour and dust to nearby dwellings.

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.

The applicant should also be aware that it is an offence under section 41 of the Foyle Fisheries Act (1952) to cause pollution which is detrimental to fisheries interests.

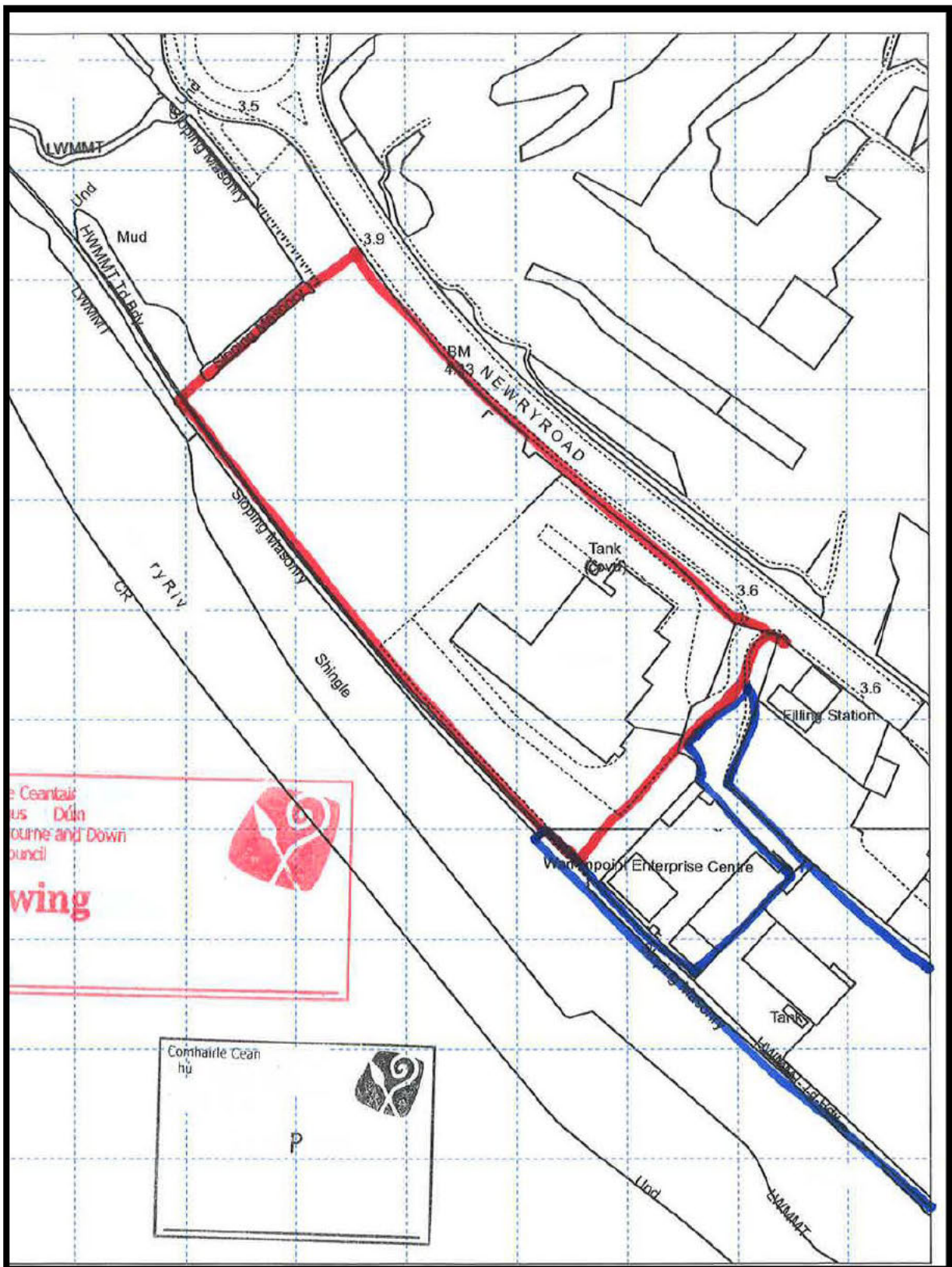
The applicant is advised that Waste Management Unit of NIEA should be consulted on this application as a Waste Management Licence will be required for the storage of waste on the proposed site.

It is acknowledged that a landscaping plan was submitted to the Planning Department for consideration, (date stamped 6th March 2018). It is considered that further additional information and detailing is required to address the Planning Department's concerns on appropriate boundary treatments and to ensure protection of the application site's setting and natural and built heritage.

Plus Rivers Agency EO1, EO2,EO3, EO6 &EO 11.

Plus NIEA NED and HED

APPENDIX 1: Application Site Boundary



APPENDIX 2: Summary of Consultation Responses.

DoE Planning Response Team

NIEA Archaeology and Built Heritage

Historic Buildings Unit has considered the impacts of the proposal on the nearby Narrow Water Castle and environs, and on the basis of the information provided is content with the proposal.

Historic Monuments Unit has considered the impacts of the application and on the basis of the information provided is content with the proposal. Due to possible future visual impacts upon the state care site at Narrow Water, please ensure that HMU are consulted on any further developments on site.

Coastal Development

DoE Marine Response Team commented that the application site is adjacent to Carlingford Lough ASSI, which is declared under the Environment Order (Northern Ireland) 2002. The site is designated for bird species, coastal saltmarsh, mudflats and earth science features. Provided the proposal is confined to the red line boundary there should be no impact on the site selection features of the designated site.

In addition to designated sites marine mammals are afforded protection throughout their range through the following nature conservation legislation:

- The Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended); and
- The Wildlife (Northern Ireland) Order 1985 (as amended).

This includes marine mammals such as cetaceans and seals, both of which are present within Carlingford Lough. All plans/projects within or adjacent to the marine environment must therefore provide appropriate mitigation, if required.

Marine Environment Division has considered the impacts of the proposal and on the basis of the information provided is content with the proposal with a condition and informatives

Condition

All construction activity shall be confined within site boundaries, and the boundary of the designated areas shall not be disturbed in any way without written consent from the Department.

Reason: To protect the integrity Carlingford Lough ASSI and to avoid it being damaged by construction vehicles, deposited materials, contaminated run-off, or any other activity during the construction period or thereafter. Any works occurring within the designated site but outside the red line planning application boundary are subject to The Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) and the Environment (Northern Ireland) Order 2002 (as amended)

Drainage and Water

Water Management Unit has 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.

Natural Heritage and Conservation Areas

Natural Environment Division has considered the impacts of the proposal on the Carlingford Lough SPA/ASSI and has concerns that the proposal may have an adverse impact on the N2K and ASSI site and advises that due regard is given to the recommendations detailed below by the competent authority, Newry, Mourne and Down District Council in undertaking the Habitats Regulations Assessment on, Carlingford Lough SPA. This should ensure compliance with the requirements of the Habitats Directive.

Environmental Health, Newry, Mourne and Down District Council.

Warrenpoint Harbour Authority currently occupies land to the south of this site and carryout a number of activities on this ground. Activities include transfer of materials from and to ships and storage of a range of materials including grain, scrap metal, RDF material, bulk cement and coal. The activities at the current site have been the subject of complaint from residents alleging nuisance from noise, dust and flies. Newry & Mourne District Council have served abatement notices having been

satisfied that certain activities carried out by operators on the site have caused nuisance to local residents.

Furthermore, the department are aware that RDF bales were stored on the proposed site during August 2015 and complaints were received by the department from local business operators in relation to odour and flies from the storage of the bales.

The department have reviewed the information uploaded onto epic in relation to noise, odour and dust. The information provided indicates that the area of ground will be used for storage including the external storage of RDF bales. The assessments completed in support of the application conclude that the proposal will not have any negative impact on local residents or properties. As stated previously the Environmental Health Department have received complaints from local business operators in relation to odour and flies from the storage of RDF bales on the proposed site.

The department would advise that Waste Management Unit of NIEA should be consulted on this application as a Waste Management Licence will be required for the storage of waste on the proposed site.

The department would recommend the following conditions are placed on any approval granted:

1. Vehicular activity on site should be restricted between the hours of 11pm and 6 am.

REASON: To protect residential amenity.

2. To control potential nuisance from the site from flies and vermin the applicant must ensure that all mitigation measures and controls as per 'Odour and Nuisance Assessment 14108 – Warrenpoint Harbour Authority Section 5.8 and 5.9' are put in place as operations commence on site.

REASON: To protect residential amenity.

Informative: The applicant is advised to ensure that all plant and equipment associated with the above process is operated and maintained in such a way as to prevent the transmission of noise, odour and dust to nearby dwellings.

DfI Transport NI

No objections to this proposal.

The above comments are on the basis that the information provided on Transport Assessment form is accurate and correct.

Louth County Council.

Louth County Council has considered the proposed development, the existing use of the lands and the permissions granted, as well as possible future developments on the lands. We note the conclusions of the HRA. We have no additional comments to make at this time.

Rivers Agency

Re: Change of use from the current zoning as 'Employment Land' & open countryside to 'Port Operational Land' to bring in line with rest of Harbour Estate. Lands adj. to 62 Newry Road, Warrenpoint.

With reference to your consultation dated 27th March 2017.

Rivers Agency, while not being responsible for the preparation of the FRA by KH Ramsey Consulting, dated November 2016, accepts its logic and has no reason to disagree with its conclusions. Consequently, Rivers Agency cannot sustain a reason to object to the proposed development from a flood risk perspective.

It should be brought to the attention of the applicant that the responsibility for justifying the Flood Risk Assessment and accepting any flood risk rests with the developer and his/her professional advisors (refer to section 5.1 of Revised Planning Policy Statement 15)

Under the terms of Schedule 6 of the Drainage (NI) Order 1973, any proposals either temporary or permanent, in connection with the development which involves interference with any watercourses such as culverting, bridging, diversion, building adjacent to or discharging storm water etc requires the written consent of Rivers Agency. This should be obtained from the Eastern

Regional Office at Ravarnet House, Altona Road, Largymore, Lisburn BT27

5QB. Planning Informatives

In addition to the foregoing point the Agency would recommend that planning informatives as follows should be included in any planning decisions.

Informative Numbers E01, E02, E03, E06 & E11.



APPROVAL OF PLANNING PERMISSION

Planning Act (Northern Ireland) 2011

Application No: **LA07/2015/0244/F**

Date of Application: **8th May 2015**

Site of Proposed
Development:

**Lands adjacent to No 62 Newry Road
Warrenpoint and the Gilbert Ash Complex
Newry Road
Warrenpoint incorporating the Narrowwater Business Park**

Description of Proposal:

This application is for the change of use from the current zoning as 'Employment Land' and open countryside to 'Port Operational Land' to bring it in line with the rest of the Harbour Estate. All activity on the site will be for the carrying out the statutory function of the port under the Warrenpoint Harbour Authority Order 2002 (Amended plans received)

Applicant: Warrenpoint Harbour Authority
Address: The Docks
Warrenpoint
BT34 3JR

Agent: Urban And Rural Planning
Address: Associates
58 Howard Street
Belfast
BT1 6PJ

Drawing Ref: 01 (REV 1),

The Council in pursuance of its powers under the above-mentioned Act hereby

GRANTS PLANNING PERMISSION

for the above-mentioned development in accordance with your application subject to compliance with the following conditions which are imposed for the reasons stated:

1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.



2. All construction works must take place within the red line boundary and a suitable buffer of at least 10m must be maintained between the location of all construction works including refuelling, storage of oil/fuel, concrete mixing and washing areas, storage of machinery/ material/spoil etc and the red line. The boundary of the designated sites shall not be disturbed in any way.

Reason: To protect the tidal river and hence the European sites from adverse impacts due to potential construction polluting discharges.

3. All construction activity shall be confined within site boundaries, and the boundary of the designated areas shall not be disturbed in any way without written consent from the relevant department, NIEA Natural Environment Division.

Reason: To protect the integrity Carlingford Lough ASSI and to avoid it being damaged by construction vehicles, deposited materials, contaminated run-off, or any other activity during the construction period or thereafter. Any works occurring within the designated site but outside the red line planning application boundary are subject to The Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) and the Environment (Northern Ireland) Order 2002 (as amended).

4. Emergency spill procedures shall be in place prior to construction works on site and during operation of the facility.

Reason: To protect the tidal river and hence the European sites from adverse impacts due to potential construction polluting discharges.

5. A detailed Construction Method Statement (CMS) shall be submitted, for consultation and agreement with NIEA Water Management Unit, at least eight weeks prior to the commencement of any construction. The CMS should include robust pollution prevention measures to protect the water environment during the construction Phase

Reason: To ensure effective avoidance and mitigation measures have been planned for the protection of the water environment.

6. The use hereby approved shall not commence until a Schedule 6 Agreement with Rivers Agency has been submitted to and agreed in writing by the Planning Authority.

Reason: To Avoid Flooding.

7. The access to the application site shall be through the existing Port Lands and shall utilise the existing access to the Port and no other means of access.

Reason: In the interests of road safety and traffic progression.

8. The application site, as approved, shall be used for the purposes of Class B2 (Light Industrial) and Class B4 (Storage and Distribution) Use Classes, (as defined within The Planning Use Classes Order) only and for no other purpose.

Reason to ensure the proper use of the site and that the proposal complies with the terms of the statutory plan.

9. Vehicular activity on site shall be restricted between the hours of 11pm and 6am.



Reason: To protect residential amenity.

10. To control potential nuisances from the site from flies and vermin the applicant must ensure that all mitigation measures and controls as per "Odour and Nuisance Assessment 14108 - Warrenpoint Harbour Authority Section 5.8 - 5.9" are put in place prior to operations commencing on site.

Reason: To protect residential amenity.

11. The layout and siting of any buildings on the site shall ensure that buildings do not back onto the Newry Road.

Reason: to ensure protection of the setting of the site and the natural and built heritage and that the proposal complies with the terms of the statutory plan.

12. A detailed landscaping planting scheme, to include a 5-metre landscaping boundary planting scheme along the entire north east and north west boundaries of the site, with appropriate tree and ground planting species, together with a detailed landscape management, planting and maintenance plan, shall be submitted to the Council's Planning Department for agreement in writing within 3 months from the date of this approval. This should include the retention and enhancement of the existing landscape boundary treatments. This should also include details of the location and future use of the disused transport route, as identified in the statutory area plan.

Reason: to ensure protection of the setting of the site and the natural and built heritage and that the proposal complies with the terms of the statutory plan.

13. The detailed landscape management and planting plan shall be fully implemented within the first available planting season following its agreement in writing by the Council's Planning Department. If within a period of 5 years from the date of the planting of any tree, shrub or hedge, that tree, shrub or hedge is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Council, seriously damaged or defective, another tree, shrub or hedge of the same species and size as that originally planted shall be planted at the same place, unless the Council gives its written consent to any variation. The approved screenings shall be allowed to grow and retained at a height of a minimum of 6m and a width of 5m unless modifications are necessary to prevent danger to the public in which case a full explanation and application shall be submitted to the Planning Department in writing for agreement.

Reason: to ensure protection of the setting of the site and the natural and built heritage and that the proposal complies with the terms of the statutory plan.

14. The total stacked height of any outside storage or storage facility on the application site hereby approved shall be limited to a height of no more than 5.5metres from existing ground level.

Reason: To protect the setting of the application site and adjacent built and natural heritage features.

Informatives

1. NIEA Historic Monuments Unit has considered the impacts of the application and on the basis of the information provided is content with the proposal. Due to possible future impacts upon the state care site at Narrow Water, Warrenpoint Harbour Authority should ensure that HMU are consulted on any further developments on site.



2. The applicant is advised to ensure that all plant and equipment associated with the above process is operated and maintained in such a way as to prevent the transmission of noise, odour and dust to nearby dwellings.
3. 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.
4. The applicant should also be aware that it is an offence under section 41 of the Foyle Fisheries Act (1952) to cause pollution which is detrimental to fisheries interests.
5. The applicant is advised that Waste Management Unit of NIEA should be consulted on this application as a Waste Management Licence will be required for the storage of waste on the proposed site.
6. It is acknowledged that a landscaping plan was submitted to the Planning Department for consideration, (date stamped 6th March 2018). It is considered that further additional information and detailing is required to address the Planning Department's concerns on appropriate boundary treatments and to ensure protection of the application site's setting and natural and built heritage
7. 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.
8. 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.
9. 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.
10. 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.
11. 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.
12. The applicant should be made aware that all construction or deposition works below the Mean High Water Spring Tide (MHWST) mark are subject to licensing under the Marine and Coastal Access Act 2009. If any elements of the construction in this proposal may be in/on or above the licensing area contact must be made with the Marine Licensing Team,



13. DoE Marine Environment Division, 2nd Floor, Klondyke Building, Gasworks Business Park, Cromac Avenue, Belfast BT7 2JA, Tel: 028 9056 9247 to apply for a Marine Construction Licence.
14. The applicant should refer and strictly adhere to all the relevant precepts contained in:
 - DOE Standing Advice Note No 4 – Pollution Prevention Guidance (April 2015)
http://www.planningni.gov.uk/index/advice/northern_ireland_environment_agency_guidance/standing_advice_4_pollution_prevention_guidance.pdf
 - DOE Standing Advice Note No. 5 – Sustainable Drainage Systems (April 2015)
http://www.planningni.gov.uk/index/advice/northern_ireland_environment_agency_guidance/standing_advice_5_sustainable_drainage_systems.pdf
 - DOE Standing Advice Note No. 11 – Discharges to the Water Environment (April 2015)
http://www.planningni.gov.uk/index/advice/northern_ireland_environment_agency_guidance/standing_advice_11_discharges_to_the_water_environment.pdf
 - DOE Standing Advice Note No.18 – Abstractions & Impoundments (May 2015)
http://www.planningni.gov.uk/index/advice/northern_ireland_environment_agency_guidance/standing_advice_18_abstractions_and_impoundments_issue_01_may_2015-2.pdf
15. Effective mitigation measures must be in place to protect the nearby watercourse and surrounding water bodies from any discharge into them that may damage ecological status and to ensure that the Water Framework Directive (WFD) objectives for the water body are not compromised nor the WFD objectives in other downstream water bodies in the same and other catchments.
16. 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.
17. 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.
18. Please note:
 - (1) The Carlingford Shore SAC nearest Special Area of Conservation is less than 100m across the estuary. The Statutory Nature Conservation Body for this site is the National Parks and Wildlife Service in the Republic of Ireland and should be consulted on this application.
 - (2) The applicant should refer and adhere to the precepts contained in DOE Standing Advice Note No. 4. Pollution Prevention Guidance, 5. Sustainable Drainage Systems and 11. Discharges to the Water Environment. Standing advice notes are available at:

http://www.planningni.gov.uk/index/advice/northern_ireland_environment_agency_guidance/standing_advice.htm



19. The applicant should be aware that it is an offence under the Marine and Coastal Access Act 2009 to carry out a licensable marine activity except in accordance with a marine licence granted by the DoE Marine Environment Division. Conviction of such an offence may incur a fine of up to £50,000 and/or two years imprisonment.

20. Schedule 5 Species – Wildlife Order:

- (1) Article 11 of the Wildlife (Northern Ireland) Order 1985 (as amended) provides that a person shall not be guilty of an offence under Article 10 (killing or injuring a species listed in schedule 5 (as amended)) of the act was incidental to a lawful operation (i.e. activity permitted by a Marine Licence or Planning Permission) and could not reasonably be avoided. A separate marine Wildlife Licence is therefore not required for national marine protected species if a Marine Licence/Planning Permission has been granted, since adherence to the conditions of the Marine Licence should reduce the likelihood of harm to national marine protected species.

AND

- (2) Under Article 10 it is an offence to intentionally or recklessly disturb; common seals, grey seals or basking sharks.
- (3) It is also an offence under Article 10 to intentionally or recklessly damage or destroy, or obstruct access to, any structure or place which these animals (Schedule 5) use for shelter or protection; damage or destroy anything which conceals or protects any such structure; or disturb any such animal while it is occupying a structure or place which it uses for shelter or protection.
- (4) Under Article 13 of the Wildlife (Northern Ireland) Order 1985 (as amended) it is an offence to sell or transport any Schedule 7 animal dead or alive at any time.
- (5) Any person who knowingly causes or permits an act which is made unlawful under Article 10 or Article 13 shall also be guilty of an offence.
- (6) If there is evidence of Schedule 5 animals listed above at the site, all works must cease immediately and further advice must be sought from DoE Marine Environment Division [Klondyke Building, Cromac Avenue, Belfast BT7 2JA].
- (7) Under the Wildlife (Northern Ireland) Order 1985 (as amended) a licence may be required for any operations which might impact on protected species.

21. European Protected Species:

The applicant's attention is drawn to regulation 34 of The Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended), which states that it is an offence to deliberately capture, injure or kill a wild animal of a European protected species included in Schedule 2 to these Regulations. This includes all species of dolphins, porpoises and whales and the marine turtle species: *Caretta caretta*, *Chelonia mydas*, *Lepidochelys kempii*, *Eretmochelys imbricata* and *Dermochelys coriacea*.



- (1) It is also an offence to;
- (a) deliberately disturb such an animal while it is occupying a structure or place which it uses for shelter or protection;
 - (b) deliberately to disturb such an animal in such a way as to be likely to;

Coastal Development

- (c) affect the local distribution or abundance of the species to which it belongs;
 - (d) impair its ability to survive, breed or reproduce, or rear or care for its young; or
 - (e) impair its ability to hibernate or migrate;
- (c) deliberately take or destroy the eggs of such an animal;
- (d) deliberately obstruct access to a breeding site or resting place of such an animal; or
- (e) damage or destroy a breeding site or resting place of such an animal.

- (2) It is an offence for any person;
- (f) to have in his possession or control,
 - (g) to transport,
 - (h) to sell or exchange, or
 - (i) to offer for sale or exchange, any live or dead animal which is taken from the wild and is of a species listed in Annex IV(a) to the Habitats Directive, or any part of, or anything derived from, such an animal.

22. If there is evidence of Schedule 2 animals listed above at the site, all works must cease immediately and further advice must be sought from DoE Marine Environment Division [Klondyke Building, Cromac Avenue, Belfast, BT7 2JA].
23. Under this legislation a licence may be required for any operations which might impact on protected species.
24. 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.
25. 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.
26. This approval notice relates to drawing No 01 (Rev 1) which was received on September 6th 2019 .

Dated: 18th November 2019

Authorised Officer _____



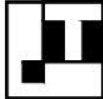
LEGEND

WML Boundary

20.05.2020Amendment to separation dims.

REVDATEDESCRIPTION

FINAL



WDR & RT TAGGART

CLIENT
RE-GEN WASTE LTD

CONTRACT
RE-GEN CONSULTANCY

DRAWING
INDICATIVE BALE STORAGE AREA

SCALE1:1250 @A3

DATE20.05.2020

DRAWN

CHECKED

DRG No.19100-800

REVISIONA

Architects

Civil Engineers

Waste & Energy

Project Managers

Russell Business Centre
40-42 Lisburn Road,
Belfast,
BT9 6AA.

t: 028 9066 2121
e: info@wdr-rt-taggart.com
w: www.wdr-rt-taggart.com

Consent of Landowner for a Waste Authorisation under the Pollution Prevention and Control (Industrial Emissions) Regulations (Northern Ireland) 2013 and/or the Waste and Contaminated Land (NI) Order 1997. Waste Authorisations include waste permits, licences or exemptions.

LANDOWNER DETAILS	
Name:	
Company (if applicable):	Warrenpoint Harbour Authority
Company Registration No. (if applicable):	—
Full Address:	The Docks, Warrenpoint
	Newry
Postcode:	BT34 3JR

LANDLORD DETAILS (if applicable)	
Name:	
Company (if applicable):	
Company Registration No. (if applicable):	
Full Address:	
Postcode:	

SITE DETAILS	
Full Address:	Lands adjacent to No 62 Newry Road Warrenpoint / Former Gilbert Ash Complex, Newry Road, Warrenpoint
Postcode:	BT34 3JR
Land Folio (if applicable):	N/A See planning drawing 01 attached
Location Map with Red Line Site Boundary:	Must be enclosed with this form

APPLICANT / OPERATOR DETAILS (this may be the landowner, landlord or a tenant)	
Name:	
Company (if applicable)	Re-Gen Waste Ltd
Company Registration No. (if applicable):	NI044110
Full Address:	7 Shepherds Drive, Carnbane Industrial Estate
	Newry
Postcode:	BT35 6JQ
Lease Agreement:	Must be enclosed with this form

PROPOSED ACTIVITY	
Description of Waste Permit:	
Description of Waste Management Licence:	Waste Transfer Station
Waste Exemption Paragraph(s):	

I confirm that the named operator above subject to final commercial agreement has my consent to deposit, keep and treat controlled waste on my land, as detailed in this form.

I certify that, I own all of the lands detailed in this form and that, the information provided is true, accurate and complete.

I confirm that, if I wish the operator to cease carrying on the waste activity on my lands for any reason, I must notify the NIEA immediately in writing.

I understand that, permitting controlled waste to be deposited, kept, treated or disposed of, except under and in accordance with a waste management authorisation, is an offence under Article 4 of The Waste and Contaminated Land (Northern Ireland) Order 1997.

WARNING:

If you knowingly or recklessly provide NIEA with a false, inaccurate or incomplete statement, you are committing an offence under Article 18 of the Waste and Contaminated Land (Northern Ireland) Order 1997 and are liable to enforcement action. If you do not tell us about any material change to the information you have supplied in this form, you may be prosecuted.

Signature:



Print Name:



Date: 29TH APRIL 2020

Application for a New Waste Management Licence

Waste management



(For office use only)

Date stamp

Received by

Initials

Fee paid

No

Yes please give the amount

£

Date entered on public register

Please read the guidance notes and the form carefully before you complete it.

How to apply

To apply for a waste management (site) licence you must fill in this application form, which we have designed to be as straightforward as possible. It asks for the information we need to decide if you can have a waste management licence. If you fill in the form accurately, it will help us deal with the application more quickly.

This application form is for people who want to run any type of waste management site (other than a metal recycling site or a landfill site). This includes transfer stations and treatment plants.

Please discuss your proposals with us before completing this licence application form.

When you make the application, please make sure you

1. Answer all the questions. If you leave anything out, we will have to get in touch with you for the information and we will not be able to progress your application. If any of the questions do not apply to you, please write 'Not applicable'.
2. Send the correct fee with your application form.

1 Authorised contact

1.1 Please give us details of the person we can phone or write to with questions about this application.

This could be an agent rather than the applicant.

Full name	
Position	
Business address	WDR & RT Taggart Russell Business Centre Lisburn Road, Belfast
Postcode	BT9 6AA
Phone	
Fax	
Email	

Contact details

2.1 Is the applicant an individual, a group of individuals (or partnership) or a company/corporate body?

Please discuss this with us if you are not sure.

☐ Individual (sole trader) go to question 2.2

☐ Group of individuals or partnership go to question 2.3

☒ Company or corporate body go to question 2.5

Individuals

2.2 Please give us the following details.

Full name
Date of Birth
Trading/business name (if any)
Homeaddress
Postcode

Contact numbers

Phone
Fax
Email

2 The applicant continued

Partnerships or groups of individuals

2.3 Who is applying for the licence?

We can only issue a licence to named individuals. We need details of each person applying to be a licence holder.

Continue on separate sheets if you need to.

Person

Full name
Date of Birth
Homeaddress
Postcode

Person

Full name
Date of Birth
Homeaddress
Postcode

Person

Full name
Date of Birth
Homeaddress
Postcode

2.4 Please give us the following details about the group of individuals or partnership.

For applications from partnerships please provide written evidence, such as a deed of partnership.

Name of partnership (if there is one)

Business address
Postcode

Now go to question 2.9

2 The applicant *continued*

Contact numbers

Phone
Fax
Email

Now go to question 2.9

Companies or other corporate applicants

2.5 Please give us the following details.

For application from companies please provide written evidence of registration.

☒ Registered company

☐ Other please give details

--

Full name of company or corporate body

Re-Gen Waste Ltd
Trading/business name (if different)

Registered office address

7 Shepherds Drive
Carnbane Industrial Estate
Newry
Postcode BT35 6JQ

Main Office address (if different)

Postcode

Contact name and numbers

Name	
Phone	
Fax	
Email	

Company registration number

NI044110

Date of formation of company

16 September 2002

Country of registration

Northern Ireland

2.6 Who are the 'relevant people' in the company?

Please give us details of each director, manager, company secretary and any other similar officer.

2 The applicant *continued*

Continue on separate sheets if you need to

Relevant person

Full name	
Date of birth	
Position	
Home address	
	Postcode

Relevant person

Full name	
Date of birth	
Position	Director
Home address	
	Postcode

Relevant person

Full name	
Date of birth	
Position	Director
Home address	
	Postcode

company ?

No ☒ go to question 2.8

Yes ☐ please give details

Name of parent company

--

Registered office address

Postcode

Company registration number

--

2.8 Does the applicant have any subsidiaries involved in waste management or similar fields of operation?

2 The applicant *continued*

No ☒ go to question 2.9

Yes ☐ please give details

Continue on separate sheets if you need to.

Name of subsidiary company

Business address
Postcode

Name of subsidiary company

Business address
Postcode

Name of subsidiary company

Business address
Postcode

Site operator

2.9 Who will be operating the site (if known)?

☒ The applicant go to question 2.10

☐ Someone else or another company
please give details

Operator's full name (if known) (if different)

--

Partnership/sole trader/limited company

--

Operator's trading/business name (if any)

--

Registered office address

Postcode

Contact numbers

Name
Phone
Fax
Email

2 The applicant *continued*

Previous applications

2.10 Has the applicant, their parent company, or any 'relevant person'? (please tick any relevant boxes)

☐ had an application for a waste disposal/management licence rejected

☐ had a waste management licence or waste disposal licence revoked

☐ been refused as the transferee of a waste management licence or waste disposal site

☐ been refused registration as a waste carrier/broker in NI or GB

☐ had a registration as a waste carrier/broker revoked in NI or GB

A 'relevant person' includes each partner, director, manager, company secretary or any similar officer. For more information please read the background notes which came with this form.

If you have ticked any of the above, please give details such as who applied, what the application was for, to whom the application was made, any licence or registration number (where appropriate), and when it was rejected, refused or revoked.

--

3 Convictions for relevant offences

We need to make sure that whoever will hold the waste management licence is a 'fit and proper person'.

Conviction for a relevant offence does not preclude you from successfully applying for a waste management licence.

Failure to disclose a conviction for a relevant offence may result in any licence issued being refused.

The site is part of wider port operations. WHA have the right to gain access to or use the land as well as any other leasee

4.5 Which of the following applies to this site?

We cannot issue a licence unless the following applies.

☒ Planning permission

Date applied for 08/05/2015

Date granted on 18/11/2019

☐ Planning permission is not required
Please say why and enclose written confirmation from the planning authority

☐ Water Order Discharge Consent

Date applied for

Date granted on

☒ Discharge consent is not required. *Please say why and enclose written confirmation from the Water Management Unit of NIEA*

Surface water gullies in the area proposed for waste storage have been blocked. Therefore, there will be no discharge associated with the WML site.

Stored RDF/SRF will be wrapped in plastic and covered to prevent water ingress

Environmental issues

4.6 Was an environmental statement produced as part of a planning application?

No ☒

Yes ☐ please enclose a copy with this application

4.7 Is the proposed site located on land registered under Section 28 of the Environment (NI) Order 2002?

No ☒

Yes ☐ *If the proposed site is, or contains, an Area of Special Scientific Interest (ASSI), we have to consult Natural Heritage before determining this application.*

4.8 Is your site within 2 km of a Natura 2000 site?

No ☒

Yes ☐

5.1 What will be the main waste management activity on this site?

☒ Transfer station

☐ Household waste amenity site

☐ Incinerator

☐ Pet cemetery

☐ Storage at site of production

☐ Storage at site other than at site of production

☐ Biological treatment please specify process

☐ Chemical treatment please specify process



Other please give details

5.2 Please summarise the other waste management activities to be carried out on the site, including exempt activities.*For example, baling, sorting, screening, mixing, landfill gas flaring, leachate treatment.*

Storage of recovered materials prior to shipping and onward transport

5.3 Are any of the activities referred to in your answers to 5.1 and 5.2 subject to any other regulatory controls?*For example, discharge consents.*

No



Yes

*Please give details below and enclose a copy of relevant authorising documents. Continue on separate sheets if you need to.***5.4 Where waste is leaving the site please detail amount to be sent for recovery or for final disposal.**

	Tonnes/year for recovery	Tonnes/year for disposal
Hazardous Waste	Please refer to Working Plan	
Non-hazardous waste		

5.4 What are the types and maximum quantities of waste the site will handle?

Waste Type		Tonnes Per Day	Tonnes Per Year
	Ewc Code	Please refer to Working Plan	
		Total	

5.5 Does the applicant intend to accept hazardous wastes at the site?

Hazardous waste is waste which, either because of its hazardous nature or physical characteristics, needs to be handled or disposed of in a particular way.

No ☒

Yes ☐ If yes please give details. For material covered by the Hazardous Waste (NI) Regulations 2005, please give the hazard code. *Continue on separate sheets if you need to.*

Waste Type			Tonnes Per Day	Tonnes Per Year
	Ewc Code	Haz Code		
			Total	

6 Site operation

Capacity of the site

6.1 What type of site does this application relate to?

☐

Treatment plant go to question 6.2

☒

Other go to question 6.3

6.2 What is the throughput of the proposed treatment plant?

Maximum theoretical throughput (based on maximum design capacity of plant)

tonnes per hour

Proposed actual throughput if different from above

tonnes per hour

Now go to question 6.4

6.3 What is the capacity of the proposed site?

Please provide details of the capacity for each waste stream. (Please give total storage capacity in both tonnes and cubic metres)

Waste Type	Total Capacity in Tonnes/ Cubic metres
	Please refer to Working Plan

Timescales

6.4 What is the estimated active life of the site (where appropriate)?

Indefinite years

6.5 When does the applicant intend to start work on the site?

Please give the proposed start date for preparatory work or for operations where no

6 Site operation continued

preparatory work is required. It might be a condition of the licence (if issued) to undertake site investigation works or an appropriate level of background monitoring if this has not already been done.

June 2020

Operating hours

Please give the proposed operating hours for the site.

Use the 24 hour clock

6.6 Hours permitted under planning law.

	From	To
Monday to Friday	:	:
Saturday	:	:
Sunday	:	:
Bank and public holidays	:	:
24 hours per day		

6.7 Hours open for receipt/removal of waste if different from permitted hours.

	From	To
Monday to Friday	:	:
Saturday	:	:
Sunday	:	:
Bank and public holidays	:	:
24 hours per day		

6.8 Hours open for processing/handling of waste if different from permitted hours.

	From	To
Monday to Friday	:	:
Saturday	:	:
Sunday	:	:
Bank and public holidays	:	:
24 hours per day		

7 Technical competence

We need to make sure that whoever will hold the waste management licence is a 'fit and proper person'.

We will charge for any assessments of technical competence we carry out as part of the application

7.1 Is the type of site covered by the WAMITAB (Waste Management Industry Training Advisory Board) award scheme?

No ☐ go to question 7.4

Yes ☒ go to question 7.2

WAMITAB sites

7.2 Is the applicant seeking to satisfy technical competence by way of the transitional provisions in Regulation 4 of the Waste Management Licensing Regulations (NI) 2003?

No ☒ go to question 7.3

Yes ☐ Please give details about the people who will provide the technically competent management of the proposed activities.

We need to see a statement of qualifying experience for each named person.

Responsible person

Full Name
Position
Date of application to WAMITAB
Level of WAMITAB certificate applied for

Responsible person

Full Name
Position
Date of application to WAMITAB
Level of WAMITAB certificate applied for

Responsible person

Full Name
Position
Date of application to WAMITAB
Level of WAMITAB certificate applied for

Now go to question 7.5

7.3 Who will provide the technically competent management of the proposed activities?

Please give details for each *person*.

Responsible person

Full Name
Position
Level of WAMITAB certificate
Date
Reference number

Responsible person

Full Name
Position
Level of WAMITAB certificate
Date
Reference number

Responsible person

Full Name
Position
Level of WAMITAB certificate
Date
Reference number

Responsible person

Full Name
Position
Level of WAMITAB certificate
Date
Reference number

Non-WAMITAB sites

7.4 Who will be responsible for managing the proposed site? Please give details for each person.

For each person named below, we

- need to see a statement of qualifying experience
- may want to carry out our own assessment.

Responsible person(s)

Full Name
Position
Name of referee on statement of qualifying experience
1.
2.

Responsible person(s)

Full Name
Position
Name of referee on statement of qualifying experience
1.
2.

Responsible person(s)

Full Name
Position
Name of referee on statement of qualifying experience
1.
2.

Management of other sites

7.5 Are any of these 'Responsible people' already providing the technically competent management at another licensed site?

No ☐

Yes ☒ *If yes please use a separate sheet to give details of these people. For each person we need to know the*

- *site name and address*
- *licence reference number.*

8 Financial provision

We need to make sure that whoever will hold the waste management licence is a 'fit and proper person'.

8.1 How does the applicant intend to make financial provision, if known?

We accept that it may not be possible to plan for this until you get a draft of the licence.

We will consider any proposal put forward. We strongly advise you to discuss this with us.

- ☐ Renewable bonds
- ☒ Bonds
- ☐ Bank guarantee
- ☐ Escrow account
- ☐ Lump sum
- ☐ Other? please specify.

--

Expenditure plan

8.2 Please provide a plan of the estimated expenditure for each phase of the proposed activity.

The plan should include the likely costs of

- monitoring
- clearing the site (including drainage systems) of all wastes
- remedial action in the event of the failure of pollution control systems.

We accept that this plan may need to be revised once you get a copy of a draft licence.

9 Checklist

9.1 Please tick to confirm inclusion of the following documents.

Please enclose 5 copies of the completed application form and site location plan:

- ☒ Completed application form
- ☒ Continuation sheets numbered and cross-referenced to the question they apply to, and signed and dated by the applicant
- ☒ Company registration or partnership documents
- ☒ Site location plan

- ☒ Evidence of land occupancy
- ☒ Planning permissions (or equivalent) and associated area plan
- ☐ Environmental statement (where relevant)
- ☐ Water Order Discharge Consent
- ☐ Copy of other relevant authorising documents
- ☒ WAMITAB certificates or statements of qualifying experience and supporting documents
- ☐ Audited accounts of parent company (where relevant)
- ☒ Expenditure plan
- ☒ Working plan. Include
 - a written statement
 - plans
 - detail drawings with a full contents list of plan titles, dates and unique plan/drawing reference numbers.

9.2 Please list below any other relevant documents included with this application.

Continue on separate sheets if you need to.

Document

Title	Fire Prevention Plan
Date	April 2020
Reference number	19100

Document

Title	Fire Risk Assessment
Date	April 2020
Reference number	

The information provided will be processed by the Northern Ireland Environment Agency to deal with your application, to monitor compliance with the licence/permit/registration conditions, to process renewals and for maintaining the relevant public register(s).

We may also process and/or disclose it in connection with the following:

- offering/providing you with our literature/services relating to environmental matters.
- consulting with the public bodies and other organisations.
- carrying out statistical analysis, research and development on environmental issues
- providing public register information to enquirers
- investigating possible breaches of environmental law and taking any resulting action
- preventing breaches of environmental law
- assessing customer service satisfaction and improving our service.

You should ensure that any persons named on this form are informed of the contents of this data protection notice.

Disclosing information you give us in this application

The law says that we must place your application on the public register unless you provide good reasons why it should stay confidential.

If you want any of the information in your application to remain confidential, enclose a letter with the completed application, giving your reasons in full.

We will let you know within 14 days if we agree that the information is confidential.

Have you enclosed a letter telling us the reasons why some of the information on this form should be excluded from the public register?

No ☒

Yes ☐

11 Declaration

If you deliberately make a statement which is false or misleading you are

- committing an offence under Section 18 of the Waste and Contaminated Land (NI) Order 1997
 - liable to a fine or imprisonment (or both).
- All applicants have to sign below.

I/we declare that the information on this form is correct and that I/we have enclosed

- a cheque for the fee of £ 3,754.00
- all documentation ticked in section 9.

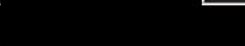
Signature(s)

Please note that applicants must sign the declaration themselves, even if an agent is acting on their behalf.

For applications from

- more than one person, all applicants should sign below
- a company or other corporate body, an authorised person should sign below.

Signature

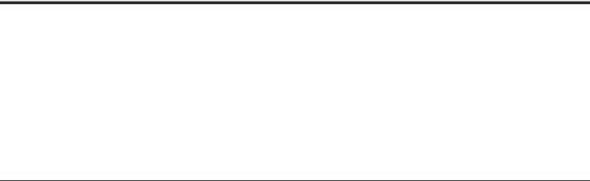
		
Name		
Position		
Date	24/04/2020	

Signature

		
Name		
Position		
Date		

11 Declaration *continued*

Signature

		
Name		
Position		
Date		

Landowner Declaration and Guidance

Under the Pollution Prevention and Control (Industrial Emissions) Regulations (Northern Ireland) 2013 and/or the Waste and Contaminated Land (NI) Order 1997 each applicant must provide written proof that they have the consent of the Landowner for a Waste Authorisation. These include waste permits, licenses or exemptions. In order to do so please read the guidance and complete the application form which can be obtained from the following link:-

<https://www.daera-ni.gov.uk/sites/default/files/publications/doe/waste-form-landowner-consent-form-2016.pdf>

<https://www.daera-ni.gov.uk/sites/default/files/publications/doe/waste-guidance-landowner-consent-2016.pdf>

Please send the completed application to the address below:

Northern Ireland Environment Agency
Klondyke Building
Cromac Avenue
Gasworks Business Park
Belfast BT72JA
T.0289056 9359

Our aim is to protect, conserve and promote the natural and built environment for the benefit of present and future generations.



An Agency within the Department of

Agriculture, Environment
and Rural Affairs

www.daera-ni.gov.uk



INVESTORS
IN PEOPLE

<https://www.daera-ni.gov.uk/topics/waste>