

## **Appendix 5.2 DoE PAD Letter Summarising Collective Responses**

Date: 30th July 2013  
Your Ref:  
Our Ref: T/2010/0240/Q  
(Please quote at all times)



Department of  
the Environment  
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Dear Mr Shanks,

**Planning (Environmental Assessment) Regulations (Northern Ireland) 2012.**

**Location:** Hightown Quarry site, Newtownabbey

**Proposal:** Pre Application Discussion on ARC21 Waste Treatment Facilities  
(Mechanical Biological Treatment and Energy from Waste)

I refer to the submission on the 1st March 2013 of the Draft Environmental Statement (ES) for the above proposal. As part of the PAD process for this proposal the Department consulted with statutory bodies on the 4th, 12th and 25th March 2013 respectively inviting them to comment on the proposal and content of the Draft ES.

It is noted that the Draft ES has been prepared in accordance with the framework provided by the Planning (Environmental Assessment) Regulations (Northern Ireland) 2012.

In order for the processing of this PAD proposal to be as progressive as possible you will have already received copies of consultee comments.

The purpose of this letter is to therefore provide a summary of consultee responses on the Draft ES.

**Northern Ireland Environment Agency - Industrial Pollution and Radio Chemical Inspectorate (IPRI)**

The applicant will need to be in possession of a permit under the Pollution Prevention and Control (Industrial Emissions) Regulations (Northern Ireland) 2012 before operating the facility. The application will have to show that Best Available Techniques would be used. Discussions are encouraged regarding the proposed chimney height with the applicant.

## **Northern Ireland Environment Agency - Water Management Unit (WMU)**

WMU recommends that as this is a live document there should be ongoing consultation with Water Management Unit Pollution Prevention Team. Advice is provided on decommissioning of fuel storage, drainage to the storm system, works likely to impact on a waterway, information to be included in the Construction Management Plan; matters for inclusion in the suspended solids mitigation and oil pollution mitigation. WMU offer comment on the Water Environment Chapter 7 mitigation measures and Surface Water. Clarification is requested with regard to Groundwater in Chapters 6 and 7 and the Construction Management Plan. WMU have raised a few points regarding additional clarification, updating the location plan and have also raised a few questions in particular to Groundwater. All this information should be clarified/updated and included in the final ES as requested.

## **Northern Ireland Environment Agency - Land and Resource Management (LRM)**

Comments relate to the MBT part of the Draft ES. The activities described will require a Prevention and Control (PPC) permit from the Northern Ireland Environment Agency (NIEA) to operate. The Draft ES provides no information regarding the potential for leachate generation from waste deposited in the waste reception hall. The application will have to demonstrate that any leachate generated will be contained, collected and have an appropriate disposal route. Confirmation will be required that the RDF Bale Storage Building has the capacity to store some 30,000 tonnes of baled waste during the annual three week shutdown period. The application for the PCC Permit will be required to provide details as to how the odour control unit will be managed to include exhaust monitoring, monitoring of medium efficiency, how often the odour control medium will require to be replaced and the disposal route for any exhausted odour control medium. Mitigation measures are also required for flies, other pests, vermin and litter. Ongoing discussion is encouraged with the NIEA LRM.

## **Northern Ireland Environment Agency - Land and Resource Management - Land and Groundwater Team**

Have indicated that they have no objection to the proposed development but would recommend that further information is provided in the full application to address some of the issues raised in the Draft ES. LRM have commented that they would require the submission of the contaminated land risk assessments (preliminary and generic quantitative) in line with guidance within CLR 11 as part of the final ES to be submitted with the application.

## **Northern Ireland Environment Agency - Natural Heritage**

Provided comment on designated sites. They have indicated that they are content with the construction details included in Chapter 3 of the Draft ES but consider it must be finalised in the full application.

Bats – A licence should be sought from NIEA Wildlife Team for proposed demolition of buildings. It is welcome that the derelict farm building marked as B1 in the Draft ES and shown on Figure 9.3 and the woodland shown on L 19 and Section 9.229 is to be retained. The use of lighting at the site should be carefully considered. Mitigation proposals need to be detailed in full in the final ES.

Newts – Detail should be provided in the Environmental Management Plan of the final ES how Newts are to be relocated. It is noted that Water bodies 1 and 2 as shown on figure 9.3 are to be retained.

March Fritility – No March Fritility webs were located during the surveys. It is recommended that planting does not occur within the areas shown on Figure 4 of the March Fritility habitat and larval web survey.

Birds – Peregrine nests will not be impacted. Continued advice is recommended from the Northern Ireland Raptor Study Group throughout the lifetime of the proposal. The Construction Management Plan and Environmental Management Plan should be produced in line with mitigation highlighted in sections 9.211 to 9.298.

### **Northern Ireland Electricity (NIE)**

The proposed development should take into account the position of any NIE equipment to ensure safety. The development must also take into account the scope for interference with NIE radio telecommunication equipment. Contact details are provided should information be required on the location of NIE equipment.

### **DOE Air and Environmental Quality - Environmental Policy Division**

Comment is provided on Air Quality and Noise. Additional consultees are recommended and advice and guidance on the Departmental web site is recommended.

### **Northern Ireland Water**

Drainage – there are no existing public foul or storm sewer networks within the vicinity of the proposed facility.

Water Facility – the existing network cannot meet the expected demand from the proposed facility without undertaking improvements to the system. Discussions should continue in order to progress the provision of the network improvements.

### **George Best Belfast City Airport**

The proposals do not conflict with safeguarding criteria. No objections to the proposal.

### **Belfast International Airport (BIA)**

Initially no safeguarding objection to the proposal subject to conditions. Evidence is to be submitted to the airport showing that the chimney stack is not the most dominant obstacle in that area. A suitable bird management plan is to be produced by the consultant to the planners and then issued to BIA for approval. A water feature is noted on the site plan. Additional information is requested about these water features and how they are going to prevent bird's being attracted to the site.

### **Minerals Unit**

State that they consulted the Health and Safety Executive Northern Ireland (HSENI) for this application.

Minerals Unit notes that the development is to be located within the confines of an active hard rock quarry. The operator should assess the impacts of the development in relation to the existing quarrying operations and ensure that the final restoration of the quarry is not compromised. Minerals Unit holds no information which they consider would be relevant to the preparation of an environmental statement

### **Health and Safety Executive for Northern Ireland**

No further comment to make in respect of the application

## **Rivers Agency**

Indicated that they have no objection in principle to the proposal and have recommended informatives.

## **Department of Culture Arts and Leisure (DCAL)**

DCAL have already commented on this proposal and feel that the original response is adequate to reflect the concerns of the inland fisheries group and that these will be addressed within the final ES.

## **Roads Service - (Strategic Projects HQ and Roads Service Eastern Division)**

The Draft Transport Assessment has been agreed. At the time of writing there are ongoing discussions regarding the revised Boghill Road design submission made by Atkins. The red line on the ES submitted as part of the application will differ from that presented in the draft ES.

## **Geological Survey of Northern Ireland (GSNI)**

GSNI has no specific responsibility for legislative oversight or scrutiny of this application and has no requirement for further geological information. Impact on groundwater is a potentially significant geologically related factor. GSNI staff remains available if more detailed discussions are required.

## **Department of Enterprise, Trade and Investment**

Not aware of any issues that would impact on the application.

## **Public Health Agency**

Welcomes the proposed inclusion of a Health Impact Assessment. No further comment is going to be made in relation to this facility until they have had sight of the Health Impact Assessment.

## **Development Plan Team – Ballymena Division**

The site is now located within the countryside outside any settlement limits and would therefore be assessed under PPS21 which has taken precedence over the policy provisions for several designations including the Belfast Urban Area Greenbelt referred to in the previous consultation from Development Plan in 2010.

All other relevant planning policy including paragraphs 23.21-23.27, in particular 23.23. (v) of Antrim Area Plan 1984-2001 apply.

## **Belfast Metropolitan Area Plan Team**

Recommend that in line with BMAP Policy ENV 2 (Sites of Local Nature Conservation Importance) NIEA (NH) should be consulted and their consultation response should establish if there would be a significant adverse effect on the nature conservation interests of Designation CA 01/03.

If the NIEA (NH) consultation response raises no objection, the proposal would not appear contrary to BMAP and the application falls to be considered by Development Management under prevailing regional planning policy.

### **Design Unit**

Are happy to meet separately with the designers of the project if this is considered useful. This project would benefit at this stage from an independent engagement with MAG whose wide ranging expertise would be beneficial. The scale and significance of the scheme would suggest that at application stage it will be so referred.

### **Landscape Architects**

Indicate that they are content with the landscape and visual proposals which should be conditioned accordingly.

### **DARD Veterinary Service Animal By –Products**

No objections to planning application. ABPR approval is unlikely to be required for such a project.

### **DARD Countryside Management Delivery Branch**

Advice is provided on Agricultural Land Classifications, disposal of soil from excavations, farmland habitats, dates for scrub, hedge and tree removal, reinstatement of hedgerows, tree planting. No objections given to the proposal.

### **DARD Divisional Veterinary Office**

On the basis of the information available there are no any other animal health or welfare implications that would affect the proposal provided.

### **DARD Agri-food Inspection**

None of the lands within the application site are subject to the terms of a notice served relating to Potatoe Cyst Nematode (PCN) or Potatoe Wart Disease (PWD). Therefore there are no restrictions in so far as the plant health order (Northern Ireland) 2006 is concerned on the movement of soil or other material from these lands.

### **Northern Ireland Environment Agency - Historic Monuments Unit (HMU)**

There are many known sites and monuments recorded within the environs of the application site. Chapter 11 of the draft ES entitled Cultural Heritage has been reviewed and it is agreed that archaeological mitigation would be required during the construction phase of this proposal. Archaeological conditions would be required. The Industrial Heritage Assessment has been reviewed and HMU are satisfied with the content.

### **Northern Ireland Environment Agency - Historic Buildings Unit (HBU)**

No HBU interest.

### **Antrim Borough Council**

The council has expressed continued support for arc 21 in their pre application discussion and process with regard to finding a solution to waste.

## **Environmental Health Section – Antrim and Newtownabbey Borough Councils (Joint Response)**

Land Quality - Part 3 of the Waste and Contaminated Land (NI) Order 1997 has not yet commenced and hence there are no statutory powers available to local Government to resolve the issue of historically contaminated land. It is acknowledged that there is a moderate risk due to gas in main areas of made ground. Environmental Health note that there is only a single round of gas monitoring presented within the draft ES. C665 recommends that 4 rounds of monitoring over one month period being undertaken for low sensitivity development (commercial) with a very low generation potential source.

Further comment is requested as to how the potential asbestos products will be removed from the site in an appropriate manner given that existing structures on site are to be decommissioned at the end of the construction phase.(Para 8.114)

It would be beneficial if further comment could be made to any potential risk from the detection picked up in the soil sample analysis that a 'non asbestos fibre' was detected in TP16 (Appendix 8.1)

Noise – it should be noted that the councils do not have access to the 'Atkins Noise mapping software' utilised by the applicant and therefore are not in a position to verify the predicted noise levels as presented within the draft ES.

The councils agree that BS4142 is the preferred method for defining noise limits

Table 13.2 The councils have indicated that given the elevated nature of presented daytime noise level data, it is their intention to undertake background noise level monitoring at properties along Boghill and Flush Roads to verify the presented noise level data. The councils have indicated that they are willing to share this information once obtained.

The councils have indicated that they will be placing no significance on the data of noise impact assessment relating to the existing quarry within paragraphs 13.50 to 13.55. They have suggested that a similar modelling exercise be conducted to predict noise levels from the quarry if it were to become operational again.

A discrepancy has been noted in paragraph 13.64 and information contained within the transport assessment. Paragraph 13.64 notes the access route is assumed to have 34 HGV's per hour. However the transport assessment indicates that the worst case scenario is 21 HGVs accessing the site and 21 HGV's leaving the site making a total 42 HGV movements per hour. Clarification should be provided regarding this discrepancy.

No 40 Boghill Road has not been included in Tables 13.5, 13.9, 13.10 and 13.11 – clarification should be provided as to why this is the case.

The daytime BS4142 assessment for No. 32 Boghill Road (Location 05) as presented within Table 13.11 has been excluded. Clarification should be provided as to why this is the case. The council feel that the noise impact from the site as a whole should be assessed (including HGV movements along the access route) using BS4142.

Table 13.13 Predicted Noise Level from increased HGV's on nearest receptors. As indicated before the councils are to carry out joint council's noise monitoring where, whilst not predicting the outcome of their readings, it is anticipated that a 'complaints are likely' scenario will be presented at No. 40 Boghill Road with a resultant negative impact on the residential amenity of the dwelling.

Typographical error – Paragraph 13.102 makes reference to 120 Flood Road. This should read 120 Flush Road.

Table 13.14 – Predicted construction noise from slip forming operations on nearest receptor. The draft ES does not suggest mitigation measures for the intensive 24hour construction phase. Rehousing the residents of No 120 Flush Road for the affected period is suggested.

The councils in their response have made reference to N. Ireland equivalent legislation that should be referred to in the final draft of the ES.

Chapter 3 recommends construction noise limits in or near residential areas. The joint councils feel that as the application site is in a rural area the limits set out in Table E.1 of BS5228-1:2009 are used.

Harmonics between induced draft fans and the chimney – the applicant has not considered the noise impact from the principal source and should assess the noise impact from harmonics between the induced draft fans and the chimney.

Air Quality – Further detail with regard to the construction, efficiency and maintenance of the bio filter would increase the council's confidence in the proposed odour control mechanism protecting local residential amenity.

#### **Belfast City Council Environmental Health Environmental Protection Unit**

Commented that they would have no objection in principle to the development proposal should a formal planning application be submitted. The Council has attached a recommended conditions and informatives to be attached to any approval granted in relation to noise and lighting

It is noted that the data presented in Table 8.8 Gas Monitoring Results (page 138) are based on a single round of monitoring. It should be noted that four monitoring rounds are recommended over a period of one month. Additional Gas monitoring is recommended. The site classification should then be re determined, based upon the outcome of the overall gas monitoring programme and appropriate protection measures should be implemented where applicable.

Potential impacts upon the land and water environments, including consideration of contaminated land appear to have been duly considered within the Environmental Statement. The Council mention that it would have been preferable for the applicant to have provided relevant land contamination background information within the Environmental Statement, to include borehole logs and monitoring methodologies etc. It is considered that the site investigation, upon which the conclusions are drawn, could have been more expansive in order to provide further confidence in the conclusions drawn particularly with regard to landfill gas monitoring.

The plant will be subject to permitting and industrial pollution, prevention and control by the Northern Ireland Environment Agency.

Atmospheric dispersion modelling for energy from waste plant - The council has commented that the operator may wish to consider the option of increasing the stack height of the chimney in order to afford a greater level of local human and environmental protection. (It is my understanding that from discussion during the course of meetings, it is the intention to increase the stack height of the chimney to 95 metres.) This will be presented in the ES for the formal application for the facility at Hightown and consultees will make comment on that draft of the ES.

Odour dispersion modelling for the Mechanical Biological Treatment Plant – Atkins consultants have identified that the potential for generation of odour in the form of hydrogen sulphide and other malodorous emissions. They have also acknowledged that odours in the



exhaust air after treatment of process air from the MBT are likely to be classified as highly or moderately offensive, although subsequent wet scrubber and bio filter treatments have been reported to reduce their classification to moderately offensive. However taking account of prevailing wind direction, it is considered that operation of the MBT plant is unlikely to generate odour annoyance complaints from the nearby residents. On occasion however when the design emission limit is achieved, the consultants have acknowledged that there may be a distinct odour within the Hightown Quarry site and a faint odour at the site boundary.

Air Quality Conclusions – the Environmental Protection Unit is content that the proposed development will not have a significant adverse impact upon local air quality and is unlikely to result in the declaration of further Air Quality Management Areas within the Belfast City Council boundary for those ambient pollutants prescribed within the Air Quality Strategy for England, Scotland, Wales and northern Ireland. In addition the Environmental Protection Unit is content that operation of the site will not normally be expected to give rise to odour complaints at adjacent residential receptors within the Belfast City Council boundary.

### **Additional Comments**

During the course of processing the PAD proposal it has been clarified that the proposed chimney stack associated with the waste facility is to rise from 80 metres to 95. This has come about from advice from consultees. You should therefore satisfy yourself that consultees such as Belfast City Airport, Belfast International Airport, Environmental Health from the three councils, Northern Ireland Environment Agency and Landscape Architects are aware of this proposed change prior to submitting the planning application and Environmental Statement.

All grid references through all documentation should be consistent and checked that they relate to the application site.

All dwellings in the vicinity of the site affected by surveys undertaken should be correctly illustrated in relevant drawings

Clarification should be provided as to the reference to 'future expansion for 2No tunnels' indicated on drawing number GE-C-GEN-XX-002. There appears to be no clarification as to why the additional tunnels have been included in the drawing.

Traffic figures should be consistent throughout the ES.

The ES should provide clarification that the proposed RDF building is large enough to accommodate the proposed number of RDF bales in line with safety procedures particular during times when the facility will not be operational.

Clarification should be provided to the length of time the facility is to be shut down in a calendar year. Some references throughout the Draft ES indicate a total of 4 week shut down during the years while other reference relate to 3 week shut down per year.

I trust the above information is useful to you. I would advise you that a PAD is a separate and distinct advisory process. It does not bind the Department in making a formal decision at the regulatory stage, following public consultation with all interested parties and formal consultation with local Councils.

All PAD advice is given without prejudice to the formal consideration of the planning application. This is because other information may arise from consultations, third party representations or policy changes during the regulatory determination process.

Yours faithfully

A handwritten signature in black ink, appearing to be 'S. J. [unclear]', written over the printed name 'Strategic Planning Division'.

Strategic Planning Division