

ANNEX B – Response Pro-forma

Name: CONOR COCHRANE

Address: 5 Oxford Street, Belfast, BT1 3LA

Original Representation Reference Number: MUDPS/45 (for administrative use only)

Please tick the applicable box below.

a) I confirm that I wish for my original representation to be considered as my representation.

b) I confirm that I wish to amend or add to my original representation.

c) I confirm that I wish for my original representation to be withdrawn and that I no longer wish to make a representation.

Signature:



Date:16/03/2020.....

If you require assistance when completing the above, please contact developmentplan@midulstercouncil.org

Please ensure you return this completed Pro forma (along with any additional documents if you have ticked [b]) above) to Development Plan Team, Planning Department, Mid Ulster District Council, 50 Ballyronan Road, Magherafelt, BT45 6EN, by 5pm on 21st May 2020.

CLYDE SHANKS

Planning Development

5 Oxford Street, Belfast BT1 3LA
 t | 028 9043 4393
 e | enquiries@clydeshanks.com
 clydeshanks.com

Mid Ulster Council Offices
 Ballyronan Road
 Magherafelt
 BT45 6EN

BY EMAIL

16th April 2019

Our ref: Matter 9

E: [REDACTED]

Dear Sirs,

MID ULSTER LOCAL DEVELOPMENT PLAN REP (LDP) – LANDS AT AGHANGAR ROAD, BALLYGAWLEY

MUPOP/187

This LDP draft strategy representation follows our Preferred Options Paper (POP) submission dated 25 January 2017 (attached at Annex 1).

It is noted that the Council endorse this site as a Strategic RIPA which our client supports and that there is a regional policy (ECON2) drafted to complement same.

Our client (NW Mushrooms) is however concerned that the RIPA designation Draft Strategy fails to set out the benefits of same and/or any Key Site Requirements (KSRs).

For convenience we have set out below a compliance matrix addressing the eight criteria identified on page 42 of the LDP 2030 Draft Plan Strategy February 2019 to further augment the Councils position that this site should be deemed a Strategic RIPA.

RIPA Compliance Matrix	
Rural Area/Outside SDL	Yes
Environmental Designation	No
Est. industrial use	Yes
Ceased	No
Existing Access	Yes
Transport Corridor	Yes (Dungannon Rd)
Rural Size/Scale	Yes (5.12 Ha)
Residential Amenity	48.4 metred (north)

I trust the above is helpful to the Council in progressing the draft Plan Strategy and look forward to further input as appropriate as the Plan progresses.

Yours sincerely,



Conor Cochrane
Senior Planner

cc. NW Mushrooms
Enc. MUPOP/187



**Preferred Options Paper
Representation Form**

Ref:
Date Received:
(For official use only)

This form can be used to submit your representation to the Preferred Options Paper. Representations can also be made in writing or via email to the address detailed at the end of this form.

SECTION A

1. Personal Details 2. Agent Details

Title	Northway Ltd.	Clyde Shanks
First Name	C/O Agent	Matthew
Last Name	-	Doak
Job Title (where relevant)	-	Planner
Organisation (where relevant)	-	Clyde Shanks
Address Line 1	-	5 Oxford Street
Line 2	-	Belfast
Line 3	-	-
Line 4	-	-
Postcode	-	BT1 3LA
Telephone Number	-	[REDACTED]
Email Address	-	[REDACTED]

SECTION B

Your comments should be set out in full. This will help the Council understand the issues you raise to inform the preparation of the Local Development Plan.

2. To which part of the POP does your representation relate?

- (i) Page Number (s) – 59
- (ii) Subject (s) – Economic Development
- (iii) Policy Ref (s) – see ‘Option 2’ on page 59
- (iv) Map Name (s) – N/A

A. Introduction

Northway Ltd. own and control lands at Aghnagar Road, Ballygawley. In 2014, Northway secured full planning permission (M/2014/0567/F) for a large waste in vessel composting facility (IVCF) bespoke to processing agricultural waste.

This is part of a wider agri-food project to supply the region with Phase III compost for the mushroom and strawberry industry. Construction is due to commence 2017.

B. Purpose

Include lands as zoned for Rural Industrial Policy Area (RIPA) adjacent to Sandvik. Notably the PoP identifies the area around Sandvik between Ballygawley and Cabragh as a candidate for RIPA.

Please read this site specific representation along with Clyde Shanks strategic representation regarding the preferred Economic Development option.

C. Settlement Matters


N/A.

D. Site Specific Matters

The area is north of Sandvik. The site has permission for an IVCF which merits recognition beyond extant countryside designation.

See attached environmental matrix setting out site context/characteristics – Annex 1. In terms of protective designations (built heritage and flood risk) see Annex 2 for exhibits.

See Annex 3 for planning permission and location plan.

Signature:  on behalf of Clyde Shanks Date: 25 January 2017

You are encouraged to provide your comments via email to the following email address:

DevelopmentPlan@midulstercouncil.org

Or to the following postal address:

Dr Chris Boomer

Mid Ulster Area Planning Manager

Magherafelt Council Office

50 Ballyronan Road

Magherafelt

Co L Derry

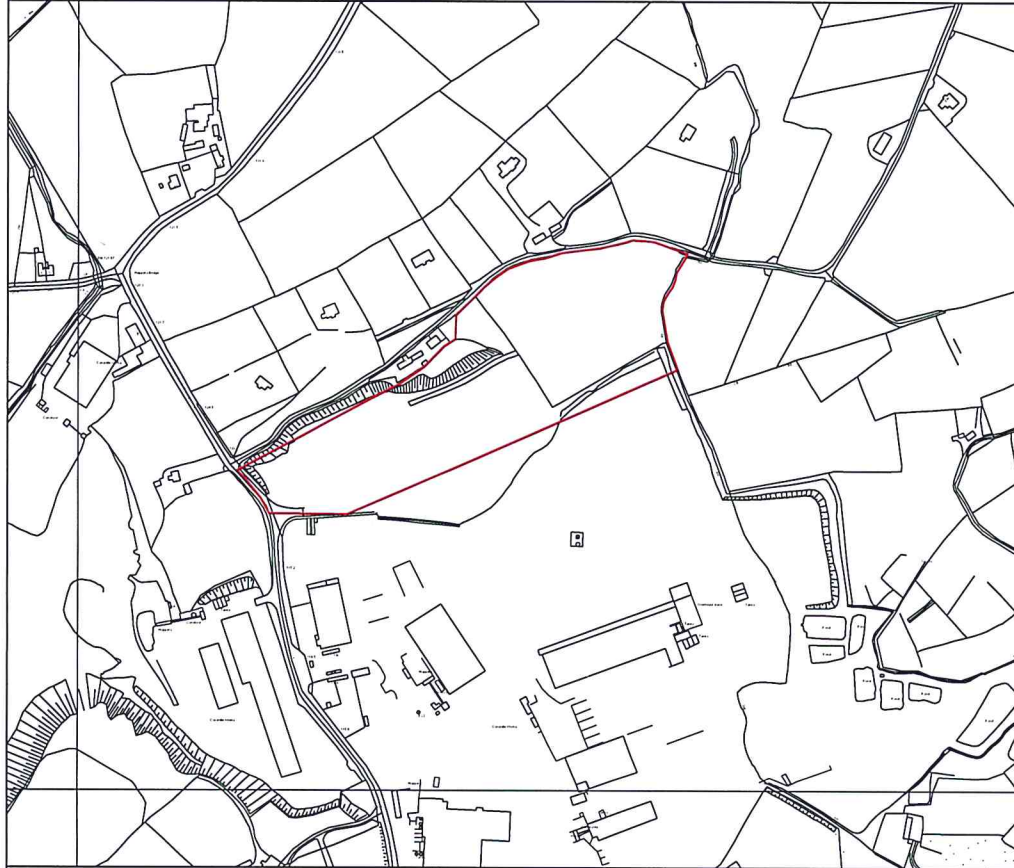
BT45 6EN

CLOSING DATE FOR REPRESENTATIONS NO LATER THAN 5.00pm ON FRIDAY 27TH JANUARY 2017

ANNEX 1 – SITE CONTEXT PLAN / ENVIRONMENTAL MATRIX

Site Context / Environmental Matrix

Proposal	Land for RIPA
Site area (red)	5.12 Hectares
Access	Access via Aghnagar Road
Topography	Flat
Boundaries	Undefined to South East, Hedgerow to North and East
WWTW's capacity	N/A
Potential Yield	N/A

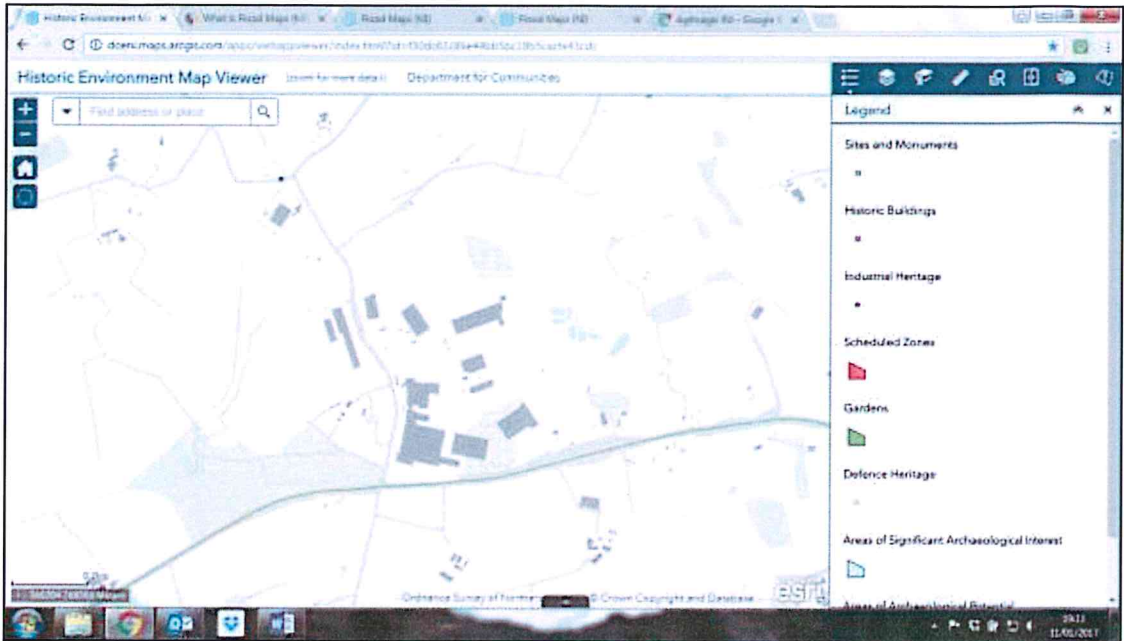


Lands at Aghnagar Road, Ballygawley
Development Plan Representation Map

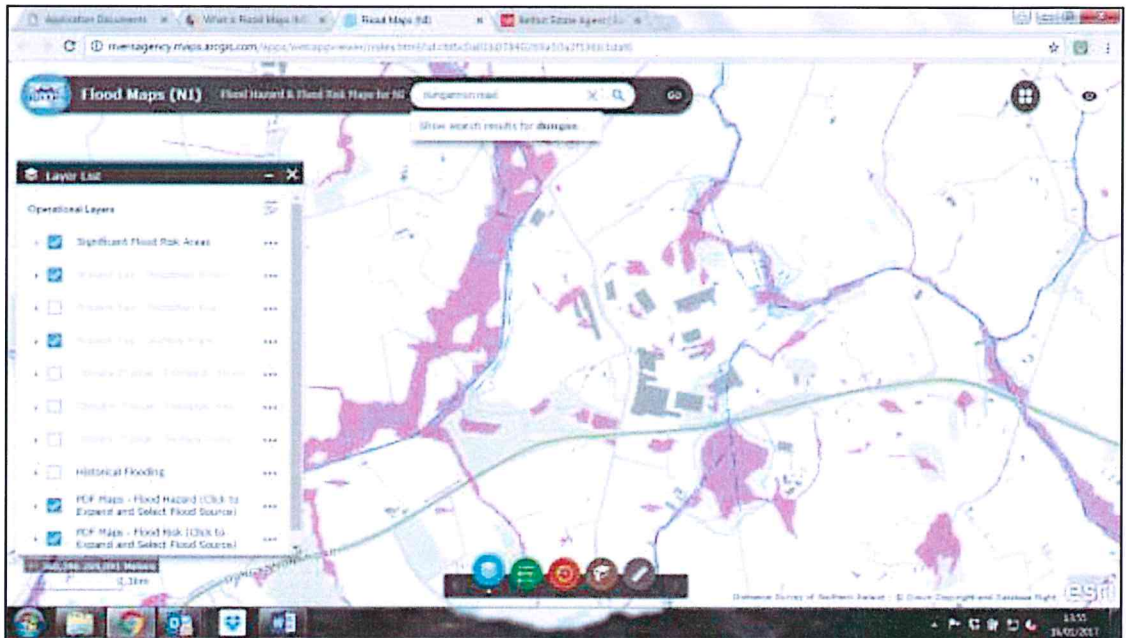
VISION
DESIGN | ARCHITECTURE

31 Rainey Street
Magherafelt
N. Ireland
BT45 5DA
visiondesign.org.uk
tel. 028 7930 0866

ANNEX 2 – MAP VIEWER EXTRACTS (BUILT HERITAGE AND FLOOD RISK)



- No built heritage within site.



- Site is not affected by flooding, however patches of high level surface water exist.

ANNEX 3 – PERMISSION AND LOCATION PLAN



PLANNING PERMISSION

Planning (Northern Ireland) Act 2011

Application No: M/2014/0567/F

Date of Application: 04th December 2014

Site of Proposed Development: **Lands at and to the south of NO 17 Aghnagar Road
Ballygawley, Co Tyrone**

Description of proposal: **Proposed development of an In Vessel Composting
Facility (IVCF) comprising a reception building,
enclosed tunnels, office, weighbridge/wheelwash,
storage compound, access and ancillary site works.**

Applicant: Northway
Address: c/o agent

Agent: Clyde Shanks
Address: 5 Oxford Street
Belfast
BT1 3LA

Drawing ref: 01, 02REV1, 03, 04, 05, 06, 07, 08, Supporting Statement

Mid Ulster Council in pursuance of its powers under the above mentioned Act hereby

GRANTS FULL 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. As required by Section 61 of the Planning Act (Northern Ireland) 2011, the development hereby permitted shall be begun within 5 years of the date of this permission.



Reason: Time Limit

2. The vehicular access, including visibility splays of 4.5m x 70.0m in a north-westerly direction, 4.5m x 90.0m in a southerly direction and any forward sight lines shall be provided in accordance with drawing No 02 REV 1 bearing the area planning office stamp dated 21 JAN 2015 prior to the commencement of any other works or other development hereby permitted.

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

3. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250mm above the level of the adjoining carriageway before the development hereby permitted is commenced and such splays shall be retained and kept clear thereafter.

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

4. Prior to the development hereby permitted becoming operational, all parking and servicing areas shall be provided as detailed on drawing No 02 REV1 bearing the area planning office stamp dated 21 JAN 2015. These areas, once provided, shall not be used for any purpose other than parking and turning of vehicles.

Reason: To ensure adequate provision of parking and turning areas within the site.

5. The native species woodland planting, native species hedge and grass planting as detailed on drawing No 08, bearing the area planning office stamp dated 25 MAR 2015, shall be carried out in the first planting season following the occupation of the building and any trees or shrubs which, within a period of 5 years from the occupation of the building, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: In the interests of visual amenity.

6. The existing mature trees and vegetation along the entire site boundaries shall be retained except where it is required to provide sight lines. No trees or vegetation shall be lopped, topped or removed without the prior consent in writing of the Council, unless necessary to prevent danger to the public in which case a full explanation shall be given to the Council in writing at the earliest possible moment.

Reason: In the interests of visual amenity.

7. The volume and type of incoming material to be utilised by the composting facility shall not exceed the types and volumes as specified in the paras. 1.9 and 1.10 of the



Supporting Statement December 2014 bearing the area planning office stamp dated 04 DEC 2014.

Reason: To ensure there are no adverse impacts on the selection features of Glenmore Wood ASSI.

8. All 'dirty' water from the site shall be directed to the package treatment plant as shown on drawing No 02 REV 1 bearing the area planning office stamp dated 21 JAN 2015.

Reason: To ensure there are no adverse impacts on the selection features of Lough Neagh ASSI and Lough Neagh and Lough Beg SPA.

9. All external doors on the buildings hereby approved shall be kept closed at all times, except where reasonably necessary for access or operational purposes.

Reason: In the interests of residential amenity.

10. Within 6 months of the date of the commencement of operations from within the building hereby approved, the applicant shall submit, for the agreement in writing of the Council, a verification report which demonstrates by a combination of sampling of the biofilter emissions on site and olfactory assessment, together with air dispersion modelling, that the odour concentration at the nearest sensitive receptor location identified within the 'Noise, Odour and Air Quality Assessment dated 3rd December 2014 does not exceed 3ou_e/m³ as a 98th percentile of hourly mean concentrations over a year. If the report demonstrates this standard is being exceeded, no further production of compost shall commence until it has been demonstrated, to the satisfaction of the Council, that this standard is being met.

Reason: In the interests of residential amenity.

11. No deliveries to the site or collections from the site by commercial vehicles shall occur outside the hours of 07:00hrs and 23:00hrs Monday to Saturday and at no times on Sundays.

Reason: In the interests of residential amenity.

12. Prior to the commencement of reception of any material for the production of mushroom compost to this site the wheel wash, as indicated on drawing No 02 REV 1 bearing the area planning office stamp dated 21 JAN 2015 and drawing No 07 bearing the area planning office stamp dated 04 DEC 2014, shall be provided, be operational and be maintained in working condition. All vehicles used in the transportation of waste to the site must exit the site through the wheel wash.

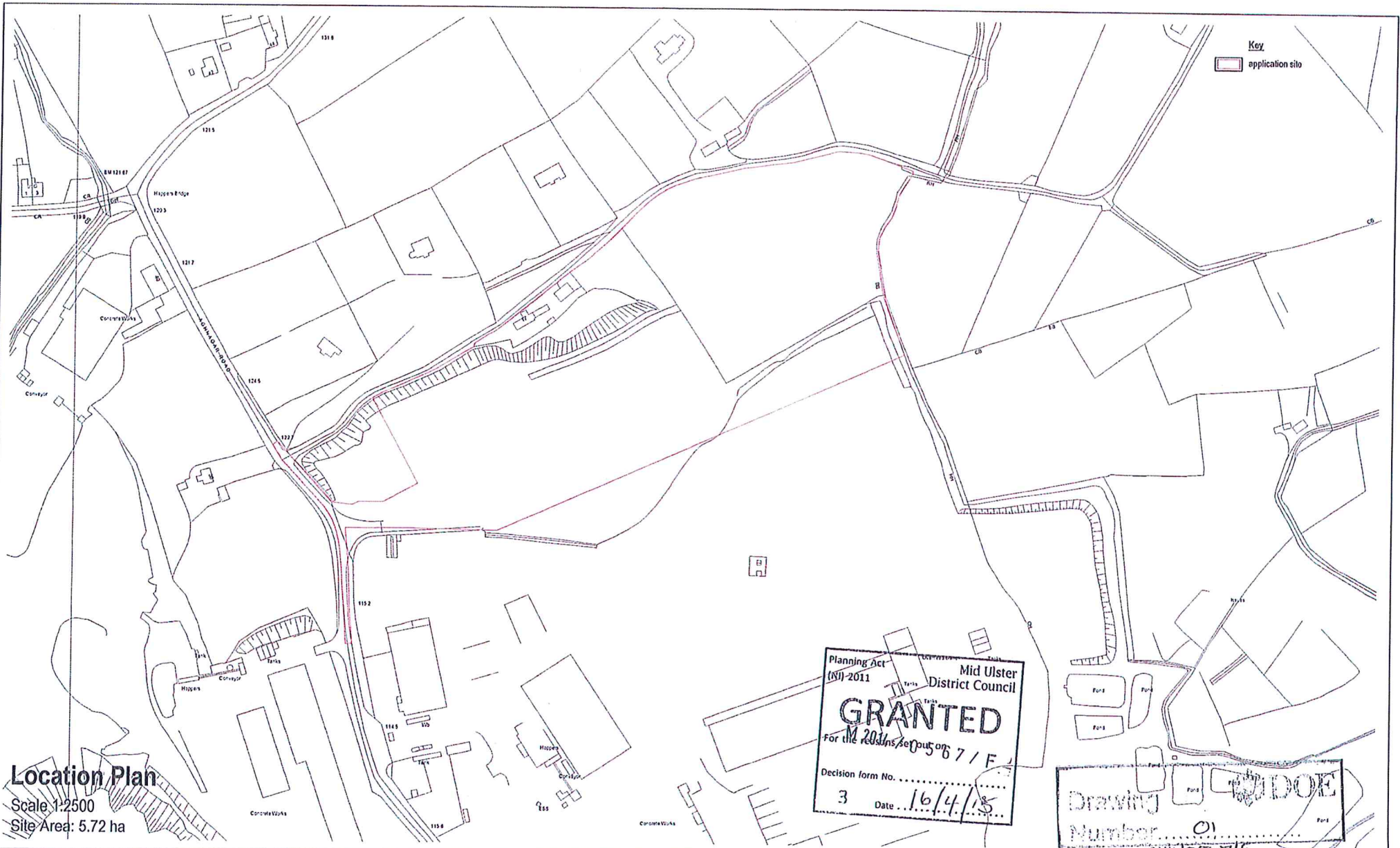


Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

Reason: In the interests of road safety and convenience of road users.

Dated: 16th April 2015

Planning Manager: 



Location Plan
 Scale 1:2500
 Site Area: 5.72 ha

Planning Act (NI) 2011
 Mid Ulster District Council
GRANTED
 For the reasons set out on 16/4/15
 Decision form No. 3
 Date 16/4/15

Drawing Number
 01
 11111056711

Revision	Description	Date	By
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 CLIENT/CONTRACTOR SHALL COMPLETE ALL NOTICES REQUIRED UNDER BUILDING REGULATIONS FOR INSPECTION OF WORK AND SHALL
 NOTIFY ALL AGENCIES ON SITE PRIOR TO CONSTRUCTION UNDERTAKING TO BE REPORTED TO VISION DESIGN IMMEDIATELY.
 CLIENT/CONTRACTOR TO ENSURE THAT ALL HEALTH & SAFETY MEASURES ARE TAKEN ON SITE AND THAT PROJECT INTERFERENCE IS MIN
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 Tel: 028 7930 0966

Client	Northway Mushrooms Ltd					
Project	In-Vessel Composting Facility at Lands East of Aghnagar Road, Ballygawley, Co. Tyrone					
Drawing Title	Location Plan					
Job No	Drawing	Scale/Sheet	Drawn By	Date	Action	
2597	L01	1:2500 A3	RD	Aug 2014		