

BALLYMONEY BOROUGH COUNCIL**Table of Contents**

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BALLYMONEY BOROUGH COUNCIL

Minutes of Consultation Committee Meeting No 30, held in the Council Chamber, Riada House, Ballymoney on Monday 15th September at 2.00 pm.

IN THE CHAIR

B Kennedy (Vice Chair)

PRESENT**Aldermen**

F Campbell

H Connolly, Deputy Mayor

C Cousley

J Simpson

Councillors

A Cavlan

M McCamphill

T McKeown

A Patterson

E Robinson

I Stevenson

APOLOGIES**Councillors**

D McKay

A Patterson

M Storey

R Wilson

IN ATTENDANCE

Chief Executive

Head of Borough Services **(Items 1 & 9)**

Head of Corporate & Development Services **(Items 3-9)**

Committee Clerk

Rose Energy (Items 1 & 9)

Osvaldo Mauro-Hun – Chief Executive

Willis Mackey – Agricultural Director, O’Kane Poultry Limited

DoE Planning Service (Items 3-7)

Mr G Walker - Planning Officer

Communities Against Lough Neagh Incinerator (Items 1 & 9)

R Clarke – Chairman

M High – Vice Chair

J McAllister – Farmer

Press**Public**

30.1 ROSE ENERGY BIOMASS POWER PLANT PROPOSAL

The Vice Chairman welcomed representatives from Rose Energy Limited to the meeting to give a presentation to Council on their Biomass Power Plant proposal (attached as Appendix 1). The Chairman of Rose Energy Limited outlined the proposal which sets out to deal with two major areas that affect the environment of Northern Ireland; disposal of excess manure from poultry farms and the subsequent production of electricity from a natural source.

Following the presentation, the Chairman of Rose Energy responded to questions from members relating to:

- Content of incineration material
- Animal and human welfare
- Road infrastructure
- Importance of location and access to water
- Temperature of water and impact of temperature change
- Processing and disposal of residue
- Status of planning application
- Involvement of Ulster Farmer's Union
- Flue gas and cleaning system
- Odour issues
- Noise and hours of operation of the plant
- Quality of fertiliser produced
- Impact on tourism at Lough Neagh
- Requirement for public inquiry
- Area served
- Ministerial statement

The Vice Chairman thanked the representatives from Rose Energy Limited for their presentation, further details of which can be found on their website at www.roseenergy.co.uk.

- * **During the discussion, Alderman Simpson and Director of Borough Services arrived at 2.05 pm, Councillor McKeown arrived at 2.10 pm and Alderman Cousley arrived at 2.15 pm.**

29.2 MINUTES OF MEETING NO 29 – 18TH AUGUST 2008

It was proposed by Alderman Campbell, seconded by Alderman Connolly and **AGREED:**

that the minutes of Meeting No 29 – 18th August 2008, as circulated, be confirmed as a correct record.

30.3 PLANNING APPLICATIONS

Planning Applications 1-38 and 1-3 (deferred) were considered and the opinion of the Planning Service accepted except where stated otherwise.

Applications pertaining to PPS14 remain in abeyance pending the outcome of the judicial review with the following options applicable.

1. Written request may be submitted by the applicant for the application to be brought forward for refusal.
2. Further information may be supplied to enable Planning Service to reconsider for approval.
3. Application may sit until finalisation of review.

ITEM NO	2				
APPLIC NO	D/2007/0318/F	Full	Date Valid	25/06/2007	
APPLICANT	J B Homes Ltd				
APPLIC ADDRESS	C/o Diamond & Hughes Architecture, 77 Main Street, Maghera, BT46 5AB				
LOCATION	Opposite 60/60a Bridge Road Dunloy				
PROPOSAL	Minor alterations to internal road layout only, to recently approved Housing Development (D/2006/0203/F)				
REPRESENTATION	0	Objections 0	Support	0	Petition of Objection 0
OPINION	REFUSAL				

- 1 The proposed development is unacceptable as the application does not cover all the works proposed/carried out, therefore insufficient information has been submitted to enable the Department to make an informed decision on the proposal.

Planning Service has requested that the agent withdraw this application and re-submit showing actual changes. No response received to date.

It was **AGREED:** that an Office Meeting be held (Councillor McCamphill)

ITEM NO	3				
APPLIC NO	D/2008/0005/F	Full	Date Valid	27/12/2007	
APPLICANT	Mr V Gilmore				
APPLIC ADDRESS	79 Vow Road, Ballymoney, BT53 7NZ				
LOCATION	150m North of 26 Killans Road, Ballymoney				

PROPOSAL Variation of condition 4 of outline application ref. D/2004/0235 and submission of detailed drawings to supersede outline approval for 1½ storey dwelling with integral garage at lower level

REPRESENTATION 1 **Objections**0 Support 0 Petition of Objection 0 Support Petitions

OPINION **REFUSAL**

- 1 The proposal is contrary to Policy CTY 10 of Draft Planning Policy Statement 14: Sustainable Development in the Countryside, and the accompanying Ministerial Statement in that the design of the proposed dwelling is inappropriate for the site and its locality.
- 2 The proposal is contrary to Planning Policy Statement 3: Access, Movement and Parking in that the applicant has failed to demonstrate adequate access arrangements.

Objection related to: Basement car parking and garage, scale out of character with the location.

Deferred pending outcome of PPS14 policy review.

ITEM NO 4

APPLIC NO D/2008/0096/RM Reserved Date Valid 19/02/2008

APPLICANT Mr & Mrs J Mc Grath

APPLIC ADDRESS 121 Tullaghans Road, Dunloy, BT44 9EA

LOCATION Site adjacent to 115 Tullaghans Road, Dunloy

PROPOSAL New dwelling & garage

REPRESENTATION 0 **Objections**0 Support 0 Petition of Objection 0 Support Petitions

OPINION **REFUSAL**

- 1 The proposed development would, if permitted, prejudice the safety and convenience of road users due to unsatisfactory access arrangements.

Information requested from Agent not received. Planning Service will hold the application for one month and if no information received, the application will be returned to Council as refusal.

ITEM NO 7

APPLIC NO D/2008/0146/A Advertisement Date Valid 18/03/2008

APPLICANT Ground Espresso Bars

APPLIC ADDRESS C/o Dennis R Tosh, 40 Nursery Avenue, Coleraine, BT52 1LP

LOCATION No 4 High Street, Ballymoney.

PROPOSAL Surface mounted and suspended Espresso Bar signs.
 REPRESENTATION 0 Objections 0 Support 0 Petition of Objection 0 Support Petitions
 OPINION **REFUSAL**

- 1 The proposal is contrary to Policy AD 1 of Planning Policy Statement 17 - Control of Outdoor Advertisements and Planning Policy Statement 1 - General Principles, in that the signage would, if permitted, be detrimental to the visual amenity of the surrounding Ballymoney Conservation Area by reason of their inappropriate scale, design.

It was **AGREED:** that an Office Meeting be held (Councillor Finlay).

ITEM NO 10
 APPLIC NO D/2008/0166/O Outline Date Valid 31/03/2008
 APPLICANT Jaymar Developments
 APPLIC ADDRESS C/o Vision Design, 5b Rainey Street, Magherafelt, BT45 5DA
 LOCATION 44-50 Gate End, Ballymoney.
 PROPOSAL Proposed new residential development.
 REPRESENTATION 1 **Objections**0 Support 0 Petition of Objection 0 Support Petitions
 OPINION APPROVAL

Objections related to: Density, out of character, town cramming.

Concept of outline acceptable. Scale to be addressed at reserved matter stage.

Councillor Finlay expressed the view that Planning Service should take into consideration the Environment Minister's statement relating to town cramming.

ITEM NO 11
 APPLIC NO D/2008/0205/F Full Date Valid 23/04/2008
 APPLICANT Clear Channel Ni Ltd
 APPLIC ADDRESS Unit 2 Ashbank, Channel Commercial Park, Queens Road, Belfast, BT3 9DT
 LOCATION Ballybogey Road, opposite 102b, Ballybogey.
 PROPOSAL Erection of bus shelter on public footpath.
 REPRESENTATION 0 Objections 0 Support 0 Petition of Objection 0 Support Petitions
 OPINION APPROVAL

At the request of Councillor Kennedy, the Planning Officer agreed to look into the location of the bus shelter in relation to the existing traffic island

ITEM NO **13**

APPLIC NO D/2008/0232/F Full Date Valid 08/05/2008

APPLICANT Mr R Robinson

APPLIC ADDRESS 2 Lincoln Heights, Sheepshill, Ballymena, BT42 1QR

LOCATION Adjacent to 32 Killagan Road, Glarryford, Ballymena.

PROPOSAL New access (to replace one previously approved under D/2005/0290/F)

REPRESENTATION 0 Objections 0 Support 0 Petition of Objection 0 Support Petitions

OPINION APPROVAL

The Planning Officer advised that an objection has been received and that there has been correspondence between the Department and Roads Service. Councillor Finlay queried the availability of sight lines on reinstatement of the ditch, which had been removed by the applicant.

It was proposed by Councillor Finlay, seconded by Councillor McCamphill and **AGREED:**

that an Office Meeting be held.

ITEM NO **23**

APPLIC NO D/2008/0306/F Full Date Valid 26/06/2008

APPLICANT Mr & Mrs T Glenn

APPLIC ADDRESS C/o Hunter Associates, 8 Charlotte Street, Ballymoney, BT53 6AY

LOCATION 1 Glebe Park Derrykeighan

PROPOSAL Extension to provide living accomodation for care of dependant relatives and garage

REPRESENTATION 1 **Objections**0 Support 0 Petition of Objection 0 Support Petitions

OPINION **REFUSAL**

- 1 The proposal is contrary to Policy EXT1 of the addendum to Planning Policy Statement 7, Quality Residential Environments in that the extension would if permitted, constitute a self-contained unit of accomodation in addition to the existing dwelling.
- 2 The proposal is contrary to Policy EXT1 of the addendum to Planning Policy Statement 7, Quality Residential Environments, as the scale, massing and design of the proposed extension are not sympathetic or subordinate with the built form of the existing property and would detract from the appearance and character of the surrounding area and would create an over development of the site.

Objection related to:

Out of character, loss of light, effect on privacy and overbearing.

It was **AGREED:** that an Office Meeting be held (Councillor Kennedy)

ITEM NO 25

APPLIC NO D/2008/0317/F Full Date Valid 02/07/2008
 APPLICANT Clear Channel Ni Ltd
 APPLIC ADDRESS Unit 2, Ashbank, Channel Commerical Park, Queens Road, Belfast, BT3 9DT
 LOCATION Ballybogey Road, Approx 22m NW of 102C, Ballybogey
 PROPOSAL Proposed bus shelter
 REPRESENTATION 0 Objections 0 Support 0 Petition of Objection 0 Support Petitions
 OPINION **REFUSAL**

- 1 The proposed development is unacceptable in that it would prejudice visibility from the adjacent development access.

Councillor Kennedy requested that re-location of the bus shelter be considered.

It was **AGREED:** that relocation of the bus shelter be discussed at a meeting of the Leisure & Amenities Committee.

ITEM NO 27

APPLIC NO D/2008/0322/F Full Date Valid 03/07/2008
 APPLICANT Mr G Hunter
 APPLIC ADDRESS C/o Hunter Associates, 8 Charlotte Street, Ballymoney, BT53 6AY
 LOCATION Lands 192m south east of 52 Ballykenver Road, Armoyle
 PROPOSAL Proposed two storey replacement dwelling with garage
 REPRESENTATION 0 Objections 0 Support 0 Petition of Objection 0 Support Petitions
 OPINION **REFUSAL**

- 1 The proposal is contrary to Policy CTY 10 of Draft Planning Policy Statement 14: Sustainable Development in the Countryside, and the accompanying Ministerial Statement in that the proposed site is unable to provide a suitable degree of enclosure for the building to integrate into the landscape and therefore would not integrate into this area of the countryside.
- 2 The proposal is contrary to Policy DES 10 of the Department's Planning Strategy for Rural Northern Ireland in that the development would, if permitted, result in an unacceptable loss of trees and would therefore have an adverse impact on the visual amenity of the landscape.

At the request of Alderman Connolly, the Planning Officer explained that following submission of an outline application, the applicant wishes to re-site the proposal, removing bank and trees.

The application will be deferred pending outcome of PPS14 policy review.

ITEM NO	28				
APPLIC NO	D/2008/0324/F	Full	Date Valid	03/07/2008	
APPLICANT	Ballyweaney Pres. Church				
APPLIC ADDRESS	C/o Market Studio, 14 Market Road, Ballymena, BT43 6EL				
LOCATION	29 Mounthamilton Road, Cloughmills				
PROPOSAL	Replacement manse & new domestic garage				
REPRESENTATION	0	Objections 0	Support	0	Petition of Objection 0 Support Petitions
OPINION	APPROVAL				

Following a discussion relating to the involvement of Northern Ireland Environment Agency and Preservation of Historical Buildings, the Planning Officer advised that consultation with these agencies is only mandatory for listed buildings.

It was proposed by Councillor Kennedy, seconded by Councillor Finlay

that council accept the decision of Planning Service to approve the application.

Alderman Simpson expressed the view that the Manse be preserved.

A vote was taken with four members voting in favour of the motion and two members voting against.

The Chairman declared the motion carried.

ITEM NO	29				
APPLIC NO	D/2008/0332/F	Full	Date Valid	07/07/2008	
APPLICANT	Pollock Developments				
APPLIC ADDRESS	C/o 20/20 Chartered Architects Ltd, 9A Linenhall Street, Ballymoney, BT53 6DP				
LOCATION	30m S.E. of 24 Bendooragh Road Ballymoney				
PROPOSAL	Proposed 2 storey dwelling with detached garage				
REPRESENTATION	0	Objections 0	Support	0	Petition of Objection 0 Support Petitions
OPINION	REFUSAL				

- 1 The proposal is contrary to Policy CTY1 of Draft Planning Policy Statement 14, Sustainable Development in the Countryside and the accompanying Ministerial Statement in that there is a presumption against development throughout the countryside and it does not merit being considered an exception to the policy nor are there any overriding reasons why this development is essential and could not be located within a settlement.
- 2 The proposal is contrary to Policy CTY11 of Draft Planning Policy Statement 14, Sustainable Development in the Countryside, and the accompanying Ministerial Statement in that the dwelling would, if permitted, result in a build-up of development when viewed with existing and approved buildings.

Deferred pending outcome of PPS14 Policy review.

Councillor Finlay recorded his request for an office meeting.

ITEM NO D 1

APPLIC NO	D/2006/0441/F	Full	Date Valid	18/09/2006
APPLICANT	Mr B O'Kane			
APPLIC ADDRESS	C/o Hunter Associates, 8 Charlotte Street, Ballymoney, BT53 6AY			
LOCATION	Junction of Market Street & Cafe Lane, Ballymoney			
PROPOSAL	Erection of 12 No. apartments and parking facilities			
REPRESENTATIONS	0	Objections 0	Support 0	Petition of Objection 0
OPINION	REFUSAL			

- 1 The proposal is contrary to Policy QD1 of Planning Policy Statement 7, Quality Residential Environments, the Department's Design Guide "Creating Places" and Development Control Advice Note 8 Housing in Existing Urban Areas in that the development as proposed fails to provide a quality residential environment.
- 2 The proposed development would, if permitted, prejudice the safety and convenience of road users since it would not be possible within the application site to provide adequate sight lines where the proposed access joins Market Street.
- 3 The proposed development would, if permitted, prejudice the safety and convenience of road users since provision cannot be made clear of the highway for the parking, turning, loading and unloading of vehicles which would be attracted to the site.
- 4 Inadequate adjacent junction spacing.

Councillor Finlay requested clarification on the provision of a policy relating to apartments in and around the town centre stating that some sites do not lend themselves to this provision. Councillor

Kennedy concurred with the Mayor's comments that such a policy would avoid inconsistencies. The Planning Officer advised that Planning Service do not formulate such policies and that this would be a matter for the Development Planning Team.

* **Councillor McKeown left the meeting at 3.45 pm.**

ITEM NO D 2

APPLIC NO D/2006/0570/O Outline Date Valid 21/11/2006
 APPLICANT Mr H Woodrow
 APPLIC ADDRESS C/o Hunter Associates, 8 Charlotte Street, Ballymoney, BT53 6AY
 LOCATION To rear of 4-16 Meetinghouse Street, Ballymoney
 PROPOSAL Site for 9 no. apartments
 REPRESENTATIONS 5 Objections 0 Support 0 Petition of Objection 0 Support Petitions
 OPINION REFUSAL

- 1 The proposal is contrary to Policy QD1 of Planning Policy Statement 7, Quality Residential Environments, the Department's Design Guide "Creating Places" and Development Control Advise Note 8 Housing in Existing Urban Areas in that the development as proposed fails to provide a quality residential environment.

The Planning Officer advised that a roads scheme has recently been submitted and that the application will be removed from the list to enable Roads Service to consider the amended plans.

ITEM NO D 3

APPLIC NO D/2006/0578/F Full Date Valid 27/11/2006
 APPLICANT Kilroy Developments
 APPLIC ADDRESS C/O Moore Design, 63 New Row, Coleraine, BT52 1EJ
 LOCATION Off Finvoy Road, Ballymoney. North-North West of nos. 57 to 79 Millbrooke Manor.
 PROPOSAL Proposed alterations to approved housing layout incorporating 8 no.apartments: 30 No.townhouses, 6 No.semi-detached and roadway for private streets.
 REPRESENTATIONS 0 Objections 0 Support 0 Petition of Objection 0 Support Petitions
 OPINION APPROVAL

Change of house type and layout has enabled the Department to approve the application.

APPEAL DATES NOTIFIED**COUNCIL Ballymoney****ITEM NO 1**

APPLIC NO

PAC NO

2008/E022

DATE OF HEARING

LOCATION

DATE OF SITE VISIT

APPLICANT

Mr B Moore

LOCATION

PROPOSAL

Written Representations**APPEAL DECISIONS NOTIFIED****COUNCIL Ballymoney****ITEM NO 1**

APPLIC NO

D/2005/0914/O

PAC NO

2006/A2018

RESULT OF APPEAL

Upheld

APPLICANT

Mr M Mcalonan

LOCATION

175m North West of 113 Bridge Road, Dunloy

PROPOSAL

Site for dwelling and garage

Date of Office Meetings:**Friday 3rd October – McKinley Room, Riada House at 10.00 AM**

30.4 APPEAL AGAINST ENFORCEMENT NOTICE

The Chief Executive informed members that the Planning Appeals Commission has advised of an appeal received against an enforcement notice issued on 10th July to Mr D Dunlop relating to the alleged unauthorised use of the land for the operation of a joinery workshop business in premises at 60m north-west of 300 Gortgole Road, Rasharkin.

30.5 HOUSING DEVELOPMENT AT 56/58 KNOCK ROAD, BALLYMONEY APPLICATION REF: D/2008/0089/F

Written representations have been received from occupiers of property at 59 Semicock Road, Ballymoney regarding the planning application at 56/58 Knock Road, Ballymoney, for 17 townhouses, 2 detached and 4 maisonettes with associated parking facilities. A copy of the letter of representation to Planning Service setting out the issues of concern was circulated.

Councillor Finlay requested that Planning Service take the views of the residents and objectors seriously and that the Department should guarantee that the objectors will be granted an Office Meeting be when the application comes before Council for a decision. Councillor Finlay expressed the view that Council write to the objectors indicating its concerns. The Planning Officer agreed to note Council's concerns and confirmed that there is currently no mechanism for 3rd party appeals.

30.6 FLOODING AT MEADOWS ESTATE

Written representations have been received from three residents of The Meadows estate regarding flooding at the estate on 16th August. Council's assistance is sought in resolving the following multi-agency problems identified:

1. Planning Service should be strongly advised to withdraw planning permission granted to a developer to build dwellings on a floodplain immediately beside 'The Meadows' (BT53 6AX). A photographic montage of the development site flooded was circulated, including photographs showing the impact of flooding within 'The Meadows'.
2. The Rivers Agency should be required to put in place adequate flood defences as the existing flood defences failed.
3. Road Service should be required to redirect the storm water, which flows like a river from Charlotte Street into 'The Meadows'. The underground drainage system from Charlotte Street should also bypass 'The Meadows' and not be routed through this residential area.

The outfall from Ballybrakes Road Sewage Works discharges a few yards upstream of

'The Meadows' into the Ballymoney river, rerouting this outfall to the downstream side of 'The Meadows' would alleviate a fairly obvious hazard during flooding

It was proposed by Councillor Finlay and **AGREED:**

that a committee of Town Councillors be formed to deal with flooding issues.

* **The Planning Officer left the meeting at 4.00 pm.**

30.7 PROPOSED WAITING RESTRICTIONS – TULLAGHANS ROAD, BALLYMONEY

Council's comments are invited on proposed waiting restrictions at Tullaghans Road, Ballymoney.

Roads Service has received a request from the local primary schools in the area for improvements to the footway infrastructure close to Pappy's Corner in Dunloy. It is proposed to widen the existing footway on the northern side of the Tullaghans Road from the junction of Garryduff Road for approximately 50m and provide a suitable crossing point close to the Bridge Road junction by reducing the length of the existing lay-by.

In conjunction with these measures Roads Service are proposing to extend the current corner restriction along the Tullaghans Road for approximately 30m and provide corner restrictions at both Bridge Road junction and the entrance to Lilac Terrace, to prohibit parking and make the general area much safer for pedestrians especially those crossing the road.

Councillor McCamphill stated that while he fully supported the need to improve safety at this location, the proposal will narrow the road at an already restricted junction. He had requested improvement of sight lines previously when development works were being undertaken but no action had been taken. He questioned whether the narrowing of the road would solve the traffic problems. It was **AGREED:**

to write to roads Service pointing out the difficulties and asking them to review their proposal.

30.8 CONSULTATION ON PROPOSED WATER SUPPLY (WATER FITTINGS) REGULATIONS (N10 2009)

Attention is drawn to a consultation document issued by The Department of Regional Development seeking comments, by 7th November, on these proposed regulations, which, when finalised, will set out amended standards for water pipes, fittings and apparatus using water in order to prevent waste, misuse or contamination of water

supplied by NI Water. It should be noted that the proposed Regulations only apply to fittings connected to the public drinking water supply.

The consultation document, with others received during the month, are listed on the consultation schedule circulated to members.

- * **The Director of Borough Services joined the meeting at 4.03. Councillor Finlay left the meeting at this time.**

30.9 COMMUNITIES AGAINST LOUGH NEAGH INCINERATOR

The Vice Chairman welcomed representatives from Communities against Lough Neagh Incinerator to the meeting to give a presentation (attached as Appendix 2) to Council against the proposal by Rose Energy Limited to install a Biomass Power Plant in Glenavy. Mr Clarke, the Chairman, outlined the negative impacts of the proposal to deal with the disposal of excess manure from poultry farms and the subsequent production of electricity, stating that other alternatives should be explored. A decision will be taken on 24th September by the Minister as to whether a public inquiry will take place.

Following the presentation, the representatives responded to questions from members relating to:

- Acceptance of the outcome of a public inquiry.
- Process of a public inquiry
- Right to challenge decision if public inquiry not granted
- Efficiency of electricity supply
- Ability to operate for 12 hour periods using only poultry waste
- Alternative schemes.
- Needs of farmers to find solution to Government legislation
- Need to consider concerns of residents and objectors

The Vice Chairman thanked the representatives for their presentation.

It was proposed by Alderman Campbell, seconded by Councillor Cavlan and **AGREED:**

that a special meeting of Council be held on 22nd September 2008 to enable further discussion of the proposal, with the Corporate & Central Services meeting being deferred until 27th September 2008.

This being all the business, the meeting closed at 4.45 pm.

Appendices attached:

Appendix 1 Rose Energy Limited presentation
Appendix 2 Communities against Lough Neagh presentation.

APPENDIX 1



Rose Energy Biomass
Power Plant Proposal

APPENDIX 2**COMMUNITIES AGAINST LOUGH NEAGH INCINERATOR
PRESENTATION TO BALLYMONEY BOROUGH COUNCIL****Introduction - Ray Clarke Chairman CALNI**

Mr Chairman, Ladies and Gentlemen, I would like to thank the committee for allowing CALNI to present their opposition to Rose Energys Incinerator. We do not have the money to produce slick DVDs, however I can assure you that Neither Michael, James nor myself receive any payment for being here.

- 1 Let me start by saying that we acknowledge Rose Energy's right as a commercial enterprise to apply for planning permission for their business proposition.
- 2 In doing so, our right to object and challenge their assertions must also be acknowledged.
- 3 We also expect our elected representatives to rigorously challenge and interrogate every aspect of a proposal of this magnitude. We have cross party support for our campaign. Jeffery Donaldson last week issued a statement in support of a Public Enquiry, and has offered to lead a cross party delegation to Stormont.
- 4 As a community we can only respond to the application being made for **this** site. For that reason our objections surround why the shore of Lough Neagh is not the right site for an incinerator.
- 5 It is our contention that if the letter of the planning law was to be observed, this application would not even see the light of day.
- 6 However we are pragmatic enough to know that wider pressures are at play. The poultry industry is indeed in difficulties and we have every sympathy for the 300 poultry farmers directly affected.
- 7 But it is nonsense to say that an incinerator at Lough Neagh is the answer. It will affect land, water and health for many miles around, while creating tens of thousands of tons of Ash. Rose Energys own planning application states that this cannot be used as fertiliser.

*Rose Energy Project: Waste Streams- Ash, Page 14
4.2.4 The use of Category 1 MBM as one of the fuels place restrictions on the potential end-uses for all the ash waste streams. The 2006 TSE Regulations (Statutory Rule 2006 No.202) will prevent the re-use of the ash from an MBM source being used as fertiliser fertiliser (a known outlet for bottom ash produced by other fuel sources).*

Two environmental wrongs do not make a right.

- 8 In the short period of time since the advertising of this application we have gathered enough information to be afraid.
- Afraid that the application of planning regulations will be over-ridden.
 - Afraid that the claims being made by Rose Energy are being accepted without question or rigorous investigation.
 - Afraid that the legitimate questions we have on public safety, animal and food safety and non-contamination of our very drinking water are being swept aside because of a deadline being set by a vested interest.

The Belgian food crisis in 1999 was caused by 1 gram of dioxin, costing the Agricultural and Food industry over one billion USD.

- 9 If our fears are to be given proper consideration this proposal must be fully investigated through the medium of a public enquiry. In ten minutes we do not have time to detail all of our points but my colleague Michael High will give you some insight into our planning and environmental questions and concerns.

CONCLUSION - Ray Clarke

- 1 There is one fact that I hope we can all agree on today. This issue is too big, too serious and with too many consequences to allow us to be driven into a rash, ill considered decision that is deadline driven.
- 2 Did you know that UFBP, Glenfarm Holdings, have a live planning permission for an incinerator?

Did you know about the condition for the testing of Milk?
Are you sure of the financial viability of the companies backing this incinerator?
If they go out of business for any reason – who will own this incinerator and what will their intentions be?
Do you know if this incinerator will only burn chicken litter or will its use be changed in 5, 10 or 15 years time?
- 3 To date Rose Energy have not applied for any licences to operate either an incinerator or a power plant. How does that fit with their need for speed?
- 4 There are alternatives and one local businessman is currently looking at how this material can be converted into several fertilizers. One high in Nitrogen, one high in phorus.
- 5 At Antrim Council they were asked about the astronomically high levels of water they required for cooling purposes and how its discharge would affect the Glenavy River and Lough Neagh.
- 6 Their response was that they would adhere to the strict application of EU regulations at all times. Now forgive our scepticism but we believe the best indicator of future behaviour is

past behaviour and in this we have a wealth of experience to draw upon and none of it is good.

- 7 Moy Park has two serious convictions for pollution and UFBP have eight. They have just recently received an enforcement order from the Environmental Protection Agency for the effluent they are continually putting into the Glenavy River. The next step could be a full closure. Remember, 15% of this proposed incinerator's fuel comes from this plant.
- 8 Finally let's look at the claim that 8,500 people stand to lose their jobs in the poultry industry if we don't say yes immediately to this incinerator.
- 9 How many local chickens do Moy Park and O'Kanes process? How much do they import from Eastern Europe and further afield? What proportion of their business here and jobs in their plants, is really dependant on local chicken production?
- 10 It is clear that our 300 local broiler producers seem to be totally dependent on them. We believe their future is dependent on more basic business issues than where they dispose of their waste.
- 11 Moy Park has just been sold to a Brazilian company. Does it require a multimillion pound incinerator project which can be sold on to a faceless global organisation for its future profitability? What guarantees do we have that this 'locally owned' and therefore 'environmentally trustworthy' project will stay in local hands?
- 12 Don't forget that this project is dependent on almost £30m of our tax money, paid through Invest NI just to get it started. Is the financial viability of these companies and their dependence on public funding part of the planning considerations? The answer is no.
- 13 Too many questions, too much uncertainty and too much risk for the planning service to take on alone. This must be subject to a public inquiry.
- 14 Lisburn Council, last Wednesday evening, probably the council who have probed this application most, called overwhelmingly for a Public Enquiry.
- 15 Antrim Council this week seemed confused in relation to what proposal they were voting on and we are looking in to having the motion and the resulting vote clarified.
- 16 Calling for a Public Enquiry is merely a responsible approach, it does not destroy the poultry industry, it merely allows all the information to become available and be looked at in a responsible way.
- 17 Finally can we ask, what budget have you been able to allocate to the rigorous investigation of this proposal for the protection of your constituents? This is not a supermarket or a retail outlet. This is potentially a toxic monster which will be in our midst for at least the next 50 years.