From: DAERA Marine Licensing Team <MarineLicensingTeam@daera-ni.gov.uk>
Sent: Friday, March 29, 2024 3:21 PM
Subject: CONSULTATION FOR MARINE CONSTRUCTION LICENCE APPLICATION FOR ULSTER GLIDING CLUB - REMOVAL OF CONCRETE BLOCKS ML2023003

Dear Consultee,

MARINE AND COASTAL ACCESS ACT 2009 PART 4 - MARINE CONSTRUCTION LICENCE APPLICATION FOR ULSTER GLIDING CLUB - REMOVAL OF CONCRETE BLOCKS ML2023003

An application has been received from Ulster Gliding Club, for a marine construction licence under the above Act to remove concrete blocks in response to a planning enforcement notice.

A copy of the application form and supporting documentation are attached to this email for your information.

Please provide any comments you wish to make in relation to this application, on the attached response sheet, by no later than Tuesday 30th April 2024.

If you require any further information, please do not hesitate to contact me.

Kind regards
Julie

Julie Jameson
Marine Licensing Team
Marine and Fisheries Division

Marine Construction Works/Land Reclamation/Beach Replenishment in the Territorial Sea and Controlled Waters Adjacent to Northern Ireland

Marine Licensing

Important: before completing this form, please read these notes carefully.

The following numbered paragraphs correspond to the questions on the application form and are intended to assist applicants in completing the form. These explanatory notes are specific to this application and so applicants are advised to read these in conjunction with the General Marine Licensing Guidance document. However it may be that these notes do not fully cover all the questions that you may have. If further clarification is needed please telephone us on

028 90569247 or email

MarineLicensingTeam@daera-ni.gov.uk

For fees categories please see Marine Licensing Fees Addendum

For further Guidance please refer to Marine Licensing Guidance for Applicants

EXPLANATORY NOTES

1. Project Title

Enter the name of the project.

Indicate the location of the construction project using Latitude and Longitude co-ordinates in degrees and minutes to one decimal point of a minute provided. Any distances at sea should be in nautical miles, and on land should be in miles unless otherwise stated.

Attachments required.

You must provide appropriate drawing of the proposals including a red line diagram of the proposed construction location on an admiralty chart.

2. Applicant

The person, company or organisation making the application. (The licensee(s) may be any of the following, the contractor actually carrying out the construction work, the applicant and possibly other bodies involved).

3. Agent

Any person, company or organisation acting on behalf of the applicant. They may be acting under contract (or other agreement) on behalf of any party listed in the answer to question 2, and have responsibility for the control; management or physical deposit of materials anywhere below the tidal limit of the mean high water springs (MHWS). (e.g. A consultancy company submitting the application or a contractor who will be carrying out the works.)

4. Duration of project

Details of the proposed commencement and completion dates of the works.

A licence is normally valid for 1 calendar year or the duration of the works (whichever is longer) but not normally exceeding 3 years. After this period, it will be necessary for licence holders to re-apply for a further licence to continue any ongoing works. It is the licensee's responsibility to apply for any further licences or an extension prior to the expiry of the initial licence.

5. Description and Cost of the Proposed Project

(a) This estimate should cover only works taking place below the tidal level of Mean High Water Springs (MHWS) and should take into consideration the cost of materials, labour, fees etc.
(b) Where the project is expected to take longer than 1 calendar year, this description must detail which elements of work are to be undertaken in the first 12 months, with an outline of the schedule for each further 12 month period of work. (The method of work etc. should be described in the answer to question 7.)
(c) Select the options which most appropriately describe the type of work proposed. Where the project involves a number of elements, please tick each relevant box.

6. Location of Works

Include a list of the latitude and longitude co-ordinates of the boundary points of the proposed project. In a few cases, (e.g. laying of long pipelines) it may only be practicable to supply co-ordinates for the start and end points.
Latitude and Longitude: For positions read from charts of 1:25,000 scale or smaller, the format should be e.g. **55^0 55'.5N 2^0 22'.2W**. The decimal point specifies that decimals of minutes are used and the datum is stated explicitly.

It is important that the correct positions are included with this application, as any errors may result in the application being refused or delayed.

To supplement the information given in section 6, Department of Agriculture, Environment and Rural Affairs (DAERA) Marine and Fisheries Division requires the following to be provided with the completed application form:

- A suitably scaled extract from an Admiralty Chart which should be marked to indicate
    - The full extent of the works in relation to the surrounding area;
    - Latitude and longitude co-ordinates defining the area of operation;
    - The level of Mean High Water Springs (MHWS)
    - Any adjacent Special Area of Conservation (SAC), Area of Special Scientific Interest (ASSI), Special Protection Area (SPA)/RAMSAR or similar conservation area boundary.

DAERA Marine and Fisheries Division require electronic copies of all documents to be provided. Normally only **one** copy will be required, however if the documents are too large to send electronically then ancillary copies on CD or other electronic storage devices will be required for consultation purposes, DAERA Marine and Fisheries Division will advise the applicant accordingly.

If they are subject to copyright, **it is the responsibility of the applicant to obtain necessary approvals to reproduce the documents and to submit suitably annotated copies with the application.** Alternatively maps/drawings can be sent electronically by email.

- **Sewer outfalls, discharge pipes for storm overflow and industrial waste etc.** The size and description of the pipe should be shown on the longitudinal sections and also details of any supports, foundations, methods of jointing and details of any tidal flaps.

- **Bridges over tidal waters:** an elevation with longitudinal and cross-sections of the bridge to a suitable scale should show the dimensions of the spans and width of piers, etc. above and below MHWS and the maximum and minimum heights of the undersides of the superstructures above MHWS. The headroom above MHWS and the width of span of the nearest bridges, if any, above and below the site should be stated.

- **Tunnels under tidal waters:** the longitudinal section of the tunnel should show the distances between the bed of the river or estuary and the top of the tunnel. Cross-sections should show the internal and external dimensions of the tunnel and particulars of construction. When a proposed future dredging level is known this must also be shown on all sections.

- **Overhead cables:** catenaries must be supplied in addition to the site plan showing the minimum clearance of the cable at MHWS and the electrical clearance allowed.

- **Marine Aquaculture:** proposals for fish farming and shellfish growing are subject to different procedures (refer to The Marine Licensing (Exempted Activities) Order (Northern Ireland) 2011).

The applicant should note that if the drawings/plans are subject to copyright, **it is the responsibility of the applicant to obtain the necessary approvals to reproduce the documents and to submit suitably annotated copies with the application.**

7. Method Statement

Please provide a full method statement, including details of any temporary structures that may be required below MHWS during the works, and the ultimate fate of the structure and material used in its construction. Details of these structures will be included in any licence that may be issued.

Proposed measures to ensure the marine environment is adequately safeguarded during the work should also be described (e.g. the method to be adopted to ensure that the loss of fine grained material is minimised during construction), as should those taken to minimise any interference with other uses of the sea or foreshore.

8. Permanent Deposits

(a) Tick the appropriate box (es) to indicate all materials to be deposited below MHWS. If you propose using types of materials for which a specific box is not provided, please describe the nature of such material in the box marked “other”.
(b) If any of the materials to be placed below MHWS are to be brought to the site by sea, give details of the material, e.g. clean rock, and average particle size. Also indicate the vessels to be used, a chart showing the proposed vessel route to the site of the works and details of any trans-shipment areas i.e. where material may be off-loaded to smaller vessels or barges for transport inshore to the site of the works.
(c) Where the proposed works involve beach replenishment or land reclamation, additional information is required about the material to be deposited and method of delivery. The description of material must include details of its chemical quality. Where the material has not been chemically analysed, DAERA Marine and Fisheries Division may request representative samples for analysis or require the applicant to arrange for analyses to be undertaken before the licence can be determined.

9. Temporary Deposits

If temporary deposits are required, please provide details as with the permanent deposits above. The temporary deposit location details (Latitude/Longitude) should be added to section 6 of the form, and the period of time the site will be used must be provided. If issuing a licence, DAERA Marine and Fisheries Division will include on the document details of any area that has been approved as a temporary deposit site.

10. Dredging

Indicate whether you are proposing to dredge as part of the works. A separate Marine Licence may be required. The granting of the construction licence does not imply that the dredging licence will also be granted, as different assessment criteria are used to determine each type of application.

11. Disposal of material at sea

Indicate whether you are proposing to dispose of any excess material arising from the construction work at sea. A separate Marine Licence may be required. The granting of the construction licence does not imply that the sea licence will also be granted, as different assessment criteria are used to determine each type of application.

12. Planning

If the application is subject to planning permission, please give relevant details, including planning reference number, if planning has been approved/rejected and attached a copy of the environmental statement if appropriate.

13. Statutory Consenting Powers

Please describe what (if any) statutory responsibilities you (or your client) have to consent any aspect of the project.

14. Consultation

(a) Have the public been invited to comment on these proposals? if so to whom and what was the closing date
(b) Have any consultation meetings been held with the public/other bodies? If so where and when?

15. Consultation with Conservation Bodies

Consenting authorities have a duty to ensure that any works will not have a significant adverse environmental impact, particularly upon designated conservation areas (e.g. ASSIs/SAC, SPA/RAMSAR sites etc) listed under The Conservation (Natural Habitats, etc.) (Amendment) Regulations (Northern Ireland) 2007. If the applicant (particularly if they have statutory powers for consenting aspects of these works) has already been in consultation with the appropriate nature conservation body – NIEA, Natural Environment Division, please supply any response that they may have given.

Any application for beach replenishment works should be cross checked as to whether the proposed site is a designated bathing water site and if so, ideally all physical works should be done out with the Bathing Water Season (1st June to 15th September). Further guidance on the Bathing waters Directive (76/160/EEC) can be obtained from http://www.ni-environment.gov.uk/water-home/quality/bathingqualityni.htm

In addition, guidance can be obtained from www.foodstandards.gov.uk/ with regards to the Shellfish Waters Directive (2006/113/EC) which has parameters set to protect the water quality in which edible shellfish are grown.

16. Designated Conservation Areas

Indicate whether the proposed works are located within or close to the boundaries of a conservation area such as an ASSI, MCZ, SAC, SPA or Ramsar Site.

17. Environmental Assessment

Please indicate whether any environmental assessments have been carried out in respect of the proposed works, either under your own powers or as required by another authority. If such an assessment has been undertaken, please indicate if a copy has been provided with your application. If the statement/assessment has been completed but is not available, please provide an explanation in the space provided.

Additionally please also give details if and where a copy has been/ is being made available for public inspection.

Please ensure that you have:

- Completed **all** appropriate sections of the application form
- Signed and dated the declaration
- Provided the relevant documentation, charts and continuation sheets and
- Enclosed the correct payment (refer to fees addendum) or paid by means of BACS (if appropriate)

Otherwise your application will be delayed or returned to you
Marine and Coastal Access Act 2009 (Part 4 Marine Licensing)

Application for Marine Construction Works/Land Reclamation/Beach Replenishment in the Territorial Sea and UK Controlled Waters Adjacent to Northern Ireland
(Construction schemes including coast defences, beneficial uses of dredged materials, jetties, land reclamation, outfall pipes etc.)

It is the responsibility of the applicant to obtain any other consents or authorisations that may be required

Under Part 4 (Chapter 5) of the Marine and Coastal Access Act 2009, information contained within or provided in support of this application will be placed on the public register unless DAERA Marine and Fisheries Division (as the licensing authority) approves the applicant's reasons for withholding all or part thereof.

Public Register

Is there any information contained within or provided in support of this application that you consider should not be included on the Public Register on the grounds that its disclosure:

a) would be contrary to the interests of national security YES [ ] NO [X]

b) would prejudice to an unreasonable degree your or some other person's commercial interests or those of a third party? YES [ ] NO [X]

If **YES,** to either (a) or (b), please provide full justification as to why all or part of the information you have provided should be withheld.

1. Project Title: Unauthorized coastal defence removal

Please give a brief identifiable description, including the location of the works.

An unauthorized non-permanent concrete block wall approximately 41m long, buried on the coastal side of our airfield 15 to 18 years ago is now exposed and has to be removed.

The blocks run north from 55°08'29"N 6°58'22"W to 55°08'30"N 6°58'21"W

2. Applicant Details

Title		Initials		Surname	Ulster Gliding Club Ltd

Address:

366a Seacoast Road,
Bellarena,
Limavady,
BT49 0LA

Name of contact: (if different from above)	[redacted]
Telephone number: (inc. code)	[redacted]
Email address:	[redacted]

3. Agent Details (if appropriate)

Title		Initials		Surname	

Trading Title (If different from above)	
Business Address:	
Name of contact: (if different from above)	
Position within company (if appropriate)	
Telephone number: (inc. code)	
Email address:	
Company Registration No.	

4. Duration of Project

Expected Start Date 02/05/2024 Expected Completion Date 02/05/2024

The actual start date will depend on the weather (wind & rain) and the future tides but all work is expected to take no more than 2 days.

5. Description and Cost of the Proposed Project

(a) Estimated gross cost of the works proposed seawards of the tidal limit of the High Water Mean Spring Tide Mark

HRA	£5510	
Advertising	£500	Est.
Equipment Hire	£1000	Est.
Scanning & copying	£75	
Total	£7085	Est.

See the attached Work Schedule document.

If necessary please continue on a separate sheet and tick this box X

Types of Work Proposed

Coastal/Flood defences:	beach replenishment
	shoreline reinforcement
	flood defence
	sea defence - Removal
Slipways:	slipway
	causeway
	launching ramp
Miscellaneous:	habitat creation/replacement
	aquaculture (unless exempted)
	sea wall
	berms/wave screens
	artificial reef

	sea-lock
Harbour works:	dock wall/quay/wharf
Navigation works:	lock gates
	moorings (unless exempted)
	buoy/navigation mark (unless exempted**)**
	training wall/breakwater
Land reclamation:	bunded/piled area
	dock infill
Intakes/outfall pipes:	intake/outfall
Cables:	cable/subsea cable
Pipeline maintenance:	pipe/pipeline maintenance
Piers etc.:	bridge supports/bridge foundation
	pier
	jetty
Bank stabilisation:	
Scour protection:	gabion
	mattressing
Barrages & island etc.	tidal barrier
	barrage
	sculpture, statues, fountains etc.
	ground investigation works
	impoundment
Sediment manipulation	groynes

6. Location of Works

This should include Latitude and Longitude co-ordinates, to 1 decimal minute, defining the extent of the project.

The unauthorised sea defence installation (concrete blocks) run North from
Lat 55° 8.49 ' N Long 6° 58.37 ' W to Lat 55° 8' 30.77" N Long 6° 58' 20.97" W
for approximately 41m.

See Part 6 Additional Sheet

If necessary, please continue on a separate sheet and tick this box [X]

7. Method Statement

See the attached Method Statement document, which refers to the short videos below.

Access_To_Beach

Unauthorized_Blocks

Ground_To_Be_Precut

If necessary, please continue on a separate sheet and tick this box [ ]

8. Permanent Deposits

(a) quantity of permanent materials to be deposited below HMWS tidemark:

Timber (m^2 or tonnes)	**…0……**
Iron/Steel (tonnes)	**…0……**
Plastic/Synthetic (m^2)	**…0……**
Silt (m^3)	**…0……**
Sand (m^3)	**…0……**
Concrete (m^3)	**…0……**
Concrete bags/mattresses (Confirm number, dimensions & total volume m^3)	**…0……**

Stone/Rock/Gravel
(size range and volume m^3) **…0……**

If 'other' please describe below

Some soil and grass may fall unto the beach.

If necessary, please continue on a separate sheet and tick this box ☐

(b) for work involving salt marsh feeding, beach replenishment or land reclamation please provide the following information relating to the material to be deposited:

Quantity (tonnes) **……**

Nature of Material
(e.g. sand, silt, gravel etc.) **……**

Source:
(if sea dredged please state
location of origin) **……**

Particle Size **……**

Has the material been chemically analysed? Yes ☐ No N/A

If Yes, please include the analysis data with your application.

9. Temporary Deposits

Will there be a need to make any temporary deposits of material below HMWS tidemark during the works

Yes ☐ No X

(a) quantity of temporary materials to be deposited below HMWS tidemark:

Timber (m^2 or tonnes) **…0……**

Iron/Steel (tonnes) **…0……**

Plastic/Synthetic (m^2) **…0……**

Silt (m^3) **…0……**

Sand (m^3) **…0……**

Concrete (m^3) **…0……**

Concrete bags/mattresses
(Confirm number, dimensions
& total volume m^3) **…0……**

Stone/Rock/Gravel
(size range and volume m^3) **…0……**

If 'other' please describe below

Some soil and grass may fall unto the beach.

If necessary, please continue on a separate sheet and tick this box ☐

10. Dredging

Do you intend to apply for a licence to dredge as part of the works?

Yes ☐ No ☒ X

If Yes, please indicate the location **……..**
of the dredging and nature of material **……..**

11. Disposal of Material at Sea

Do you intend to apply for a licence to dispose at sea material dredged as part of the works?

Yes ☐ No ☒ X

If Yes, please indicate:
Nature and quantity of material **……..**
(sand, gravel, silt, clay, rock etc.) **……..**

12. Planning

Is this project subject to a planning application?

Yes [X] No [ ]

If Yes, attach a copy of environmental statement (if appropriate) and indicate what stage the application for planning permission is at (i.e. approved, awaiting notification, rejected)

Council Notice 102526 and Enforcement Notice 102525 are both attached

13. Statutory Consenting Powers

Do you, or (if appropriate) your client, have statutory powers to consent any aspect of this project?

Yes [ ] No [X]

If Yes, please give details

14. Consultation

(a) Have the public been invited to submit comments? **YES** [ ] **NO** [X]
If **YES**, how and where?

Whilst members of the public, especially dog walkers do walk the beach from Magilligan Point, as do some of our local young teenagers from the nearby estate, it is generally not known that the blocks are there.

There is also evidence of scramblers on the beach, however they probably come from the nearby moto cross track.

(b) Have any consultation meetings been held? **YES** [X] **NO** [ ]
(with the public or other bodies)

We have met with [redacted] from Causeway Coast and Glens Heritage Fund on site, who are going to provide expert advice on establishing a long-term plan on stabilizing the dunes naturally.

Their website: https://ccght.org/

If necessary please continue on a separate sheet and tick this box ☐

15. Consultation with Conservation Bodies

Please provide details of any consultation that has taken place with NIEA Natural Environment Division and, if appropriate, include copies of any correspondence with your application.

No. Only with the above organization at present.

If necessary please continue on a separate sheet and tick this box ☐

16. Designated Conservation Areas

Are any parts of the proposed work located within the boundaries of a designated conservation area? **YES** [X] **NO** ☐

If **No**, please indicate approximate distance of the disposal operation from the nearest designated conservation area. ____ kms

17. Environmental Assessment

Has an environmental assessment been undertaken to support any application in respect of the works, your own statutory powers (if applicable) or any other reason? **YES** [X] **NO** ☐

If **YES**, is a copy of the assessment included with this application? **YES** [X] **NO** ☐

If the assessment has been undertaken but has not been included with the application, please provide an explanation below.

Is the environmental assessment available for public inspection?	**YES**	**NO**
	X	

If YES at what locations:

Copies of the environmental assessment will be available for inspection in our clubhouse and on request at info.ulsterglidingcentre.com subject: environassessment

Declaration

I declare that the information given in this form and related papers is to the best of my knowledge and belief true.

WARNING
It is an offence under the Act under which this application is made to fail to disclose information or to provide false or misleading information.

Signature of applicant:
(or agent acting on behalf of applicant)

Date: 18/03/2024

Name (Block Letters):

Position within company:
(if applicable) CHAIRMAN

PLEASE CHECK CAREFULLY THE INFORMATION YOU HAVE GIVEN AND THAT ALL ENCLOSURES (INCLUDING COPIES) HAVE BEEN INCLUDED

Application Checklist

- **Completed application form**
- **Project drawings**
- **Method statement**
- **Maps/charts**
- **Additional environmental information e.g. photographs, environmental impact assessment etc.**
- **Payment**

The Department takes data protection, freedom of information and environmental information issues seriously. It takes care to ensure that any personal information received from you is dealt with in a way which complies with the requirements of the UK General Data Protection Regulation. This means that any personal information you supply will be processed principally for the purpose for which it has been provided. However, the Department is under a duty to protect the public funds it administers, and to this end may use the information you have provided for this purpose.

A full copy of the DAERA Privacy Statement can be found here:-
https://www.daera-ni.gov.uk/daera-privacy-statement

A

LOUGH FOYLE ENTRANCE

DEPTHS IN METRES

SCALE 1:25 000

Projection: Transverse Mercator

Source: This chart is derived from ADMIRALTY chart 2511.

NOTICES TO MARINERS, NOTES AND TIDAL INFORMATION

For details of Notices to Mariners, Notes and Tidal Information refer to:

DEPTHS AND AIDS TO NAVIGATION

The channels and depths shown on this chart are subject to frequent change. The buoyage and other aids to navigation are adjusted accordingly. For the latest information, consult the Harbour Master, Londonderry Port.

SHELLFISH BEDS

Vessels should avoid anchoring or grounding in the shellfish beds which are numerous in the shallow waters of Lough Foyle.

652/24

Published by the UK Hydrographic Office, Admiralty Way, Taunton, United Kingdom 11th November 2021.

T: +44 (0)1823 484444 Find out more about us at **admiralty.co.uk**

WGS84

ADMIRALTY PAPER CHART SERVICE

5612_22

The chart, Admiralty_5612_22 is attached, showing in red the area of coastline where the blocks are placed and the green hashed lines show the ASSI, SPA and SAC for Lough Foyle.

The extract from the chart, Admiralty_5612_22 Site of Blocks is attached, again shows the site of the blocks just slightly south of the effluent pipe.

The map, Blocks on Google Earth is attached, clearly showing the unauthorized wall, with the effluent pipe clearly visible.

Following the equipment inspection, wash and briefing, the vehicles will make their way to the shoreline via the southern boundary fence. Access to the beach will be via the field gate at Irish Grid Reference C 65498 33081 (Latitude: 55° 8' 26.9'' N Longitude: 6° 58' 24.8'' E) following the path onto the beach that has been staked and roped to avoid any unnecessary damage. (see attached video, access to beach)

See video: Access_To_Beach

This is our ground and as there is a very small gradient onto the beach, there should be only minimal land take.

Once on the beach the movement to the blocks will avoid ground where sea grasses are already growing and hug our ground on the seaward side of the airfield.

On final approach to the 'wall' the ground is covered in rock and concrete debris washed down from the effluent pipe north of our site following many years of storm damage, so again there should only be minimal land take.

See video: Unauthorized_Blocks

The vehicles will move to the northern part of the concrete block section that is not covered in soil and grass with the telehandler removing the first section, a block at a time and loading them onto the trailer.

See video: Ground_To_Be_Precut

As the tractor and trailer makes its way back to the side of our hangar, the telehandler will remove the soil and grass from the next section of wall (this section of solid ground will have been precut from the airfield side as it is still forms part of the airfield) and lifted back onto the airfield to avoid it falling onto the beach. The telehandler will then move back to the hangar to unload.

This process will be repeated and where other blocks have soil and grass still in place, it will either be lifted and placed on the airfield or used to fill in the gaps behind the wall.

The middle section of blocks should be the easiest to remove as they are a lot smaller and are basically a single block high and we may be able to lift the blocks directly unto the trailer if parked on the airfield to avoid additional damage, as the telehandler has quite a long reach.

The final section nearest our gate is again double stacked and are made up of the most awkward sized blocks to remove.

Finally, the stakes and rope will be removed including any larger pieces of debris that have been washed down from north of our site.

SAC
Environmental Assessments

366A Seacoast Road, Bellarena

Ulster Gliding Club Ltd

HRA Stage 2: Appropriate Assessment

February 2024

Notice

This document and its contents have been prepared and are intended solely as information for **Ulster Gliding Club Ltd** and use in relation to **366A Seacoast Road, Bellarena**.

SAC Environmental Assessments assumes no responsibility to any other party in respect of or arising out of or in connection with this document and/ or its contents.

The information which SAC Environmental Assessments has provided has been prepared by an environmental specialist in accordance with the Code of Professional Conduct of the Chartered Institute of Ecology and Environmental Management. SAC Environmental Assessments confirms that the opinions expressed are our true and professional opinions.

This document does not purport to provide legal advice.

This document has 22 pages including the cover.

Client signoff

Client	Ulster Gliding Centre Ltd
Project	366A Seacoast Road, Bellarena
Job number	P2301
Client signature/ date	

Contents

1. Introduction

1.1 Project Background

1.1.1. SAC Environmental Assessments were commissioned by Ulster Gliding Club Ltd to produce a Shadow Habitats Regulations Assessment (sHRA) Stage 1: Screening Report[1] for the proposed removal of concrete blocks from the beach at 366A Seacoast Road, Bellarena, hereafter referred to as 'the Proposed Scheme'.

1.1.2. The HRA Stage 1: Screening Report was completed and determined that Stage 2: Appropriate Assessment was required as it identified potential likely significant effects (LSE) 'alone' on seven European designated sites; namely:

- Lough Foyle SPA
- River Roe and Tibutaries SAC
- Skerries and Causeway SAC
- River Faughan and Tributaries SAC
- River Foyle and Tributaries SAC
- Owenkillew River SAC
- Lough Foyle Ramsar site

1.1.3. This document should be read in conjunction with the HRA Stage 1: Screening report.

1.2. Background to Habitat Regulations Assessment

1.2.1. This sHRA Stage 2: Appropriate Assessment has been prepared to satisfy requirements under the Conservation of Habitats and Species Regulations 2017 (as amended) to ascertain if the potential LSE identified in the Stage 1: Screening would have an adverse effect on the integrity of the European sites and whether these can be negated through mitigation.

12.2. This sHRA report is to be made available to the Northern Ireland Environment Agency (NIEA) and Shared Environmental Services (SES) for consultation and the competent authority (Causeway Coast and Glens Borough Council) should give due regard to their views.

1.3. The Site

1.3.1. The Proposed Scheme is located at land approximately 0.6 kilometres (km) north-west of The Ulster Gliding Club, 366A Seacoast Road, Bellarena, Limavady, County Londonderry, BT49 0LA, at Irish Grid Reference: C 65548 33171 (Easting 265548, Northing 433171) as shown in Appendix A (hereafter referred to as the Site).

1.3.2. Works in relation to the Proposed Scheme will occur above the mean high-water springs (MHWS); however, access from the foreshore of Lough Foyle is required.

1.3.3. No ecological field surveys have been undertaken in relation to the Proposed Scheme; however, from a study of satellite imagery and video evidence, the Proposed Scheme appears to be located between semi-fixed dune and fixed dune habitat, adjacent to the boundaries of Lough Foyle SPA.

[1] SAC Environmental Assessments (2024) 366A Seacoast Road, HRA Stage 1: Screening

1.4. The Proposed Scheme

1.4.1. Large concrete blocks, partially buried along the shore for approximately 41 metres (m) are deemed to be an unauthorised sea defence installation. These concrete blocks were installed 15 to 18 years ago in an attempt to arrest subsidence / erosion.

1.4.2. Large concrete blocks, partially buried along the shore for approximately 41 metres (m), are deemed to be an unauthorised sea defence installation. These concrete blocks were installed 15 to 18 years ago in an attempt to arrest subsidence / erosion.

1.4.2. Causeway Coast and Glens Borough Council served Ulster Gliding Club Ltd with an enforcement notice (Planning Reference: LA01/2021/0032/CA), dated 8th August 2023, instructing Ulster Gliding Club Ltd to:

- Permanently remove the unauthorised sea defence installation (concrete blocks) that run north from Irish Grid Ref: C 65544 33163 to C 65552 33195;
- Permanently remove any rubble or materials associated with the permanent removal of the unauthorised sea defence installation (Concrete blocks);
- Comply with the above points by acquiring a marine licence from the Department of Agriculture, Environment and Rural Affairs (DAERA) Marine and Fisheries Division (MFD) before commencing any of the required works; and,
- To comply within 154 days (now extended to 221 days) from the date on which the notice takes effect (22nd September 2023).

1.4.3. Ulster Gliding Club Ltd therefore propose to use a telehandler with attachments and a tractor and trailer to remove the concrete blocks from their current location. The vehicles will access the blocks from the beachside via the gate at Irish Grid Reference: C 65498 33080 to reduce the risk of further destabilising the dune system.

1.5. Summary of Screening Assessment

1.5.1. With due consideration, given the information provided above for the Stage 1 – Screening, it is considered that the Proposed Scheme has the potential to lead to significant effects 'alone' on seven European sites, as summarised in Table 1 below:

TABLE 1: SUMMARY OF SCREENING ASSESSMENT

European Sites	Potential for LSE						
	Land Take	Noise	Vibration	Water Pollution	Air Pollution	Dust	Introduction of Invasive Species
Lough Foyle SPA	Yes	No	No	Yes	No	No	Yes
River Roe and Tributaries SAC	No	No	No	Yes	No	No	No
Skerries and Causeway SAC	No	No	No	Yes	No	No	No
River Faughan	No	No	No	Yes	No	No	No

and Tributaries SAC							
River Foyle and Tributaries SAC	No	No	No	Yes	No	No	No
Owenkillew River SAC	No	No	No	Yes	No	No	No
Lough Foyle Ramsar	Yes	No	No	Yes	No	No	Yes

1.5.2. An assessment of in-combination effect concluded that the Proposed Scheme was unlikely to have an effect on any European site when considered in-combination with other plans and projects.

2. Methodology

2.1.1. For European designated sites where an LSE is predicted, or it cannot be concluded that there is no LSE, a Stage 2: Appropriate Assessment must be undertaken. The purpose of the Appropriate Assessment is to establish whether there are elements of the project which could have an adverse effect on the integrity of the European designated sites. The integrity of a European designated site is defined as:

> "the coherence of the site's ecological structure and function, across its whole area, that enables it to sustain the habitat, complex of habitats and/ or the populations of the species for which the site is, or will be, designated."[2]

2.1.2. European Commission guidance on the provisions of Article 6 emphasises that site integrity involves its ecological functions, and that the assessment of adverse effect should focus on and be limited to the site's conservation objectives.[3]

2.1.3. Where necessary, mitigation measures will be put forward to address any adverse effects on integrity of the European designated sites. These may need to be considered during the designing of the development and when the sHRA process is revisited for this Proposed Scheme.

2.1.4. Therefore, the Stage 2: Appropriate Assessment will:

- Outline the elements of the Proposed Scheme that were identified as having an LSE on one or more qualifying features of a European designated site;
- Obtain additional desk study data as necessary and characterises the LSEs, e.g. whether short/ long-term, reversible or irreversible, and in relation to the proportion /importance of the interest affected, and the overall effect on the European site's conservation objectives. This has been done in sufficient detail to ensure all impacts have been considered and sufficiently appraised;
- Assess the effects of the Proposed Scheme on the conservation objectives of the relevant qualifying features;
- Determine whether or not the integrity of the European Site(s) will be affected, taking into account proposed mitigation measures.

.

[2] Natural England (2019) MPA Conservation Advice Glossary of Terms. Available at: https://publications.naturalengland.org.uk/file/6042656250789888

[3] European Commission (2018) Managing Natura 2000 Sites. The Provision of Article 6 of the 'Habitats' Directive 92/43/EEC.

3. Appropriate Assessment

Each impact pathway identified in the Stage 1: Screening assessment, and measures to mitigate the potential LSE, will be discussed in turn below:

3.1 Land Take

3.1.1. Land take (habitat loss and disturbance) was identified as a potential LSE to the qualifying features of Lough Foyle SPA and Lough Foyle Ramsar site.

TABLE 2: QUALIFYING FEATURES AFFECTED BY LAND TAKE

European Sites	Qualifying Features	Potential Effect
Lough Foyle SPA	ARTICLE 4.1 Qualification (79/409/EEC) Over winter the area regularly supports: Whooper swan Bar-tailed godwit	Loss of inter-tidal habitat is a critical issue as this is the feeding zone for the majority (numbers and species) of birds.
	ARTICLE 4.2 Qualification (79/409/EEC) Over winter the area regularly supports: Light-bellied brent goose	
	ARTICLE 4.2 Qualification (79/409/EEC) An internationally important assemblage of birds.	
Lough Foyle Ramsar site	The site qualifies under Criterion 1a of the Ramsar Convention by being a particularly good representative example of a wetland complex including intertidal sand and mudflats with extensive seagrass beds, saltmarsh, estuaries and associated brackish ditches.	Loss of a particularly good representative example of a wetland complex (intertidal sand habitats).

Pathway

3.1.2. The concrete blocks to be removed are located adjacent to Lough Foyle SPA and Ramsar site; however, the access route for the excavator may include land within the boundaries of Lough Foyle SPA and Ramsar site. There is therefore the potential for some temporary habitat loss/disturbance.

3.1.3. The tidal flats of Lough Foyle have been little studied but several localised sites of interest from a morphodynamic perspective are known. These include the inner margin of Magilligan foreland where a series of transverse bars extends between the Roe estuary and Magilligan Point. North of the Roe Estuary mouth the tidal flats are sandy and are periodically covered by shore-oblique sand waves backed by a narrow, high intertidal beach. The western margin of

Magilligan foreland the intertidal flats have a smooth planar profile backed by a steep, upper intertidal beach and an eroding cliffline in Holocene beachridge deposits.[4]

3.1.4. Sandy tidal flats are supporting habitats for the qualifying species of Lough Foyle SPA and are listed under Criterion 1 of Lough Foyle Ramsar site.

3.1.5. The access route is yet to be defined but is unlikely to be more than 150m, impacting a maximum area of circa 300m2. This represents 0.001% of the total Lough Foyle SPA site area (2194.22 hectares).

3.1.6. As large areas of similar habitat are available in other areas, and habitat loss is not considered significant in scale, the effect of land take on qualifying habitats and qualifying species is also considered not significant.

3.1.7. In addition, habitats are predicted to quickly recover and re-establish, following the implementation of the Proposed Scheme.

Mitigation

3.1.8. In order to minimise the risks associated with land take the following measures are proposed.

3.1.9. The Contractor, in consultation with a suitably qualified ecologist, will design and describe within a Method Statement, full details of a single access route across the least ecologically sensitive habitats in the inter-tidal area. The access route and works area will be confined to a specified area and minimised as far as possible and will be clearly defined to ensure the area impacted and the resultant habitat loss is kept to a minimum.

3.1.10. All compounds and materials storage will be kept onshore and away from (minimum buffer of 10m) sensitive inter-tidal habitats.

3.1.11. Areas of temporary habitat loss during construction will be reinstated as soon as reasonably practicable.

Conclusion

3.1.12. Provided the above mitigation is adhered to, it is concluded that no adverse effect on the integrity of the Lough Foyle SPA and Ramsar site and their qualifying features will occur.

3.2 Water Pollution

3.2.1. Water pollution during implementation of the Proposed Scheme was identified as a potential LSE to the qualifying features of Lough Foyle SPA, River Roe and Tributaries SAC, Skerries and Causeway SAC, River Faughan and Tributaries SAC, River Foyle and Tributaries SAC, Owenkillew River SAC and Lough Foyle Ramsar site.

TABLE 3: QUALIFYING FEATURES AFFECTED BY WATER POLLUTION

European Sites	Qualifying Features	Potential Effect
Lough Foyle SPA	ARTICLE 4.1 Qualification (79/409/EEC) Over winter the area regularly supports: Whooper swan	Indirectly affecting qualifying species through reduced feeding resources.

[4] Earth Science Conservation Review: Lough Foyle Intertidal Flats (1997) Available at: https://www.habitas.org.uk/escr/site.asp?item=1132

	Bar-tailed godwit	
	ARTICLE 4.2 Qualification (79/409/EEC) Over winter the area regularly supports: Light-bellied brent goose	
	ARTICLE 4.2 Qualification (79/409/EEC) An internationally important assemblage of birds.	
River Roe and Tributaries SAC	Annex II species that are a primary reason for selection of this site: Atlantic salmon	Accidental pollution events resulting in fish kills at important stages in the life cycle. Indirectly affecting qualifying species through reduced feeding resources.
Skerries and Causeway SAC	Annex II species that are a primary reason for selection of this site: Harbour porpoise	
River Faughan and Tributaries SAC	Annex II species that are a primary reason for selection of this site: Atlantic salmon	
River Foyle and Tributaries SAC	Annex II species that are a primary reason for selection of this site: Atlantic salmon	
Owenkillew River SAC	Annex II species that are a primary reason for selection of this site: Atlantic salmon	
Lough Foyle Ramsar site	Criterion 1 This is a particularly good representative example of a wetland complex including intertidal sand and mudflats with extensive seagrass beds, saltmarsh, estuaries and associated brackish ditches.	Alteration of habitat quality through diminution of water quality.
	Criterion 2 The site supports an appreciable assemblage of rare, vulnerable or endangered species or sub-species of plant and animal.	
	Criterion 3 The site supports a diverse assemblage of wintering waterfowl which are indicative of wetland values, productivity and diversity.	
	Criterion 5	

The site supports about 29,000 migrating birds.
Criterion 6 Species/populations occurring at levels of international importance.

Pathway

3.2.2. Water pollution pathways refer to the routes through which contaminants enter water bodies, compromising the quality of water. These pathways can vary depending on the type of pollutants, hydrological linkages, the surrounding environment, and human activities.

3.2.3. The qualifying features of Lough Foyle SPA, River Roe and Tributaries SAC, Skerries and Causeway SAC, River Faughan and Tributaries SAC, River Foyle and Tributaries SAC, Owenkillew River SAC and Lough Foyle Ramsar site are sensitive to water pollution either directly or through the degradation of functionally-linked land.

3.2.4. The accidental releases of oil/fuel from construction activities within or upstream of European sites can lead to widespread biodiversity loss and habitat degradation.

Mitigation

3.2.5. There are a range of guidelines that detail measures to be taken to ensure that the potential for water pollution incidents and impacts are minimised. However, with any construction project there is the potential for water quality incidents to occur.

3.2.6. To ensure the Proposed Scheme does not result in a reduction in water quality that could have an adverse impact on identified designated sites, works will take place with strict adherence to the guidelines for pollution prevention and the Construction Industry Research and Information Association (CIRIA) guidance on the control of water pollution from construction sites.

3.2.7. These detail good practice advice for undertaking works that have the potential to cause water pollution and must be detailed in a CEMP, which will be provided by the Contractor to the team working on site prior to the commencement of work on site to avoid the risk of incidental pollution into the water environment.

3.2.8. The CEMP is likely to include the following measures; however, this is not an exhaustive list:

- All spoil will be stored a minimum of 10 m away from any watercourse and all earthworks will be managed in such a way to minimise the risk of pollution from sediment.
- In order to minimise the erosion of bare soils, as much existing vegetation as possible will be left in place during construction. Existing vegetation will filter sediment polluted run-off and soils will be held together to prevent erosion.
- All re-fuelling of plant will take place in an appropriate area i.e. preferably one that has an impervious base and is bunded or provided with interceptor drains. Vehicles and equipment are never to be left unattended during re-fuelling. All staff are to be trained in refuelling procedures and what to do in the event of an emergency.
- A spill kit will be kept on site. All staff will be trained in the proper use of spill kits. If a spill has entered a drain, the drain will be blocked to stop further spillage entering the system.

- All pumps, generators and similarly fuelled equipment are to be placed on drip trays or in a bunded area and no vehicles or equipment will be allowed to enter any watercourse (or any associated drains) at any stage. Drip trays will be positioned away from any watercourse or drain.
- All valves, hoses and associated re-fuelling equipment will be regularly inspected to ensure that they are still in a suitable condition. This equipment is to be protected from vandalism and unauthorised interference and should be turned off and securely locked when not in use.
- All tanks or drums of fuel, oil, grease, chemicals and all other hazardous material will be kept in a secure, bunded area. Any spillages or leaks are to be dealt with promptly and all waste disposed of in an appropriate manner. All tanks, drums and other containers will be clearly marked as to their contents and are only ever to contain the substance for which the tank was designed or supplied. Before any tank is removed or perforated, all contents and residues will be emptied by a competent operator for safe disposal.
- All bunds or interceptors will be adequate for the amount of spillage that could happen in a worst-case scenario and should be designed to applicable standards. All bunds will have a capacity of at least 110 % of the tank volume. Note also the requirements of the Control of Pollution (Oil Storage) Regulations (Northern Ireland) 2010.

Conclusion

3.2.9. Provided the above mitigation is adhered to, it is concluded that no adverse effect on the integrity of the Lough Foyle SPA, River Roe and Tributaries SAC, Skerries and Causeway SAC, River Faughan and Tributaries SAC, River Foyle and Tributaries SAC, Owenkillew River SAC and Lough Foyle Ramsar site and their qualifying features will occur.

3.3 Spread of Invasive Species

Pathway

3.3.1. There is a risk that construction activities could result in the introduction/ spread of Invasive Non-Native Species (INNS) within the SAC. The dynamic nature of the environment means that the risk is slight.

TABLE 4: QUALIFYING FEATURES AFFECTED BY SPREAD OF INVASIVE SPECIES

European Sites	Qualifying Features	Potential Effect
Lough Foyle SPA	ARTICLE 4.1 Qualification (79/409/EEC) Over winter the area regularly supports: Whooper swan Bar-tailed godwit	Range of threats from loss of habitat, feeding competition, disease, hosting species presenting a threat outside of the site. Principle threat is through spread of Spartina, a genus of plants in the grass family, frequently found in coastal salt marshes.
	ARTICLE 4.2 Qualification (79/409/EEC) Over winter the area regularly supports: Light-bellied brent goose	
	ARTICLE 4.2 Qualification (79/409/EEC) An internationally important assemblage of birds.	

Lough Foyle Ramsar site	The site qualifies under Criterion 3b by regularly supporting substantial numbers of individuals from particular groups of waterfowl which are indicative of wetland values, productivity and diversity.
	The site qualifies under Criterion 3c by regularly supporting internationally important numbers of whooper swan, light-bellied brent geese and bar-tailed godwit.

Mitigation

3.3.2. The Contractor will describe within the CEMP the biosecurity strategy to be implemented for the appropriate control of INNS. The strategy will set out appropriate construction procedures to prevent the introduction and/ or spread of INNS in line with recognised best practice.

3.3.3. The following mitigation measures are to be implemented to avoid negative impacts in relation to INNS, in consultation with a suitably qualified invasive species specialist:

- The risks associated with INNS, and the mitigations in place, to be communicated to Contractor's on-site via a Toolbox Talk. The CEMP will incorporate a Biosecurity Plan which will be implemented by the Contractor on the Site during works;
- All plant, cabins and equipment brought onto the Site will be inspected and cleaned to ensure no INNS are transported onto or off the Site.

Conclusion

3.3.4. Provided the above mitigation is adhered to, it is concluded that no adverse effect on the integrity of the Lough Foyle SPA and Lough Foyle Ramsar site and their qualifying features will occur.

4. Conclusion

4.1.1. A Stage 2 Appropriate Assessment was completed to determine whether the Proposed Scheme would have an adverse effect on the integrity of the European site, taking into consideration appropriate mitigation.

4.1.2. Given the information provided above for the Appropriate Assessment, it is considered that the Proposed Scheme will not adversely affect the integrity of Lough Foyle SPA, River Roe and Tributaries SAC, Skerries and Causeway SAC, River Faughan and Tributaries SAC, River Foyle and Tributaries SAC, Owenkillew River SAC and Lough Foyle Ramsar site either alone or in-combination.

4.1.3. This conclusion is dependent on the mitigation measures outlined in Section 3 being implemented.

Appendix A - Site Location Plan

Figure 1: Site Location Plan

Legend

0 50 100 m

Original scale: 1:1,000 | Version: 1.0

Base Mapping: © OpenStreetMaps and its contributers

Appendix B – European Sites

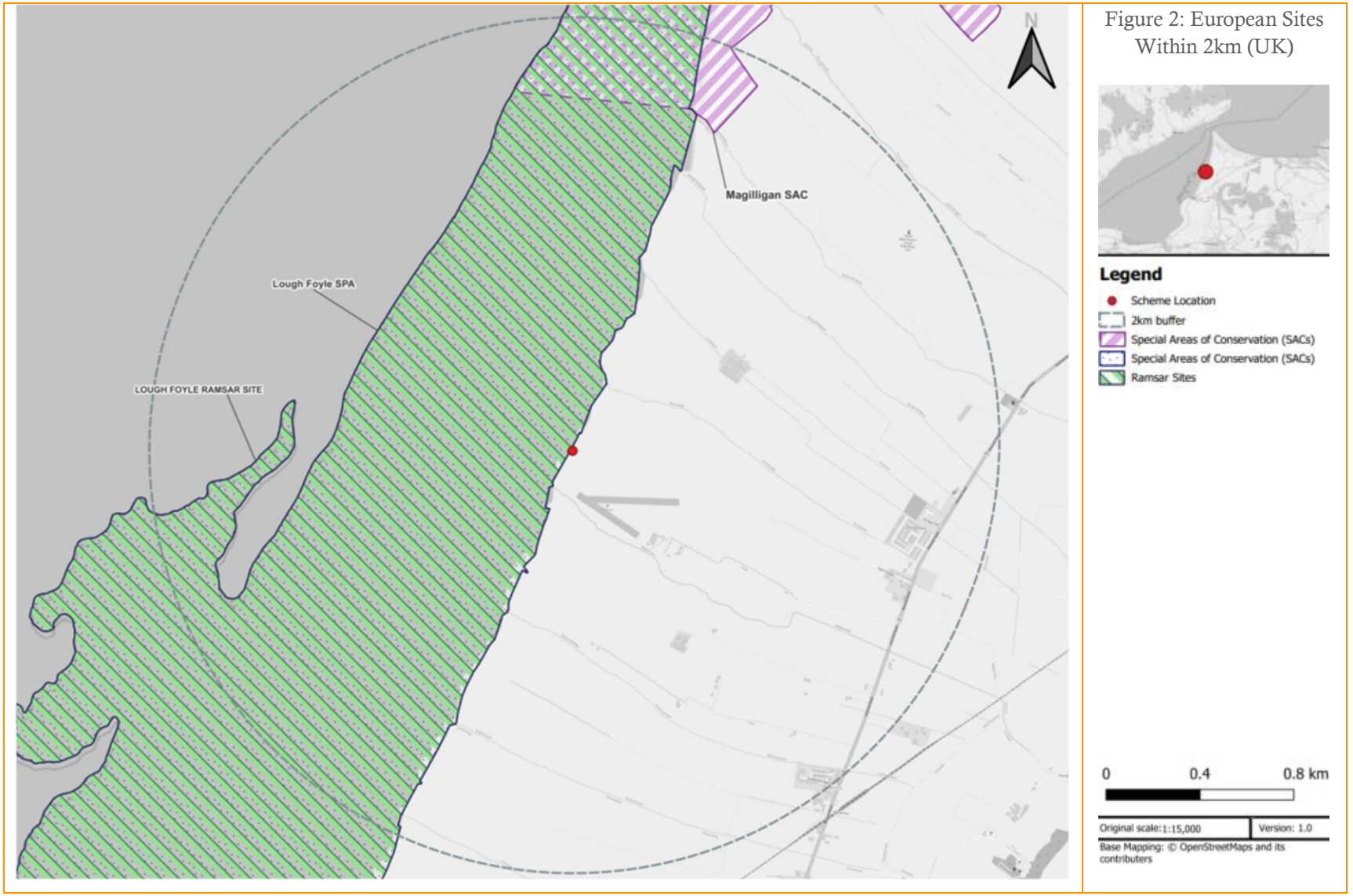

Figure 2: European Sites Within 2km (UK)

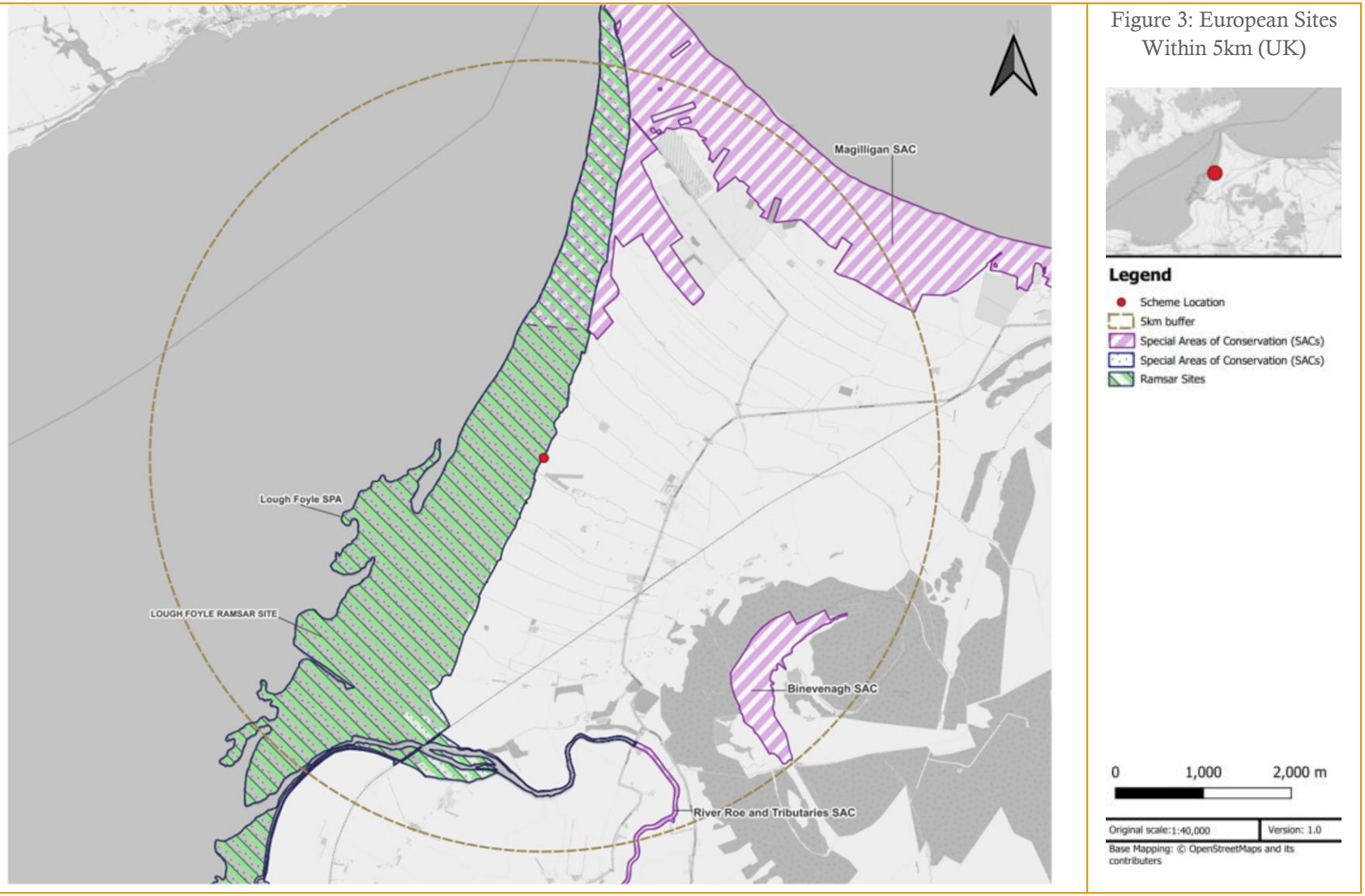

Figure 3: European Sites Within 5km (UK)

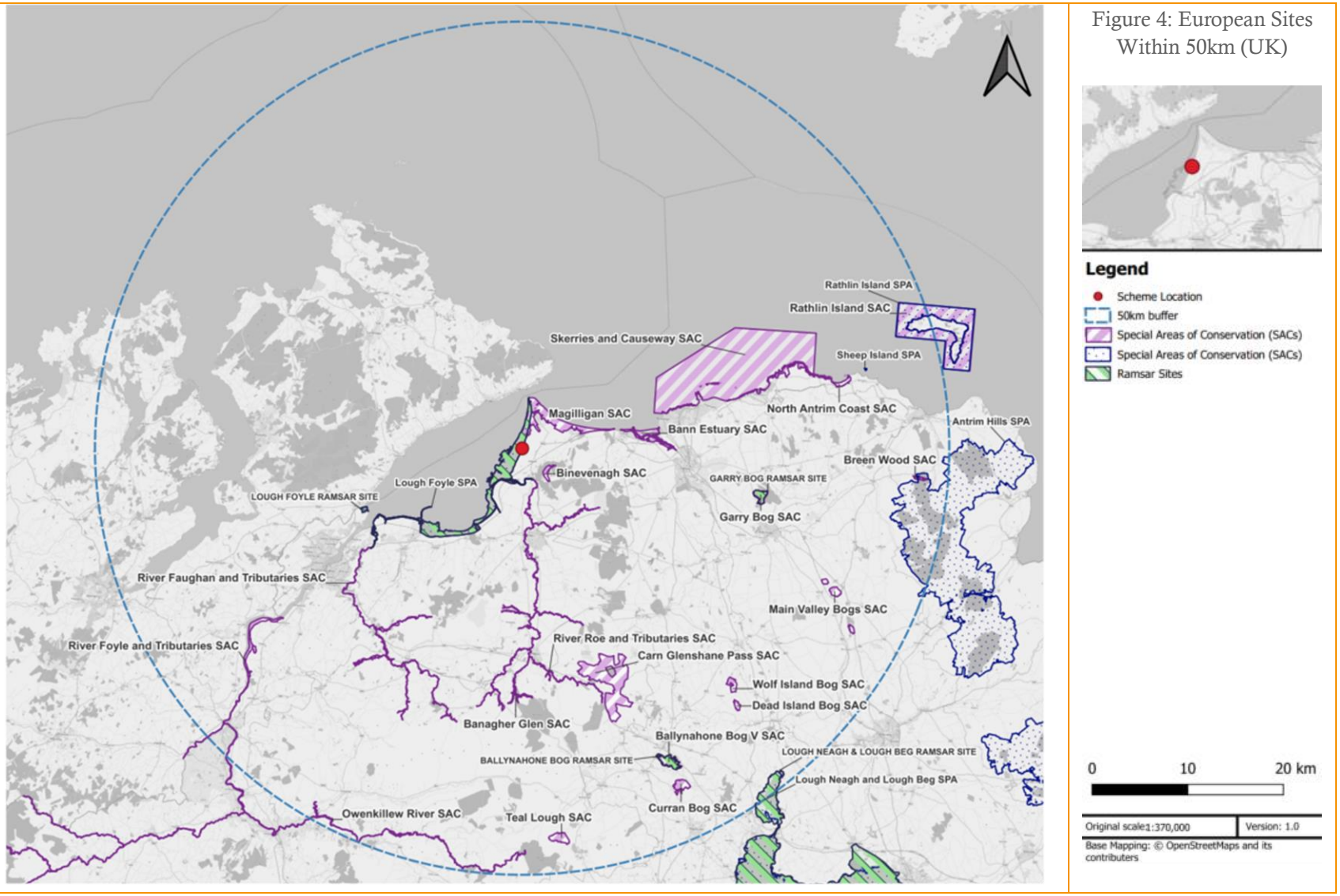

Figure 4: European Sites Within 50km (UK)

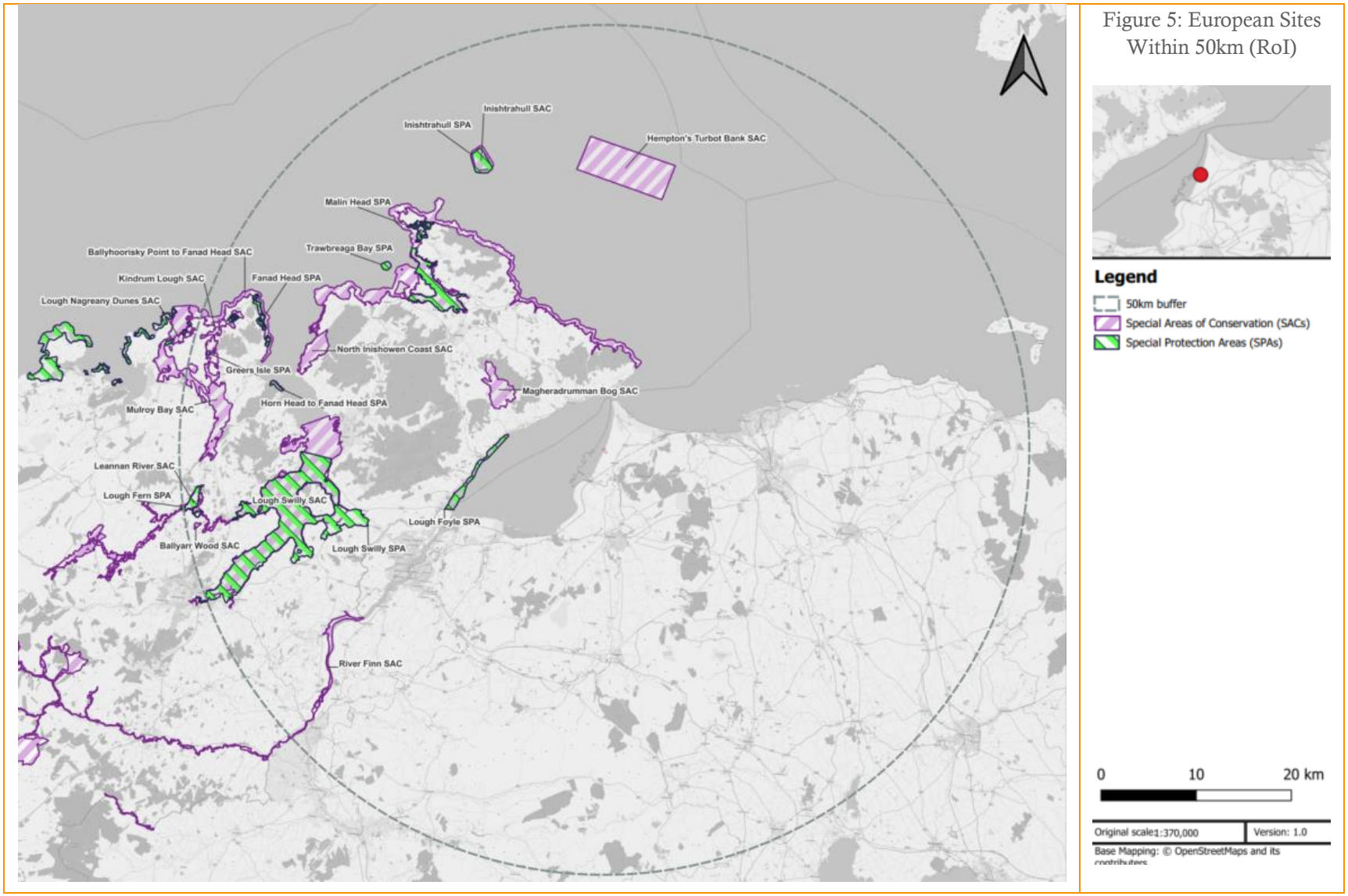

Figure 5: European Sites Within 50km (RoI)

SAC

Environmental Assessments

SAC
Environmental Assessments

366A Seacoast Road, Bellarena

Ulster Gliding Club Ltd

HRA Stage 1: Screening

January 2024

Notice

This document and its contents have been prepared and are intended solely as information for **Ulster Gliding Club Ltd** and use in relation to **366A Seacoast Road, Bellarena**.

SAC Environmental Assessments assumes no responsibility to any other party in respect of or arising out of or in connection with this document and/ or its contents.

The information which SAC Environmental Assessments has provided has been prepared by an environmental specialist in accordance with the Code of Professional Conduct of the Chartered Institute of Ecology and Environmental Management. SAC Environmental Assessments confirms that the opinions expressed are our true and professional opinions.

This document does not purport to provide legal advice.

This document has 51 pages including the cover.

Client signoff

Client	Ulster Gliding Club Ltd
Project	366A Seacoast Road, Bellarena
Job number	P2301
Client signature/ date	

Contents

1. Introduction

1.1 Terms of Reference

1.1.1. SAC Environmental Assessments were commissioned by Ulster Gliding Club Ltd to produce a Shadow Habitats Regulations Assessment (sHRA) Stage 1: Screening Report for the proposed removal of concrete blocks from the beach at 366A Seacoast Road, Bellarena, hereafter referred to as 'the Proposed Scheme'. The overall project and the Proposed Scheme are described in more detail in Section 2 below. The purpose of the sHRA is to identify potential impacts to European Sites.

1.1.2. European Sites refer to sites protected in the UK under the Conservation of Habitats and Species Regulations 2017 (as amended). These include Special Protection Areas (SPAs) and Special Areas of Conservation (SACs). In addition, in accordance with UK policy[1], listed and proposed Wetlands of International Importance are included, which form part of a global network of protected sites created under the Ramsar Convention (also referred to as Ramsar sites), as well as potential SPAs (pSPAs), possible SACs (pSACs), and proposed Ramsar sites (pRamsar). All of the above sites will be referred to as European Sites within this report.

1.1.3. Note that this document uses the original terms for features such as European Sites and refers to the legislation that was current when they were designated. However, it is recognised that the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) are now amended by The Conservation (Natural Habitats, etc.) (Amendment) (Northern Ireland) (EU Exit) Regulations 2019.

1.2. Background to Habitat Regulations Assessment

1.2.1. The need for HRA arises from Regulation 43 of the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) which requires that a Competent Authority, before deciding to undertake, or give any consent, permission or other authorisation, for a plan or projects which may have a 'likely significant effect' on a European Site (either alone or in combination with other plans and projects) and is not directly connected with or necessary to the management of that site, must make an Appropriate Assessment (AA) of the implications of the plan or project for that site in view of that site's conservation objectives. These regulations transpose inter alia Articles 6(3) and 6(4) of Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora and remain relevant following the UK's departure from the EU. This approach is in line with the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended), hereafter referred to as the Habitat Regulations. Causeway, Coast and Glens Borough Council are the Competent Authority for the Proposed Scheme and must undertake an HRA to ascertain if the proposed works are likely to give rise to a significant effect on any European Sites.

1.2.2 The stages of HRA process are:

- Stage 1 – Screening: To test whether a Proposed Scheme either alone or in combination with other projects is likely to have a significant effect on a European Site;
- Stage 2 – Appropriate Assessment: To determine whether, in view of a European Site's conservation objectives, the Proposed Scheme (either alone or in combination with other plans and projects) would have an adverse effect on the integrity of the site with respect

[1] Ministry of Housing, Communities & Local Government (2023) National Planning Policy Framework. Paragraph 181.

to the site's conservation objectives. If adverse impacts are anticipated, potential mitigation measures to alleviate impacts should be proposed and assessed;

- Stage 3 & 4 – Derogations: Where a Proposed Scheme is assessed as having an adverse impact (or risk of this) on the integrity of a European Site, there should be an examination of alternatives (e.g., alternative locations and designs of development). Where no alternative solutions have been identified and where adverse impacts remain. In exceptional circumstance (e.g., where there are imperative reasons of overriding public interest), compensatory measures must be put in place to offset negative impacts.

1.2.3. This report is a shadow HRA Stage 1: Screening only.

1.3. The Site

1.3.1. The Proposed Scheme is located at land approximately 0.6 kilometres (km) north-west of The Ulster Gliding Club, 366A Seacoast Road, Bellarena, Limavady, County Londonderry, BT49 0LA, at Irish Grid Reference: C 65548 33171 (Easting 265548, Northing 433171) as shown in Appendix A (hereafter referred to as the Site).

1.3.2. Works in relation to the Proposed Scheme will occur above the mean high-water springs (MHWS); however, access from the foreshore of Lough Foyle is required.

1.3.3. No ecological field surveys have been undertaken in relation to the Proposed Scheme; however, from a study of satellite imagery and video evidence, the Proposed Scheme appears to be located between semi-fixed dune and fixed dune habitat, adjacent to the boundaries of Lough Foyle SPA.

1.4. The Proposed Scheme

1.4.1. Large concrete blocks, partially buried along the shore for approximately 41 metres (m), are deemed to be an unauthorised sea defence installation. These concrete blocks were installed 15 to 18 years ago in an attempt to arrest subsidence / erosion.

1.4.2. Causeway Coast and Glens Borough Council served Ulster Gliding Club Ltd with an enforcement notice (Planning Reference: LA01/2021/0032/CA), dated 8th August 2023, instructing Ulster Gliding Club Ltd to:

- Permanently remove the unauthorised sea defence installation (concrete blocks) that run north from Irish Grid Ref: C 65544 33163 to C 65552 33195;
- Permanently remove any rubble or materials associated with the permanent removal of the unauthorised sea defence installation (Concrete blocks);
- Comply with the above points by acquiring a marine licence from the Department of Agriculture, Environment and Rural Affairs (DAERA) Marine and Fisheries Division (MFD) before commencing any of the required works; and,
- To comply within 154 days (now extended to 221 days) from the date on which the notice takes effect (22nd September 2023).

1.4.3. Ulster Gliding Club Ltd therefore propose to use a telehandler with attachments and a tractor and trailer to remove the concrete blocks from their current location. The vehicles will access the blocks from the beachside via the gate at Irish Grid Reference: C 65498 33080 to reduce the risk of further destabilising the dune system.

1.4.4. Following removal, Ulster Gliding Club Ltd. are prepared to plant native species (marram grass *Ammophila arenaria* and sea lyme grass *Leymus arenarius*), if permitted, in affected areas to aid beach stabilisation.

2. Methodology

2.1. Habitats Regulations Assessment Guidance

2.1.1. This report has been prepared in accordance the following guidance:

- Guidance explaining the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) and the Conservation (Natural Habitats, etc.) (Amendment) (Northern Ireland) (EU Exit) Regulations 2019[2]; and
- The Habitats Regulations Assessment Handbook[3].

2.2. European Site Selection

2.2.1. All European Sites where potential direct, indirect, and in-combination impacts could reasonably be considered possible were selected for screening. The selection of sites is subject to professional judgement about potential effect pathways:

- Is within 2 km of any other European Site;
- Is within 5 km of a hydrologically connected European Site;
- Is within 50 km of a European site with highly-mobile qualifying species (cetaceans, pinnipeds and fish species);
- Has potential hydrological or hydrogeological linkage to a European Site with a groundwater dependent terrestrial ecosystem which triggers the criteria for assessment of European Sites.

2.3. Consideration of Transboundary Effects

2.3.1. Projects have the potential to affect Natura 2000 sites in other Member States, and that other Member States or interested parties may wish to make representations about those effects as part of the development consent process. Such issues might be raised as part of the transboundary environmental impacts assessment process which may be required under the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009.[4]

2.3.2. In cases where a plan or project is likely to have a significant effect (either alone or in combination) on a Natura 2000 site in another Member State, all relevant information as reasonably practicable about those effects has been obtained.

2.3.2. The Habitats Directive was initially transposed into Irish law in 1997 by the European Communities (Natural Habitats) Regulations, 1997 (S.I. No. 94 of 1997)6, with later amendment regulations (S.I. No. 233 of 1998; S.I. No. 378 of 2005). The Birds Directive was anticipated by the Wildlife Act (1976) and its provisions covered many of the requirements of the Birds Directive. Article 7 of the Habitats Directive makes the provisions of Article 6(3) and 6(4) applicable to SPAs.[5]

---

[2] DAERA (2020) *Guidance explaining The Conservation (Natural Habitats, etc.) (Amendment) (Northern Ireland) (EU Exit) Regulations 2019.* Available at: (daera-ni.gov.uk)

[3] Tyldesley D., Chapman C. (2020) *The Habitats Regulations Assessment Handbook. Nov 2023 Edition.* DTA Publications Limited.

[4] Department of Energy and Climate Change (2015) Guidelines on the assessment of transboundary impacts of energy developments on Natura 2000 sites outside the UK. Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/408465/transboundary_guidelines.pdf

[5] Environment, Heritage and Local Government (2010) Appropriate Assessment of Plans and Projects in Ireland Guidance for Planning Authorities

2.4. Obtaining Information on European Sites with the potential to be affected by the Scheme

2.4.1. Gathering the information on the European sites included in the Stage 1 Screening involved a desk-based review of the following sources:

- Northern Ireland Environment Agency (NIEA) Natural Environment Map Viewer[6] for information on the location of the European sites in Northern Ireland;
- National Parks and Wildlife Service (NPWS) website[7] for the conservation objectives and site synopsis of European sites in the Republic of Ireland (RoI),
- NPWS Designations Viewer[8] for information on the location of the European sites in the Republic of Ireland,
- Joint Nature Conservation Committee (JNCC) website[9] for data sheets relating to European sites, and National Site Network - Standard Data Forms; and
- Department of Agriculture, Environment and Rural Affairs website[10] for the citation, conservation objectives and supplementary advice on conservation objectives for European sites.

2.5. Obtaining Information on Other Projects and Plans

2.5.1. In accordance with the Habitats Regulations, there is a need to consider the potential for LSE of the project or plan 'in combination' with other projects and plans.

2.5.2. Details of any project or plan that has been assessed under the Habitats Regulations for potential impacts on the same European Sites has been obtained from the NI Planning Portal.[11]

2.6. Screening for LSE of the Project 'Alone' and 'In-combination'

2.6.1. Following the gathering of information on the European Sites an assessment has been undertaken to predict the LSE of the Proposed Scheme 'alone' on each European site. In order to inform this process, all parts of the Proposed Scheme were assessed to see whether they could result in LSE on each European Site.

2.6.2. The potential for LSE of the Proposed Scheme 'in-combination' with other projects and plans for each European site has also been considered in this HRA. As part of this process HRAs that have been completed due to possible impacts on the European Sites included in this HRA were reviewed in order to determine whether there is the potential for in-combination effects.

2.6.3. LSE is assessed by reference to the conservation objectives of the qualifying features (interest features) of the European Site. Any project or plan that causes the cited interest features of a site to fall into unfavourable condition should be considered to have an LSE on the site. Furthermore, the vulnerabilities of the European Site (as detailed in the Standard Data Form) have been taken into consideration as these indicate the sensitivities of the European Site and

[6] Available: https://gis.daera-ni.gov.uk/arcgis/apps/webappviewer/index.html?id=bb721449cb8949e7a4f90c722bd2d80b

[7] Available: https://www.npws.ie/protected-sites

[8] Available: NPWS Designations Viewer (arcgis.com)

[9] Available: https://jncc.gov.uk

[10] Available: https://www.daera-ni.gov.uk/publications

[11] Northern Ireland Public Register (planningsystemni.gov.uk)

are potential pathways by which they may be affected. Stage 1 of the HRA process does not assess effects on the integrity of each European sites, this forms Stage 2 of the HRA process.

2.6.4. Projects or plans can adversely affect a site by:

- Causing delays in progress towards achieving the conservation objectives of the site;
- Interrupting progress towards achieving the conservation objectives of the site;
- Disrupting those factors that help to maintain the favourable conditions of the site;
- Interfering with the balance, distribution and density of key species that are the indicators of the favourable condition of the site.

2.7. Assessing Likely Significant Effects

2.7.1. A critical part of the HRA Screening process is determining whether or not the proposals are likely to have a significant effect on European Sites and, therefore, if they will require an Appropriate Assessment. The concept of 'likely significant effect' as embodied in Article 6(3) of the Habitats Directive and regulation 61(1) of the Habitats Regulations is central to their operation. Its interpretation is well established in law and guidance and embraces the precautionary principle.

2.7.2. The European Court Waddenzee judgement[12] provides clarification regarding the term 'likely'. It concludes that 'any plan or project not directly connected with or necessary to the management of the site is to be subject to an appropriate assessment of its implications for the site in view of the site's conservation objectives if it cannot be excluded, on the basis of objective information, that it will have a significant effect on that site, either individually or in combination with other plans or projects.'

2.7.3. Clarification has also been provided through case law on the meaning of 'likely' in relation to Bagmoor Wind Ltd v The Scottish Ministers[13]. 'The word 'likely' in the regulation is not to be construed as an expression of probability, in a legal sense, but as a description of the existence of a risk (or possibility).' Consequently, if the possibility of a significant effect cannot be excluded based on objective information, an Appropriate Assessment will be required.

2.7.4. The European Court Waddenzee judgement also provides further clarification regarding the term 'significant': 'where a plan or project not directly connected with or necessary to the management of a site is likely to undermine the site's conservation objectives, it must be considered likely to have a significant effect on that site. The assessment of that risk must be made in the light inter alia of the characteristics and specific environmental conditions of the site concerned by such a plan or project.'

2.7.5. The Bagmoor Wind case also provides guidance on the term 'objective.' It states: 'Objective, in this context, means information based on clear verifiable fact rather than subjective opinion.' The Habitats Regulations Handbook[14] states: "It will not normally be sufficient for an applicant merely to assert that the plan or project will not have an adverse effect on a site, nor will it be appropriate for a competent authority to rely on reassurances based on supposition or speculation. On the other hand, there should be credible evidence to show that there is a real rather than a hypothetical risk of effects that could undermine the site's

[12] European Court of Justice (2004) CASE C-127/02. Landelijke Vereniging tot Behoud van de Waddenzee, Nederlandse Vereniging tot Bescherming van Vogels against Staatssecretaris van Landbouw, Natuurbeheer en Visserij.

[13] The Scottish Courts [2012] CSIH 93 Bagmoor Wind Limited against The Scottish Ministers

[14] Tyldesley D., Chapman C. (2020) *The Habitats Regulations Assessment Handbook. Nov 2023 Edition.* DTA Publications Limited.

conservation objectives. Any serious possibility of a risk that the conservation objectives could be undermined should trigger an 'appropriate assessment'.''

2.7.6. The test for likelihood of significant effects requires that consideration is given to potential causes and potential effects (i.e. any potential impact pathways). To do this, information on the Proposed Scheme is needed to identify the potential causes of effects and information on the European Site is needed to identify any potential implications related to these effects. In the absence of a potential impact pathway, it can be concluded that no LSE would arise. Relevant aspects (effects) of the Proposed Scheme have been checked against all features of the relevant European Sites (i.e. screened) to determine whether a likely significant effect may arise.

2.7.7. The judgement as to whether a significant effect is likely needs to be based on the best readily available information. Sources of information may include evidence from projects where similar operations have affected sites with similar qualifying features and conservation objectives and the judgement of relevant specialists that an effect is likely, as well as survey data collected to-date for a particular project. In line with the precautionary principle, where there is uncertainty and/ or information is lacking in relation to the capacity of the effect to undermine the site's conservation objectives, it must be assumed that there will be an effect, unless further information can be made available to eliminate any areas of doubt.

2.7.8. The implication of the Court of Justice of the European Union (CJEU) judgement referred to as People Over Wind (Peter Sweetman v Coillte Teoranta, Case C-323/17) is that competent authorities cannot take account of any "measures that are intended to avoid or reduce the harmful effects of the envisaged project on the site concerned", when considering at the HRA screening stage whether the plan or project is likely to have an adverse effect on a European Site. The effect of this is that the screening stage must be undertaken on a precautionary basis with no regard to any proposed integrated or additional avoidance or mitigation measures. Where the likelihood of significant effects cannot be excluded on the basis of objective information, the competent authority must proceed to carry out an Appropriate Assessment to establish whether the plan or project will affect the integrity of the European Site, which can include at that stage consideration of the effectiveness of the proposed avoidance or reduction measures.

2.7.9. Subsequent caselaw (R (Langton) v SSEFRA & Natural England: [2018] EWHC 2190) included a statement that elements that 'are not the mitigating or protective measures which featured in the People Over Wind ruling' and 'are properly characterised as integral features of the project…' should reasonably be included in a HRA screening decision. (R (Langton) v SSEFRA & Natural England: [2019] EWHC Civ 1562) did not challenge this view.

2.7.10. Case law in 2017 referred to as the 'Wealden Judgement'[15] prompted Natural England to make their internal guidance on assessing the effects of road traffic emissions on European Sites public.

2.8. Screening Matrices

2.8.1. The screening assessment has been undertaken using screening matrices, which are presented in full in Section 3 and Section 4.

[15] Wealden District Council v Secretary of State for Communities and Local Government, Lewes District Council and South Downs National Park Authority [2017] EWHC 351

2.9. ASSI Assessment

2.9.1. Areas of Special Scientific Interest (ASSI's) were originally designated under The Nature Conservation and Amenity Lands (Northern Ireland) Order 1985, subsequently replaced by the Environment (Northern Ireland) Order 2002.

2.9.2. Owners and occupiers of land within an ASSI will need to apply for written consent from the Department of Agriculture, Environment and Rural Affairs (DAERA) to carry out certain works or activities.

2.9.3. An assessment of the impact of the Proposed Scheme on Lough Foyle ASSI, located, has been included in Appendix C.

3. Screening Assessment

3.1. European Sites Screened in for Assessment

3.1.1. A total of **48 European sites are located within 50 km of the Proposed Scheme**, as illustrated in Appendix B.

3.1.2. Of these 48 sites, **38 have been screened out** as they do not meet the screening criteria detailed in Paragraph 2.2.1. These sites, listed in Table 1 below, will not be considered further within this assessment:

TABLE 1: EUROPEAN SITES SCREENED OUT

Designation	Site Name	Distance from Proposed Scheme (km)
SPA	Lough Foyle (RoI)	11.37
	Trawbreaga Bay (RoI)	23.04
	Lough Swilly (RoI)	28.89
	Malin Head (RoI)	32.49
	Inishtrahull (RoI)	35.38
	Horn Head to Fanad Head (RoI)	38.35
	Sheep Island	41.14
	Fanad Head (RoI)	42.54
	Antrim Hills	43.70
	Rathlin Island	45.63
	Lough Fern (RoI)	47.48
	Greers Isle (RoI)	47.67
	Lough Neagh and Lough Beg	48.14
SAC	North Inishowen Coast (RoI)	10.26
	Bann Estuary	11.60
	Magheradrumman Bog (RoI)	12.15
	Carn Glenshane Pass	25.68
	Banagher Glen	26.96
	Garry Bog	27.50
	North Antrim Coast	29.68
	Hempton's Turbot Bank (RoI)	30.17
	Lough Swilly (RoI)	30.92
	Inishtrahull (RoI)	35.70
	Wolf Island Bog	36.14

	Main Valley Bogs	38.22
	Dead Island Bog	38.50
	Ballynahone Bog V	39.18
	Ballyhoorisky Point to Fanad Head (RoI)	40.96
	Curran Bog	42.87
	Mulroy Bay (RoI)	44.12
	Teal Lough	45.20
	Ratlin Island	45.63
	Breen Wood	45.80
	Kindrum Lough (RoI)	47.20
	Ballyarr Wood (RoI)	48.25
Ramsar	Garry Bog	27.50
	Ballynahone Bog	39.18
	Lough Neagh and Lough Beg	48.11

3.1.3. A total of ten European sites have been screened in for consideration in the formal Screening stage. These European Sites considered within this HRA Screening are listed in Table 2 and considered individually in more detail in Table 3 to Table 12.

TABLE 2: EUROPEAN SITES SCREENED IN

Designation	Site Name	Distance from Proposed Scheme (km)	Reason for Inclusion in Assessment
SPA	Lough Foyle	Adjacent	Within 2 km and hydrologically connected
SAC	Magilligan	1.59	Within 2 km
	River Roe and Tributaries	3.78	Highly mobile qualifying species (Atlantic salmon *Salmo salar* only)
	Skerries and Causeway	15.90	Highly mobile qualifying species (Harbour porpoise *Phocoena phocoena* only)
	River Faughan and Tributaries	21.21	Highly mobile qualifying species (Atlantic salmon only)

	River Finn (RoI)	34.54	Highly mobile qualifying species (Atlantic salmon only)
	River Foyle and Tributaries	34.35	Highly mobile qualifying species (Atlantic salmon only)
	Leannan River (RoI)	44.87	Highly mobile qualifying species (Atlantic salmon only)
	Owenkillew River	46.50	Highly mobile qualifying species (Atlantic salmon only)
Ramsar Site	Lough Foyle	Adjacent	Within 2 km and hydrologically connected

TABLE 3: LOUGH FOYLE SPA (SITE CODE: UK9020031)

Location of European Sites	Lough Foyle is situated on the north coast of Northern Ireland immediately downstream and extending to the north-east of the city of Londonderry.	
Brief Description of the European Site[16]	This major sea lough is remarkably shallow, with extensive mud and sand flats exposed at low tide. Though considerably diminished by historical reclamation schemes, notably around Myroe, Ballykelly and Longfield, it hosts the second largest area of inter-tidal habitat in Northern Ireland. The shoreline is generally engineered except around the Roe Estuary and northwards. Adjoining agricultural land is of importance as high tide roosts and in supporting wintering geese and swans.	
Conservation Objectives[17]	To maintain or enhance the population of the qualifying species To maintain or enhance the range of habitats utilised by the qualifying species To ensure that the integrity of the site is maintained; To ensure there is no significant disturbance of the species and To ensure that the following are maintained in the long term: ▪ Population of the species as a viable component of the site ▪ Distribution of the species within site ▪ Distribution and extent of habitats supporting the species Structure, function and supporting processes of habitats supporting the species	
Threats, pressures and activities with impacts on the site[18]	**Negative Impacts**	**Positive Impacts**
	Modification of cultivation practices Hunting and collection of wild animals (terrestrial) Invasive, non-native species Changes in abiotic conditions	Outdoor sports and leisure activities, recreational activities Modification of cultivation practices Hunting and collection of wild animals (terrestrial)

[16] DAERA-NI Lough Foyle SPA. Available at https://www.daera-ni.gov.uk/protected-areas/lough-foyle-spa

[17] DAERA-NI (2015) Lough Foyle SPA Conservation Objectives. Available at https://www.daera-ni.gov.uk/sites/default/files/publications/doe/lough-foyle-spa-conservation-objectives-2015.pdf

[18] JNCC Standard Data Form – Lough Foyle SPA. Available at: https://jncc.gov.uk/jncc-assets/SPA-N2K/UK9020031.pdf

	Utility and service lines Changes in biotic conditions Airports, flightpaths Outdoor sports and leisure activities, recreational activities Other ecosystem modifications Marine and freshwater aquaculture Marine water pollution Pollution to surface waters (limnic, terrestrial, marine and brackish)		
Qualifying Features	**Impact Pathway**	**Screening Assessment**	**Potential for LSE**
ARTICLE 4.1 QUALIFICATION (79/409/EEC) Over winter the area regularly supports: Whooper swan *Cygnus cygnus* (Iceland/UK/Ireland) 8.6% of the all-Ireland population (5 year peak mean 1991/92-1995/96) Bar-tailed godwit *Limosa lapponica*	**Land take**	The concrete blocks to be removed are located adjacent to Lough Foyle SPA; however, the access route for the excavator may include land within the boundaries of Lough Foyle SPA. There is therefore the potential for some temporary habitat loss/disturbance. The access route is yet to be defined but is unlikely to be more than 150m, impacting a maximum area of circa 300m^2. This represents 0.001% of the total Lough Foyle SPA site area (2194.22 hectares) and is unlikely to result in an LSE. Potential for LSE cannot be ruled out until the access route is fully defined	**Yes**
	Noise	Qualifying species are susceptible to noise disturbance; however, the presence of the airfield and associated activities (e.g. weekly grass mowing) and Magilligan MotoX track located circa 1 km south of the Proposed Scheme means baseline noise levels can be high. The Proposed Scheme is scheduled to take place between mid-March and mid-April, and works are not predicted to last longer than one week and are very localised. Noise is therefore unlikely to result in a LSE upon over-wintering qualifying bird species.	**No**
	Vibration	Some temporary, localised vibration can be expected from excavator movements but are not predicted to result in an LSE to qualifying features.	**No**

(Western Palearctic - wintering) 11.9% of the all-Ireland population (5 year peak mean 1991/92-1995/96).	**Water pollution**	Marine processes are predicted to quickly dilute and disperse pollutants and contaminants generated during the Proposed Scheme; however, pollution to surface waters and marine water pollution are listed as threats to this European Site. Pollution events have the potential to have a LSE if not mitigated for appropriately.	**Yes**
	Air pollution	Only low-level, localised vehicle emissions will be produced, for a short duration, during the removal of the concrete blocks.	**No**
	Dust	Qualifying species are not sensitive to the small levels of dust deposition expected from the Proposed Scheme; therefore, no LSE is predicted.	**No**
	Introduction of invasive species	Invasive, non-native species are listed as a threat to Lough Foyle SPA. There is a risk that invasive non-native species will be transported from other sites on the tracks/wheels etc of equipment, or existing invasive non-native invasive species will be further spread by the proposed activities.	**Yes**
ARTICLE 4.2 QUALIFICATION (79/409/EEC) Over winter the area regularly supports: Light-bellied brent goose *Branta bernicla hrota* [Canada/Ireland] 18.7% of the biogeographic population (5 year peak mean 1991/92-1995/96).	**All pathways**	**As above for Article 4.1**	**Yes**
ARTICLE 4.2 QUALIFICATION (79/409/EEC)	**All pathways**	**As above for Article 4.1**	**Yes**

An internationally important assemblage of birds. In the non-breeding season the area regularly supports: 36,599 waterfowl (5 year peak mean 1991/92-1995/96) including the species listed above plus: red-throated diver *Gavia stellata,* great crested grebe *Podiceps cristatus,* Berwick's swan *Cygnus columbianus bewickii,* greylag goose *Anser anser,* shelduck *Tadorna tadorna,* teal *Anas crecca,* mallard *Anas platyrhynchos,* wigeon *Anas penelope,* eider *Somateria mollissima mollissima,* red brested merganser *Mergus serrator,* oystercatcher *Haematopus ostralegus,* golden plover *Pluvialis apricaria,* grey plover *Pluvialis squatarola,*			

lapwing *Vanellus vanellus,* knot *Calidris canutus,* dunlin *Calidris alpina alpina,* curlew *Numenius arquata,* redshank *Tringa totanus,* greenshank *Tringa nebularia,* horned grebe *Podiceps auritus.*			

TABLE 4: MAGILLIGAN SAC (SITE CODE: UK0016613)

Location of European Sites	Magilligan lies in the extreme north-west corner of County Londonderry. The site hosts the area of intact dune principally from Magilligan Point to Benone, as well as dune elements along the Lough Foyle shore.
Brief Description of the European Site[19]	The main habitats are the series of dune grasslands together with dune slacks. These habitats also support notable populations of the marsh-fritillary butterfly and petalwort. The site is of international importance for earth science with complex contemporary coastal processes, especially in the region of Magilligan Point, and associated dune forms, together with features important to understanding post-glacial sea-level history. It is the largest coastal depositional feature in Ireland, whilst its well-researched developmental history, combined with rigorous dating, makes it one of only a handful of sites in Europe sufficiently well researched for elucidation of a reliable sea level and sand dune chronology. The dunes also host an important series of fossil soil horizons.
Conservation Objectives[19]	To maintain (or restore where appropriate) the ▪ Dunes with *Salix repens* ssp. *Argentea* (*Salicion arenariae*) ▪ Embryonic shifting dunes ▪ Fixed dunes with herbaceous vegetation (grey dunes)

[19] DAERA-NI (2015) Magilligan SAC Conservation Objectives. Available at https://www.daera-ni.gov.uk/sites/default/files/publications/doe/land-information-magilligan-conservation-objectives-2015.pdf

	▪ Humid dune slacks ▪ Shifting dunes along the shoreline with *Ammophila arenaria* (white dunes) ▪ Marsh Fritillary *Euphydryas aurinia* ▪ Petalwort *Petalophyllum ralfsii* to favourable condition.		
Threats, pressures and activities with impacts on the site[20]	**Negative Impacts**	**Positive Impacts**	
	Fire and fire suppression Problematic native species Pollution to groundwater (point sources and diffuse sources) Human induced changes to hydraulic conditions Biocenotic evolution, succession Changes in abiotic conditions Outdoor sports and leisure activities, recreational activities Grazing Military use and civil unrest	Outdoor sports and leisure activities, recreational activities Forest exploitation without planting or natural regrowth Grazing Human induced changes in hydraulic conditions Military use and civil unrest Mowing / cutting of grassland	
Qualifying Features	**Impact Pathway**	**Screening Assessment**	**Potential for LSE**
Annex I habitats that are a primary reason for selection of this site: Fixed dunes with herbaceous vegetation (grey dunes)	**Land take**	Magilligan SAC is located approximately 1.59 km north of the Proposed Scheme and no land will be lost from Magilligan SAC as a result of any of the Proposed Scheme.	**No**
	Water pollution	The Proposed Scheme is not hydrologically connected to Magilligan SAC; therefore, there is no viable pathway of effect.	**No**
	Air pollution	Only low-level, localised vehicle emissions will be produced, for a short duration, during the removal of the concrete blocks. It is considered that the any air pollution generated during the removal of the concrete blocks will not be significant enough in scale, or travel the distances required to have an effect on the SAC.	**No**

[20] JNCC Standard Data Form – Magilligan SAC. Available at: https://jncc.gov.uk/jncc-assets/SAC-N2K/UK0016613.pdf

Dunes with Salix repens ssp. Argentea (*Salicion arenariae*) Humid dune slacks	**Dust**	Qualifying species are not sensitive to the small levels of dust deposition expected from the Proposed Scheme; therefore, no LSE is predicted.	**No**
	Introduction of invasive species	The Proposed Scheme is not hydrologically connected to Magilligan SAC; therefore, there is no viable pathway of effect.	**No**
Annex I habitats present as a qualifying feature, but not a primary reason for selection of this site: Embryonic shifting dunes Shifting dunes along the shoreline with *Ammophila arenaria* (white dunes)	**All pathways**	**As above for 'Annex I habitats'**	**No**

Annex II species present as a qualifying feature, but not a primary reason for site selection: Marsh Fritillary Petalwort	**All pathways**	**As above for 'Annex I habitats'**	**No**

TABLE 5: RIVER ROE AND TRIBUTARIES SAC (SITE CODE: UK0030320)

Location of European Sites	The River Roe and Tributaries includes the Curly River, the Gelvin River, the Bovevagh River (and its tributary the Altahullion Burn), the Wood Burn, the Owenbeg (and is tributary the Clogherna Burn), the Owenrigh River, the Black Burn (and its tributary the Currawable Burn) and the Owenalena River.
Brief Description of the European Site[21]	The area is of special scientific interest because of the physical features of the river and its associated riverine flora and fauna. In total, the area encompasses approximately 87km of watercourse and is notable for the physical diversity and naturalness of the banks and channels, especially in the upper reaches, and the richness and naturalness of its plant and animal communities, in particular the population of Atlantic Salmon *Salmo salar*, which is of international importance and in the extent of Upland Oakwood present.
Conservation Objectives[29]	To maintain (or restore where appropriate) Atlantic Salmon *Salmo salar* to favourable condition. The objective requirements for Atlantic salmon are to:

[21] DAERA-NI (2017) River Roe and Tributaries SAC Conservation Objectives. Available at https://www.daera-ni.gov.uk/sites/default/files/publications/doe/Conservation%20Objectives%20%282017%29.%20%20River%20Roe%20%26%20Tributaries%20SAC.%20%20Version%203....pdf

	▪ Maintain and if possible, expand existing population numbers and distribution (preferably through natural recruitment), and improve age structure of population. ▪ Maintain and if possible, enhance the extent and quality of suitable Salmon habitat - particularly the chemical and biological quality of the water and the condition of the river channel and substrate.		
Threats, pressures and activities with impacts on the site[22]	**Negative Impacts**	**Positive Impacts**	
	Mining and quarrying Pollution to surface waters (limnic, terrestrial, marine & brackish) Fishing and harvesting aquatic resources Renewable abiotic energy use Invasive, non-native species Human induced changes in hydraulic conditions Changes in biotic conditions Forest and plantation management and use	Outdoor sports and leisure activities, recreational activities Human induced changes in hydraulic conditions Fishing and harvesting aquatic resources Forest and plantation management and use Interpretative centres	
Qualifying Features	**Impact Pathway**	**Screening Assessment**	**Potential for LSE**
Annex II species that are a primary reason for selection of this site: Atlantic salmon	**Land take**	River Roe and Tributaries SAC is located approximately 3.78 km south of the Proposed Scheme and no land will be lost from River Roe and Tributaries SAC as a result of any of the Proposed Scheme.	**No**
	Noise	The Proposed Scheme is unlikely to generate underwater noise at sufficient levels to result in temporary or permanent damage to Atlantic salmon.	**No**
	Vibration	Some temporary, localised vibration can be expected from excavator movements but are not predicted to result in an LSE to qualifying features.	**No**
	Water pollution	Salmon spawning usually occurs in November or December and smolts return to the sea generally in May or June. Salmon associated with this European site are therefore most vulnerable to water pollution as they pass the Proposed Scheme to spawn or as they return to sea.	**Yes**

[22] JNCC Standard Data Form – River Roe and Tributaries SAC. Available at: https://jncc.gov.uk/jncc-assets/SAC-N2K/UK0030360.pdf

		Marine processes are predicted to quickly dilute and disperse pollutants and contaminants generated during the Proposed Scheme; however, pollution events have the potential to have a LSE if not mitigated for appropriately.	

TABLE 6: SKERRIES AND CAUSEWAY SAC (SITE CODE: UK0030383)

Location of European Sites	Skerries and Causeway SAC is a 30km wide embayment on the North Coast of Northern Ireland comprising an area of 10,862ha. The site is bordering the coastline, which the towns of Portrush, Portstewart, Bushmills and the Giants Causeway World Heritage site reside. Within the SAC lies the Skerries Islands, located off Portrush.	
Brief Description of the European Site[23]	The site is influenced oceanographically and biologically both by the warming gulf stream and by the strong tidal currents that flow through the North Channel to and from the Irish Sea. It is subject to considerable wave action being open to the Atlantic to the northwest, but is relatively sheltered from other prevailing swells and includes areas of relative shelter such as behind the Skerries islands. The site is predominantly marine although there are significant influxes of freshwater, from the River Bann to the west and the River Bush to the east, which can influence the immediate coastal areas.	
Conservation Objectives[23]	To maintain (or restore where appropriate) harbour porpoise (*Phocoena phocoena*) to favourable condition. The objective requirements for harbour porpouse are to: ▪ Ensure the species is a viable component of the site. ▪ Ensure there is no significant disturbance of the species. ▪ Ensure the supporting habitats and processes relevant to harbour porpoises and their prey are maintained.	
Threats, pressures and activities with impacts on the site[24]	**Negative Impacts**	**Positive Impacts**
	Renewable abiotic energy use Exploration and extraction of oil and gas Changes in abiotic conditions	Outdoor sports and leisure activities, recreational activities

[23] DAERA-NI (2017) Skerries and Causeway Conservation Objectives. Available at https://www.daera-ni.gov.uk/sites/default/files/publications/daera/Skerries%20and%20Causeway%20SAC%20Conservation%20Objectives%202017.PDF

[24] JNCC Standard Data Form – Skerries and Causeway SAC. Available at: https://jncc.gov.uk/jncc-assets/SAC-N2K/UK0030383.pdf

	Invasive, non-native species Shipping lanes, ports, marine constructions Outdoor sports and leisure activities, recreational activities Fishing and harvesting aquatic resources Marine water pollution Pollution to surface waters (limnic, terrestrial, marine & brackish)		
Qualifying Features	**Impact Pathway**	**Screening Assessment**	**Potential for LSE**
Annex II species that are a primary reason for selection of this site: Harbour porpoise	**Land take**	Skerries and Causeway SAC is located approximately 15.9 km east of the Proposed Scheme and no land will be lost from Skerries and Causeway SAC as a result of any of the Proposed Scheme.	**No**
	Noise	Qualifying species are susceptible to noise disturbance; however, the presence of the airfield means baseline noise levels can be high. Work timescales have not been determined; however, works are not predicted to last longer than one week and are very localised. The Proposed Scheme may cause temporary, localised displacement of individual harbour porpoise; however, the Zone of Influence is predicted to be limited to circa 50 m, representing a small fraction of the available harbour porpoise habitat; therefore, no LSE is predicted.	**No**
	Vibration	Some temporary, localised vibration can be expected from excavator movements but are not predicted to result in an LSE to qualifying features.	**No**
	Water pollution	Marine processes are predicted to quickly dilute and disperse pollutants and contaminants generated during the Proposed Scheme; however, pollution to surface waters and marine water pollution are listed as threats to this European Site. Pollution events have the potential to have a LSE if not mitigated for appropriately.	**Yes**
	Air pollution	Only low-level, localised vehicle emissions will be produced, for a short duration, during the removal of the concrete blocks; therefore, no LSE is predicted.	**No**
	Dust	Qualifying species are not sensitive to the small levels of dust deposition expected from the Proposed Scheme; therefore, no LSE is predicted.	**No**

	Introduction of invasive species	The Proposed Scheme is unlikely to result in the spread of invasive, non-native species considered to be a threat to harbour porpoise i.e. marine invasive, non-native species.	**No**

TABLE 7: RIVER FINN SAC (SITE CODE: 002301)

Location of European Sites[25]	The site comprises almost the entire freshwater element of the River Finn and its tributaries the Corlacky, the Reelan sub-catchment, the Sruhamboy, Elatagh, Cummirk and Glashagh, and also includes Lough Finn, where the river rises. The spawning grounds at the headwaters of the Mourne and Derg Rivers, Loughs Derg and Belshade and the tidal stretch of the Foyle north of Lifford to the border are also part of the site. The Finn and Reelan, rising in the Bluestack Mountains, drain a catchment area of 195 square miles.		
Brief Description of the European Site	The Finn system is one of Ireland's premier salmon waters. The Finn is important in an international context in that its populations of spring salmon appear to be stable, while they are declining in many areas of Ireland and Europe.		
Conservation Objectives[26]	To maintain the favourable conservation condition of Atlantic Salmon in River Finn SAC, which is defined by the following list of attributes and targets: ▪ Distribution – 100% of river channels down to second order accessible from estuary. ▪ Adult spawning fish – Conservation limit for each system consistently exceeded. ▪ Salmon fry abundance – Maintain or exceed 0+ fry mean catchment-wide abundance threshold value. ▪ Out-migrating smolt abundance – no significant decline ▪ Number and distribution of redds – no decline in number and distribution of spawning redds due to anthropogenic causes. ▪ Water quality – At least Q4 at all sites sampled by the Environmental Protection Agency (EPA).		
Qualifying Features	**Impact Pathway**	**Screening Assessment**	**Potential for LSE**

[25] Department of Arts, Heritage and the Gaeltacht (2014) River Finn SAC Site Synopsis. Available at: https://www.npws.ie/sites/default/files/protected-sites/synopsis/SY002301.pdf

[26] NPWS (2017) Conservation Objectives: River Finn SAC 002301. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs.

Annex II species that are a primary reason for selection of this site: Atlantic salmon	**Land take**	River Finn SAC is located approximately 34.54 km south-west of the Proposed Scheme and no land will be lost from River Finn SAC as a result of any of the Proposed Scheme.	**No**
	Noise	The Proposed Scheme is unlikely to generate underwater noise at sufficient levels to result in temporary or permanent damage to Atlantic salmon.	**No**
	Vibration	Some temporary, localised vibration can be expected from excavator movements but are not predicted to result in an LSE to qualifying features.	**No**
	Water pollution	Salmon associated with the River Finn SAC are unlikely to enter Lough Foyle in sufficient numbers to be affected by the Proposed Scheme. Marine processes are predicted to quickly dilute and disperse pollutants and contaminants generated during the Proposed Scheme.	**No**

TABLE 8: RIVER FAUGHAN AND TRIBUTARIES SAC (SITE CODE: UK0030361)

Location of European Sites	The River Faughan and Tributaries includes the River Faughan and its tributaries the Burntollet River, Bonds Glen and the Glenrandal River (and its tributary the Inver River).
Brief Description of the European Site[27]	In total, the area encompasses approximately 60km of watercourse and is notable for the physical diversity and naturalness of the banks and channels, especially in the upper reaches, and the richness and naturalness of its plant and animal communities, in particular the population of Atlantic Salmon *Salmo salar*, which is of international importance and the widespread and common occurrence of Otter *Lutra lutra* in the catchment. Upland Oak Woodland is also well-developed in places along the valley sides of the River Faughan and its tributaries.
Conservation Objectives[27]	To maintain (or restore where appropriate) Atlantic Salmon *Salmo salar* to favourable condition. The objective requirements for Atlantic salmon are to: ▪ Maintain and if possible, expand existing population numbers and distribution (preferably through natural recruitment), and improve age structure of population.

[27] DAERA-NI (2017) River Faughan and Tributaries SAC Conservation Objectives. Available at https://www.daera-ni.gov.uk/sites/default/files/publications/doe/Conservation%20Objectives%20%282017%29.%20%20River%20Faughan%20%26%20Tributaries%20SAC.%20%20Versi....pdf

	▪ Maintain and if possible, enhance the extent and quality of suitable Salmon habitat - particularly the chemical and biological quality of the water and the condition of the river channel and substrate.		
Threats, pressures and activities with impacts on the site[28]	**Negative Impacts**	**Positive Impacts**	
	Forest and plantation management and use Mining and quarrying Human induced changes in hydraulic conditions Changes in abiotic conditions Pollution to surface waters (limnic, terrestrial, marine & brackish) Invasive, non-native species Fishing and harvesting aquatic resources Renewable abiotic energy use	Interpretive centres Fishing and harvesting aquatic resources Forest and plantation management and use Outdoor sports and leisure activities, recreational activities Human induced changes in hydraulic conditions	
Qualifying Features	**Impact Pathway**	**Screening Assessment**	**Potential for LSE**
Annex II species that are a primary reason for selection of this site: Atlantic salmon	**Land take**	River Roe and Tributaries SAC is located approximately 3.78 km south of the Proposed Scheme and no land will be lost from River Roe and Tributaries SAC as a result of any of the Proposed Scheme.	**No**
	Noise	The Proposed Scheme is unlikely to generate underwater noise at sufficient levels to result in temporary or permanent damage to Atlantic salmon.	**No**
	Vibration	Some temporary, localised vibration can be expected from excavator movements but are not predicted to result in an LSE to qualifying features.	**No**
	Water pollution	Salmon spawning usually occurs in November or December and smolts return to the sea generally in May or June. Salmon associated with this European site are therefore most vulnerable to water pollution as they pass the Proposed Scheme to spawn or as they return to sea. Marine processes are predicted to quickly dilute and disperse pollutants and contaminants generated during the Proposed Scheme; however, pollution events have the potential to have a LSE if not mitigated for appropriately.	**Yes**

[28] JNCC Standard Data Form – River Faughan and Tributaries SAC. Available at: https://jncc.gov.uk/jncc-assets/SAC-N2K/UK0030361.pdf

TABLE 9: RIVER FOYLE AND TRIBUTARIES SAC (SITE CODE: UK0030320)

Location of European Sites	The SAC includes the River Foyle and its tributaries including part of the River Finn which lies within Northern Ireland, the River Mourne and its tributary the River Strule (up to its confluence with the Owenkillew River) and the River Derg, along with two of its sub-tributaries, the Mourne Beg River and the Glendergan River. In total, the area encompasses 120 km of watercourse and is notable for the physical diversity and naturalness of the banks and channels, especially in the upper reaches, and the richness and naturalness of its plant and animal communities.	
Brief Description of the European Site[29]	The area is also important as a river habitat. In their upper catchments, the rivers are all fast-flowing spate rivers with dynamic flow regimes characterised by sequences of rapid, riffle and run. Although the banks may have been modified in the past, the channels are natural and composed of large cobble substrate with scattered boulders and sandy marginal deposits, while cobble side and point bars and discrete sand deposits are common features. At the top end of the River Derg and its two tributaries, the aquatic flora reflect the highly acidic character of the water, with mosses and liverworts dominant. Beds of Stream Water Crowfoot *Ranunculus penicillatus var. penicillatus* occur where the flow is less dynamic. The River Foyle below Strabane is slow-flowing and is influenced by a tidal regime, rising and falling with the tidal cycle. Aquatic plants in the channel are extremely limited, particularly in the more saline areas; here, fucoids make up the main component.	
Conservation Objectives[29]	To maintain (or restore where appropriate) Atlantic Salmon *Salmo salar* to favourable condition. The objective requirements for Atlantic salmon are to: ▪ Maintain and if possible, expand existing population numbers and distribution (preferably through natural recruitment), and improve age structure of population. ▪ Maintain and if possible, enhance the extent and quality of suitable Salmon habitat - particularly the chemical and biological quality of the water and the condition of the river channel and substrate.	
	Negative Impacts	**Positive Impacts**

[29] DAERA-NI (2017) River Foyle and Tributaries SAC Conservation Objectives. Available at https://www.daera-ni.gov.uk/sites/default/files/publications/doe/Conservation%20Objectives%20%282017%29.%20%20River%20Foyle%20%26%20Tributaries%20SAC.%20%20Version....pdf

Threats, pressures and activities with impacts on the site[30]	Forest and plantation management and use Changes in abiotic conditions Renewable abiotic energy use Mining and quarrying Pollution to surface waters (limnic, terrestrial, marine and brackish) Invasive, non-native species Human induced changes in hydraulic conditions Fishing and harvesting aquatic resources	Fishing and harvesting aquatic resources. Human induced changes in hydraulic conditions

Qualifying Features	Impact Pathway	Screening Assessment	Potential for LSE
Annex II species that are a primary reason for selection of this site: Atlantic salmon	**Land take**	River Foyle and Tributaries SAC is located approximately 34.35 km south-west of the Proposed Scheme and no land will be lost from River Foyle and Tributaries SAC as a result of any of the Proposed Scheme.	**No**
	Noise	The Proposed Scheme is unlikely to generate underwater noise at sufficient levels to result in temporary or permanent damage to Atlantic salmon.	**No**
	Vibration	Some temporary, localised vibration can be expected from excavator movements but are not predicted to result in an LSE to qualifying features.	**No**
	Water pollution	Salmon spawning usually occurs in November or December and smolts return to the sea generally in May or June. Salmon associated with this European site are therefore most vulnerable to water pollution as they pass the Proposed Scheme to spawn or as they return to sea. Marine processes are predicted to quickly dilute and disperse pollutants and contaminants generated during the Proposed Scheme; however, pollution events have the potential to have a LSE if not mitigated for appropriately.	**Yes**

[30] JNCC Standard Data Form – River Foyle and Tributaries SAC. Available at: UK0030320.pdf (jncc.gov.uk)

TABLE 10: LEANNAN RIVER SAC (SITE CODE: 002176)

Location of European Sites[31]	Situated in north Co. Donegal, this site comprises the River Leannan and its main tributaries and lakes, including Loughs Fern, Gartan and Akibbon. The river from source to sea measures 46 km and drains a catchment area of 282 km2. The Bullaba River drains off the Glendowan Mountains and flows into Lough Gartan. The Leannan River flows from Lough Gartan in a north-easterly direction, passes through Lough Fern, and then onwards in an easterly direction through the town of Rathmelton and into Lough Swilly. The main tributaries within the site are the lower Glashagh and Lurgy.		
Brief Description of the European Site	The river has good water quality and its banks are fringed more or less continuously by deciduous woodland. The adjacent habitat is mainly wet grassland which has been improved to varying degrees for grazing. There is also a good scattering of woodland, mostly deciduous, in the surrounding area. The Leannan is a good spring and grilse salmon river with extensive spawning habitats and good water quality.		
Conservation Objectives[32]	To restore the favourable conservation condition of Atlantic Salmon in Leannan River SAC, which is defined by the following list of attributes and targets:: ▪ Distribution – 100% of river channels down to second order accessible from estuary. ▪ Adult spawning fish – Conservation limit for each system consistently exceeded. ▪ Salmon fry abundance – Maintain or exceed 0+ fry mean catchment-wide abundance threshold value. ▪ Out-migrating smolt abundance – no significant decline ▪ Number and distribution of redds – no decline in number and distribution of spawning redds due to anthropogenic causes. ▪ Water quality – At least Q4 at all sites sampled by EPA.		
Qualifying Features	**Impact Pathway**	**Screening Assessment**	**Potential for LSE**
Annex II species that are a primary reason for selection of this	**Land take**	Leannan River SAC is located approximately 44.87 km west of the Proposed Scheme and no land will be lost from the Leannan River SAC as a result of any of the Proposed Scheme.	**No**
	Noise	The Proposed Scheme is unlikely to generate underwater noise at sufficient levels to result in temporary or permanent damage to Atlantic salmon.	**No**

[31] Department of Arts, Heritage, and the Gaeltacht (2015) River Leannan SAC Site Synopsis. Available at: https://www.npws.ie/sites/default/files/protected-sites/synopsis/SY002176.pdf

[32] NPWS (2019) Conservation Objectives: Leannan River SAC 002176. Version 1. National Parks and Wildlife Service, Department of Culture, Heritage and the Gaeltacht.

site: Atlantic salmon	**Vibration**	Some temporary, localised vibration can be expected from excavator movements but are not predicted to result in an LSE to qualifying features.	**No**
	Water pollution	Salmon associated with the River Finn SAC are unlikely to enter Lough Foyle in sufficient numbers to be affected by the Proposed Scheme. Marine processes are predicted to quickly dilute and disperse pollutants and contaminants generated during the Proposed Scheme; however, pollution events have the potential to have a LSE if not mitigated for appropriately.	**No**

TABLE 11: OWENKILLEW RIVER SAC (SITE CODE: UK0030233)

Location of European Sites	The SAC includes the river (42 km stretch) and its associated riverine flora and fauna and adjacent semi-natural vegetation, primarily woodland flora and fauna.
Brief Description of the European Site[33]	The river rises at an altitude of 415m and flows into the Strule at an altitude of 35m. It is a fast-flowing spate river; notable for the physical diversity and naturalness of the bank and channel, the richness and naturalness of its plant and animal communities, which includes extensive beds of Stream Water Crowfoot *Ranunculus penicillatus* var. *penicillatus* and the largest Northern Ireland population of the now rare Fresh Water Pearl Mussel *Margaritifera margaritifera*. In addition, the river is important for Otter *Lutra lutra* and Atlantic Salmon *Salmo salar*. Adjacent woodlands which form part of the SAC include Drumlea and Mullan Woods ASSI and the Owenkillew and Glenelly Woods ASSI, two of the largest stands of Oak woodland in Northern Ireland. An area of localised waterlogging in the former woodland has resulted in the development of Bog Woodland. The River Foyle below Strabane is slow-flowing and is influenced by a tidal regime, rising and falling with the tidal cycle. Aquatic plants in the channel are extremely limited, particularly in the more saline areas; here, fucoids make up the main component.
Conservation Objectives	To maintain (or restore where appropriate) Atlantic Salmon *Salmo salar* to favourable condition. The objective requirements for Atlantic salmon are to: ▪ Maintain and if possible, expand existing population numbers and distribution,

[33] DAERA-NI (2017) Owenkillew River SAC Conservation Objectives. Available at https://www.daera-ni.gov.uk/sites/default/files/publications/doe/Conservation%20Objectives%20%282017%29.%20Owenkillew%20River%20SAC.%20%20Version%203.%20%20Appro....pdf

	▪ Maintain and where possible, enhance the extent and quality of suitable Salmon habitat, in particular the chemical and biological quality of the water.		
Threats, pressures and activities with impacts on the site[34]	**Negative Impacts**	**Positive Impacts**	
	Renewable abiotic energy use. Mining and quarrying. Fishing and harvesting aquatic resources. Pollution to surface waters (limnic, terrestrial, marine and brackish). Forest and plantation management and use. Invasive, non-native species. Human induced changes in hydraulic conditions. Changes in abiotic conditions.	Forest and plantation management and use. Fishing and harvesting aquatic resources. Human induced changes in hydraulic conditions.	
Qualifying Features	**Impact Pathway**	**Screening Assessment**	**Potential for LSE**
Annex II species that are a primary reason for selection of this site: Atlantic salmon	**Land take**	Owenkillew River SAC is located approximately 46.5 km south of the Proposed Scheme and no land will be lost from Owenkillew River SAC as a result of any of the Proposed Scheme.	**No**
	Noise	The Proposed Scheme is unlikely to generate underwater noise at sufficient levels to result in temporary or permanent damage to Atlantic salmon.	**No**
	Vibration	Some temporary, localised vibration can be expected from excavator movements but are not predicted to result in an LSE to qualifying features.	**No**
	Water pollution	Salmon spawning usually occurs in November or December and smolts return to the sea generally in May or June. Salmon associated with this European site are therefore most vulnerable to water pollution as they pass the Proposed Scheme to spawn or as they return to sea. Marine processes are predicted to quickly dilute and disperse pollutants and contaminants generated during the Proposed Scheme; however, pollution events have the potential to have a LSE if not mitigated for appropriately.	**Yes**

[34] JNCC Standard Data Form – River Foyle and Tributaries SAC. Available at: UK0030320.pdf (jncc.gov.uk)

TABLE 12: LOUGH FOYLE RAMSAR SITE (SITE CODE: UK12014)

Location of European Sites	Lough Foyle Ramsar site is situated on the north coast of Northern Ireland in County Londonderry, extending northeast of the city of Derry. This includes the whole of the Lough Foyle ASSI, the intertidal area of the Magilligan ASSI in Lough Foyle extending south of Magilligan Point and all of Lough Foyle Special Protection Area.		
Brief Description of the European Site	The site is comprised of a large shallow sea lough which includes the estuaries of the rivers Foyle, Faughan and Roe. The site contains extensive intertidal areas of mudflats and sandflats, saltmarsh and associated brackish ditches.		
Qualifying Features[35]	**Impact Pathway**	**Screening Assessment**	**Potential for LSE**
Criterion 1 This is a particularly good representative example of a wetland complex including intertidal sand and mudflats with extensive seagrass beds, saltmarsh, estuaries and associated brackish ditches.	**Land take**	The concrete blocks to be removed are located adjacent to Lough Foyle Ramsar site; however, the access route for the excavator may include land within the boundaries of Lough Foyle Ramsar site. There is therefore the potential for some temporary habitat loss/disturbance. The access route is yet to be defined but is unlikely to be more than 150m, impacting a maximum area of circa 300m^2. This represents 0.001% of the total Lough Foyle Ramsar site area (2,204.36 ha) and is unlikely to result in an LSE. Potential for LSE cannot be ruled out until the access route is fully defined	**Yes**
	Water pollution	Marine processes are predicted to quickly dilute and disperse pollutants and contaminants generated during the Proposed Scheme; however, pollution events have the potential to have a LSE if not mitigated for appropriately.	**Yes**
	Air pollution	Only low-level, localised vehicle emissions will be produced, for a short duration, during the removal of the concrete blocks.	**No**
	Dust	Qualifying species are not sensitive to the small levels of dust deposition expected from the Proposed Scheme; therefore, no LSE is predicted.	**No**

[35] Information Sheet on Ramsar Wetlands: Lough Foyle (2005) Available at https://rsis.ramsar.org/RISapp/files/RISrep/GB974RIS.pdf

	Introduction of invasive species	There is a risk that invasive non-native species will be transported from other sites on the tracks/wheels etc of equipment, or existing invasive non-native invasive species will be further spread by the proposed activities.	**Yes**
Criterion 2 The site supports an appreciable assemblage of rare, vulnerable or endangered species or sub-species of plant and animal.	**All pathways**	**As above for 'Criterion 1'**	**Yes**
	Noise	Qualifying species are susceptible to noise disturbance; however, the presence of the airfield and associated activities (e.g. weekly grass mowing) and Magilligan MotoX track located circa 1 km south of the Proposed Scheme means baseline noise levels can be high. The Proposed Scheme is scheduled to take place between mid-March and mid-April, and works are not predicted to last longer than one week and are very localised. Noise is therefore unlikely to result in a LSE upon over-wintering qualifying bird species.	**No**
	Vibration	Some temporary, localised vibration can be expected from excavator movements but are not predicted to result in an LSE to qualifying features.	**No**
Criterion 3 The site supports a diverse assemblage of wintering waterfowl which are indicative of wetland values, productivity and diversity.	**All pathways**	**As above for 'Criterion 1 and Criterion 2'**	**Yes**
Criterion 5 The site supports about 29,000 migrating birds.	**All pathways**	**As above for 'Criterion 1 and Criterion 2'**	**Yes**

Criterion 6 Species/populations occurring at levels of international importance.	**All pathways**	**As above for 'Criterion 1 and Criterion 2'**	**Yes**

5. In-combination Assessment

5.1.1. The majority of planning applications within 2 km of the Proposed Scheme were single dwellings and no HRA had been prepared or was available for these applications.

5.1.2. As part of assessment for adverse effects, a review of other relevant projects and plans subject to HRA has been completed to identify potential cumulative effects with the Proposed Scheme and is summarised in Table 13 below.

TABLE 13: IN-COMBINATION ASSESSMENT OF PROJECTS

Planning Reference: LA01/2018/0883/F			
Proposal Description	**Location**	**Potential for LSE alone**	**Potential for in-combination effects**
Proposed development to comprise of a new Wastewater Pumping Station (WwPS) which will include 1 No. wet well, 1 No. valve chamber and 1 No. flow meter chamber (all chambers to be constructed below ground and fitted with manhole covers at ground level). Also included 1No. control panel kiosk and 1 No. wash water kiosk, both kiosks are mounted above ground on a concrete plinth and finished in green, 1No. 5m high site lighting column and telemetry aerial. Site surfacing to be finished in concrete. Access to site via existing hard standing entrance and new vehicle turning area to be constructed	Lands adjacent to Seacoast Road Limavady and South of 680 Seacoast Road. Townland: Benone	Shared Environmental Services (SES) can advise Planning that HRA Stage 1 screening has been carried out appropriately and having considered the nature, scale, timing, duration and location of the project concluded that further assessment is not required because it would not have a likely significant effect on the selection features, conservation objectives or status of any European site.	As no LSE predicted from the project, there is no likelihood of in-combination effects with the Proposed Scheme.

TABLE 14: IN-COMBINATION ASSESSMENT OF PLANS

Plan	Potential for LSE alone	Potential for in-combination effects
Northern Area Plan 2016[36]	Habitats Regulations Assessment on the Northern Area Plan 2016[37] It has been ascertained that the NAP would not adversely affect the key species and key habitats or the integrity (structure and function and conservation objectives) of any European site.	As no LSE predicted from the Plan, there is no likelihood of in-combination effects with the Proposed Scheme.

[36] The Department of the Environment Northern Ireland (2016) Northern Area Plan 2016

[37] The Department of the Environment Northern Ireland (2016) Habitats Regulations Assessment on the Northern Area Plan 2016

6. Conclusion

6.1.1. With due consideration, given the information provided above for the Stage 1 – Screening, it is considered that the Proposed Scheme has the potential to lead to significant effects 'alone' on seven European sites, as summarised in Table 15 below:

TABLE 15: SUMMARY OF SCREENING ASSESSMENT

European Sites	Potential for LSE						
	Land Take	Noise	Vibration	Water Pollution	Air Pollution	Dust	Introduction of Invasive Species
Lough Foyle SPA	Yes	No	No	Yes	No	No	Yes
Magilligan SAC	No	No	No	No	No	No	No
River Roe and Tibutaries SAC	No	No	No	Yes	No	No	No
Skerries and Causeway SAC	No	No	No	Yes	No	No	No
River Finn (RoI)	No	No	No	No	No	No	No
River Faughan and Tributaries SAC	No	No	No	Yes	No	No	No
River Foyle and Tributaries SAC	No	No	No	Yes	No	No	No
Leannan River (RoI)	No	No	No	No	No	No	No
Owenkillew River SAC	No	No	No	Yes	No	No	No
Lough Foyle Ramsar	Yes	No	No	Yes	No	No	Yes

6.1.2. A Stage 2 Appropriate Assessment is required to determine whether the Proposed Scheme would have an adverse effect on the integrity of the European Sites and whether they can be negated through mitigation.

6.1.3. It was concluded that the Proposed Scheme will not result in a LSE to the qualifying features of Magilligan SAC, River Finn SAC and Leannan River SAC; therefore, these European sites can be excluded from further assessment.

6.1.4. An assessment of in-combination effect concluded that the Proposed Scheme was unlikely to have an effect on any European site when considered in-combination with other plans and projects.

6.1.5. Reference should also be made to Appendix C and the requirement to submit a notice of a proposal to carry out an operation or activity specified by the Department of Agriculture, Environment and Rural Affairs as likely to damage an Area of Special Scientific Interest (ASSI).

Appendix A - Site Location Plan

Figure 1: Site Location Plan

Legend

0 50 100 m

Original scale: 1:1,000 | Version: 1.0

Base Mapping: © OpenStreetMaps and its contributers

Appendix B – European Sites

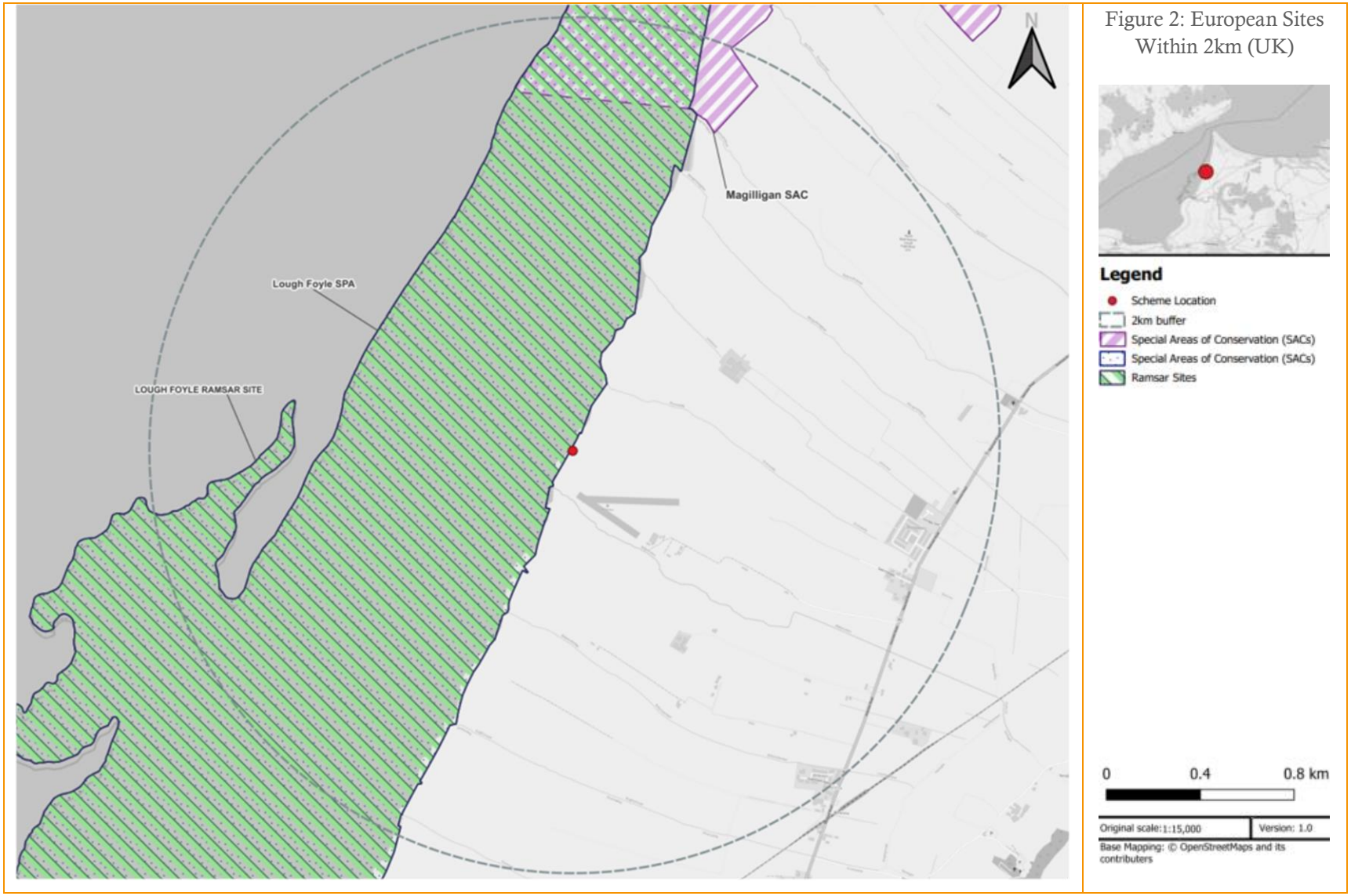

Figure 2: European Sites Within 2km (UK)

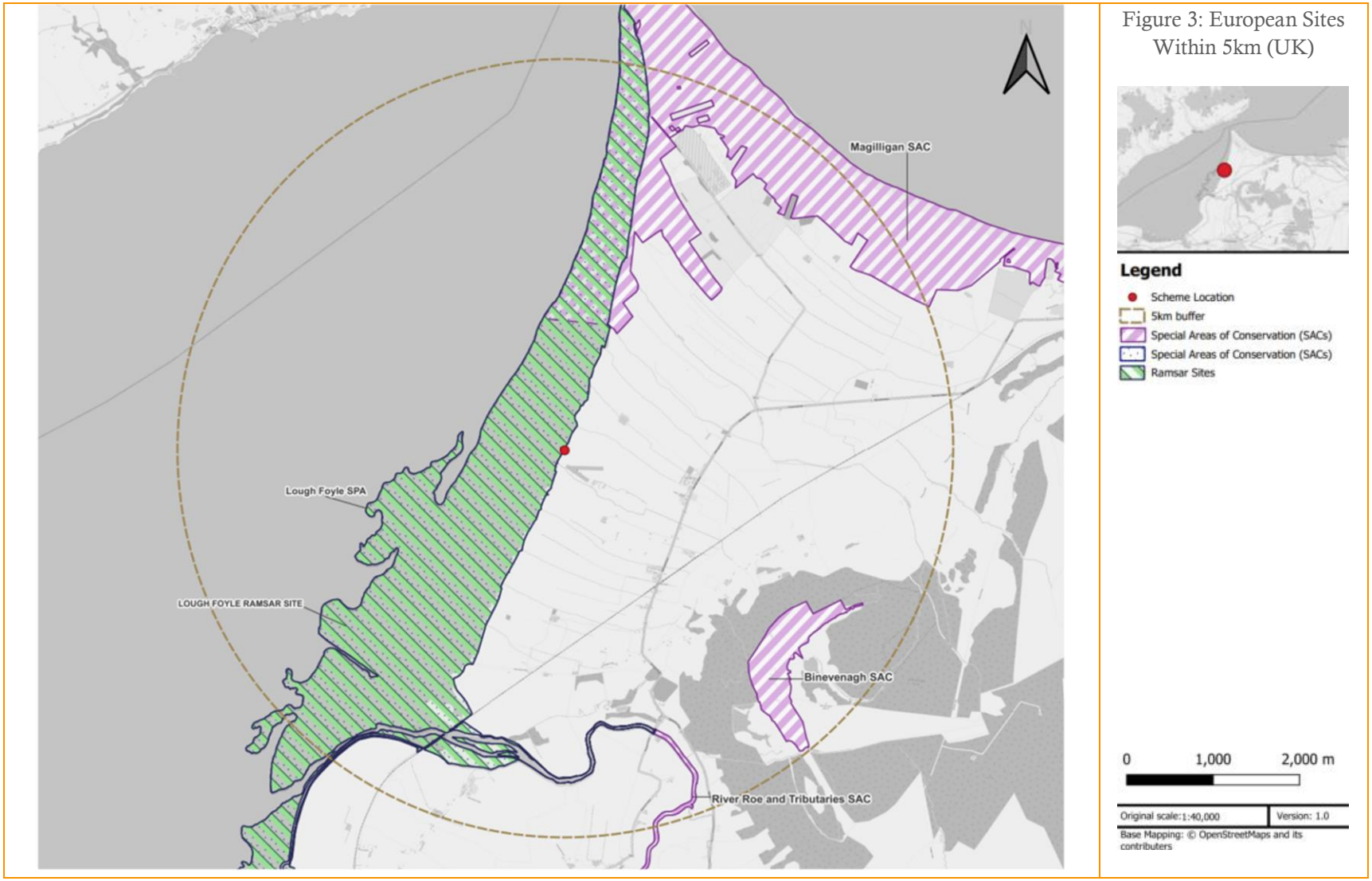

Figure 3: European Sites Within 5km (UK)

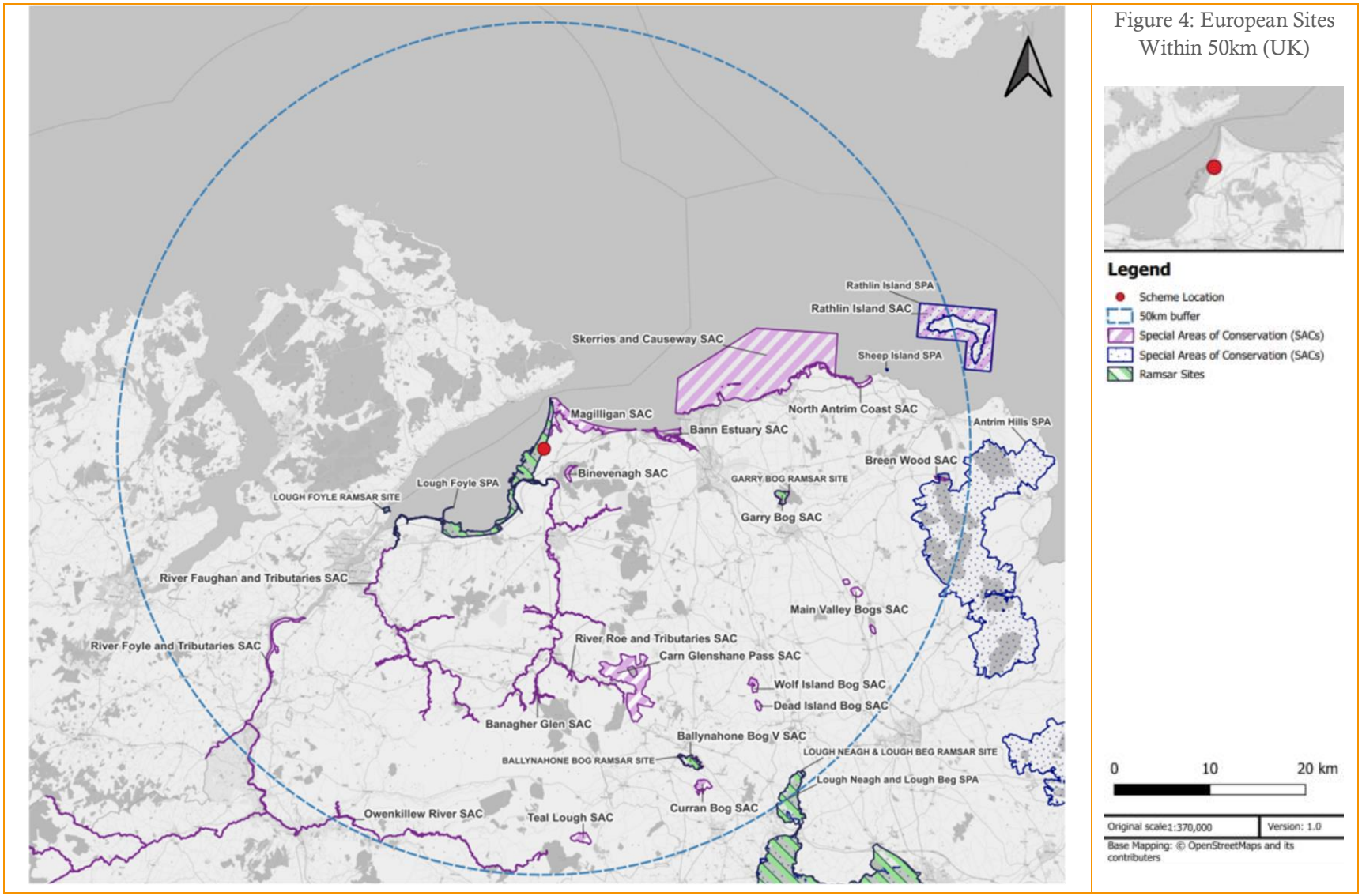

Figure 4: European Sites Within 50km (UK)

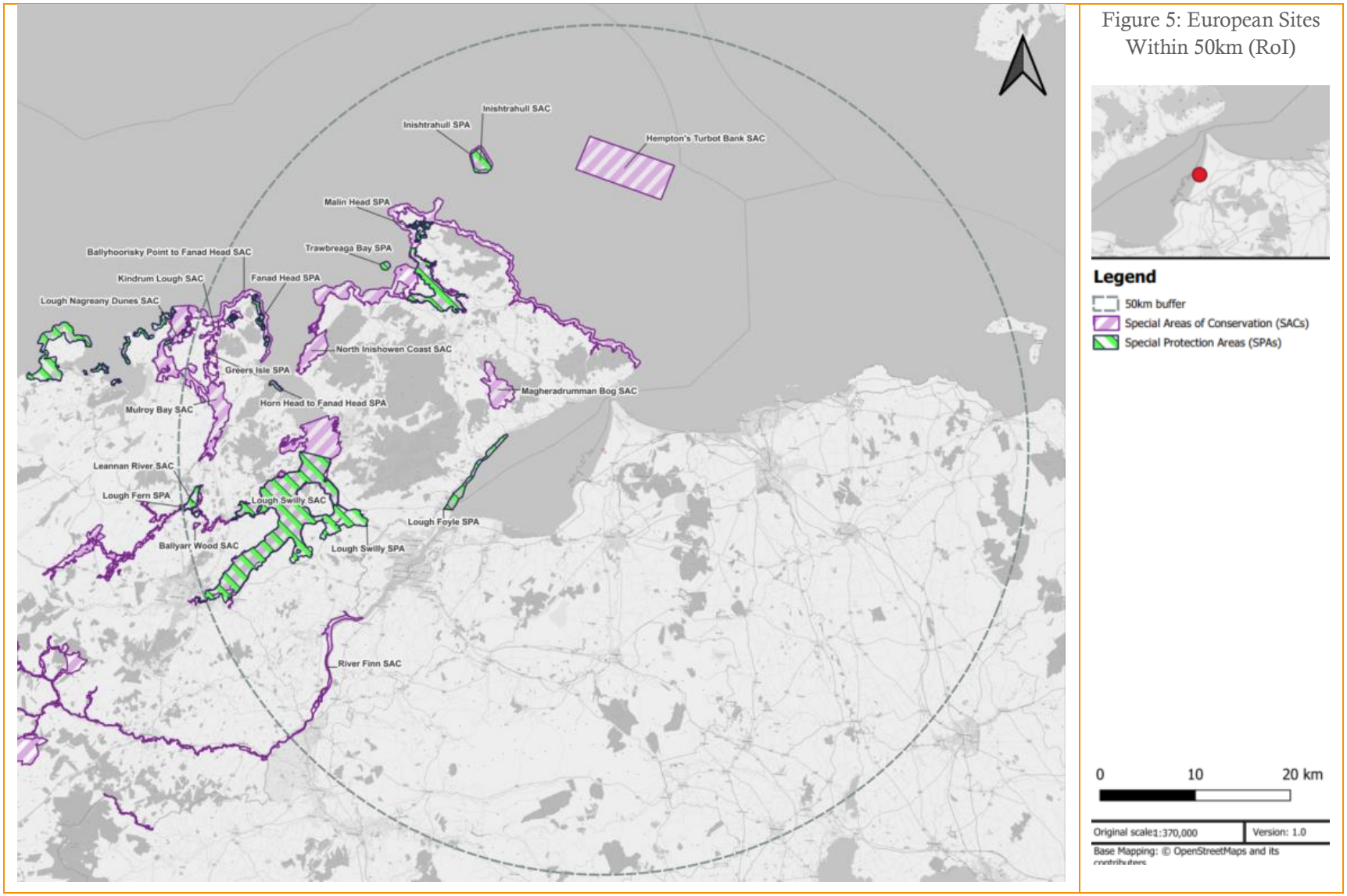

Figure 5: European Sites Within 50km (RoI)

Appendix C – ASSI Assessment

Areas of Special Scientific Interest (ASSI's) were originally designated under The Nature Conservation and Amenity Lands (Northern Ireland) Order 1985, subsequently replaced by the Environment (Northern Ireland) Order 2002.

Owners and occupiers of land within an ASSI will need to apply for written consent from the Department of Agriculture, Environment and Rural Affairs (DAERA) to carry out certain works or activities. Northern Ireland Environment Agency (NIEA) representatives will then consider in detail the potential impacts of the proposed operation and, if necessary, give guidance on how it may be carried out in a way that protects the designated features of the ASSI. A response from the Department will be issued within 28 days as required under legislation. [38]

The Proposed Scheme is located within the site boundary of Lough Foyle ASSI and the following Notifiable Activities are proposed (or may inadvertently occur) as part of the Proposed Scheme:

- Activity or operation which involves the damage or disturbance by any means of the surface and subsurface of the land;
- The destruction, displacement, removal or cutting of any plant, seed or plant remains;
- Construction, removal or disturbance of any permanent or temporary structure including building, engineering or other operations;
- Alteration of natural or man-made features, the clearance of boulders or large stones and grading of rock faces; and,
- Use of vehicles or craft likely to damage the wildlife or physiographical features of the area.

As such a Notice of a proposal to carry out an operation or activity specified by the Department of Agriculture, Environment and Rural Affairs as likely to damage an Area of Special Scientific Interest (ASSI).

Site Name	**Lough Foyle ASSI**[39]
Reasons for Designation	The physiographical interest relates to various active coastal processes which occur on both the intertidal and upper beach areas of the shore, in the river and in the saltmarsh environments. These processes include the development of shell and gravel ridges, saltmarsh pans, drainage creeks and sand spits. The fauna of Lough Foyle includes a large and diverse population of waders and other bird species and regularly supports a wintering bird assemblage of over 5,000 waterfowl. Four over wintering species of bird occur in sufficient numbers within the proposed ASSI which qualifies them as internationally important. They are whooper swan, light-bellied Brent goose, wigeon and bar-tailed godwit. Overwintering species whose numbers are sufficient to qualify the species as important in an all-Ireland context include the following: mallard, teal, red-breasted merganser, shelduck, greylag goose, mute swan, Bewicks

[38] Available: https://www.daera-ni.gov.uk/publications/request-consent-carry-out-notifiable-operation-assi

[39] Lough Foyle ASSI Declaration. Available at: https://www.daera-ni.gov.uk/sites/default/files/publications/doe/lough%20foyle-citation-documents-map.pdf

	swan, oystercatcher, dunlin, great crested greb, knot, curlew, redshank and greenshank. Three other species which have been recorded in numbers large enough to qualify them as significant in an all-Ireland context are eider, golden plover and pintail.
Schedule of operations and activities	Any activity or operation which involves the damage or disturbance by any means of the surface and subsurface of the land, including ploughing, rotovating, harrowing, reclamation and extraction of minerals, including sand, shingle, shell, gravel and peat. *Any change in the present annual pattern and intensity of grazing, including any change in the type of livestock used or in supplementary feeding practice.* *Any change in the established method or frequency of rolling, mowing or cutting.* *Any change in the annual pattern of application of manure, slurry or artificial fertiliser.* *The application of herbicides, fungicides or other chemicals deployed to kill any form of wild plant, other than plants listed as being noxious in the Noxious Weeds (Northern Ireland) Order 1977.* *The storage or dumping, spreading or discharge of any material not specified under paragraphs 4 or 5.* The destruction, displacement, removal or cutting of any plant, seed or plant remains, other than for:- (i) plants listed as noxious in the Noxious Weeds (Northern Ireland) Order 1977; (ii) normal cutting or mowing regimes for which a consent is not required under paragraph 3. *The release into the area of any animal (other than in connection with normal grazing practice) or plant. 'Animal' includes birds, mammals, fish, reptiles, amphibians and invertebrates; 'Plant' includes seed, fruit or spore.* *Burning.* *Changes in tree or woodland management, including afforestation, planting, clearing and felling.* Construction, removal or disturbance of any permanent or temporary structure including building, engineering or other operations.

	Alteration of natural or man-made features, the clearance of boulders or large stones and grading of rock faces. *Operations or activities which would affect wetlands (including marsh, fen, rivers, streams and open water), e.g.* *(i) change in the methods or frequency of routine drainage maintenance;* *(ii) modification to the structure of any watercourse;* *(iii) lowering of the water-table, permanently or temporarily;* *(iv) change in the management of bank-side vegetation.* *The disturbance, killing or taking of any wild animal except where such killing or taking is treated as an exception in Articles 5, 11, 17, 20, 21 and 22 of the Wildlife (Northern Ireland) Order 1985.* *The following activities undertaken in a manner likely to damage or disturb the wildlife of the area:* *(i) educational activities;* *(ii) research activities;* *(iii) recreational activities;* *(iv) exercising of animals.* *Changes in game, waterfowl or fisheries management or fishing or hunting practices.* *Sampling of rocks, minerals, fossils or any other material forming a part of the site, undertaken in a manner likely to damage the scientific interest.* Use of vehicles or craft likely to damage the wildlife or physiographical features of the area.
Mitigation	Appropriate mitigation measures will be implemented to protect the qualifying interests associated with European sites within 50km of the Proposed Scheme. Mitigation measures will include: ▪ To be updated following Stage 2: AA as detailed within the Stage 2: Appropriate Assessment report.

SAC

Environmental Assessments

Start Date	Start	Finish	Task
Sun 17-Mar-24	11:00	13:00	Fence between workshop and gate from caravan park taken down.
			(To prevent the ground being destroyed)
Mon 15-Apr-24	10:00	12:00	Glider trailers moved to airfield side of clubhouse.
Mon 15-Apr-24	10:00	16:00	Ground still forming part of airfield atop the northern section of wall precut
			(8 to 10m will have to be cut to a depth of 4' so that it can be lifted onto the airfield prior to the blocks being removed.)
Mon 15-Apr-24	"	"	Wooden stakes to indicate route to blocks put in place.
			(From coastal airfield gate to beach & the last 600m approach to caravan park.)
Tue 16-Apr-24	"	"	Rope for stakes put in place.
Wed 17-Apr-24	16:30	18:30	Telehandler, tractor & trailer arrive on site.
Wed 17-Apr-24	"	"	Equipment checked for oil, hydraulic fluid and fuel leaks.
			(To prevent oil pollution)
	"	"	*(If any found, the work will be cancelled until repairs can be carried out.)*
Wed 17-Apr-24	"	"	All equipment power hosed prior to proceeding to beach.
			(To prevent invasive species being carried to the beach.)
Thu 18-Apr-24	08:15	08:30	Briefing as to:
Thu 18-Apr-24	"	"	Health & safety
Thu 18-Apr-24	"	"	Route to beach
Thu 18-Apr-24	"	"	Due care and attention whilst accessing and working on the beach.
Thu 18-Apr-24	"	"	Unloading and storage of blocks at the leeward side of hangar
Thu 18-Apr-24	08:30	08:45	Move to beach
Thu 18-Apr-24	08:45	09:30	Removal of blocks commences as per method statement.
Thu 18-Apr-24	09:30	10:15	1st removal unloaded & 2nd removal completed.
Thu 18-Apr-24	10:15	11:00	2nd removal unloaded & 3rd removal completed.
Thu 18-Apr-24	11:00	11:45	3rd removal unloaded & 4th removal completed.
Thu 18-Apr-24	11:45	12:30	4th removal unloaded & 5th removal completed.
Thu 18-Apr-24	12:30	13:00	Lunch break & vehicle refuelling (if necessary) from our own stock.
Thu 18-Apr-24	13:00	13:45	5th removal unloaded & 6th removal completed.
Thu 18-Apr-24	13:45	14:30	6th removal unloaded & 7th removal completed.
Thu 18-Apr-24	14:30	15:15	7th removal unloaded & 8th removal completed.
Thu 18-Apr-24	15:15	16:00	8th removal unloaded & 9th removal completed.
Thu 18-Apr-24	16:00	17:00	Assuming all blocks have been removed all stakes and tape removed.
Fri 19-Apr-24	09:00	12:00	Spare morning if block removal is uncompleted from yesterday.
TBA	09:00	12:00	Beach cleanup by club members on foot of any other debris that can be bagged.

DAERA Marine & Fisheries Division Marine Licensing Consultee Response Sheet

[Insert - Consultation Reference]
[Insert - Name and Organisation]
[Insert - Location County/Postcode]
[Insert - Date response made]

(Please fill out all relevant parts - Comments received may be supplied to any third party, on request.)

Please indicate if you have ‘no objections’ to this project.

Under what legislation/regulations do you have comments to make?

What specific objections do you have to this project and why?

Is there mitigation which you could recommend to offset these objections? Please specify.

Are there any European Designations affected by this project? What features are affected and how are they affected?

Do you require monitoring to be put in place?

Describe this monitoring (inc. type, frequency, limits, distribution)?

Are there any timing restrictions which you would apply to the project?

Do you have a requirement for any further information to be forwarded to you?

Any other comments

Please submit completed response forms to MarineLicensingTeam@daera-ni.gov.uk