

Item F

**Approx.317m South East of 3
Glasmullen Road
Glenariffe**

**E/2015/0032/F
Full Application**

23rd September 2015

<u>No:</u>	E/2015/0032/F	<u>Ward:</u> Glenariff
<u>App Type:</u>	Full Application	
<u>Address:</u>	Approx.317m South East of 3 Glasmullen Road Glenariffe.	
<u>Proposal:</u>	Proposed New Poultry Unit for up to 37,000 Birds, Concrete Apron and Ancillary Building, Meal Silos, New Access Lane and Associated Landscaping.	
<u>Con Area:</u>	N/A	<u>Valid Date:</u>
<u>Listed Building Grade:</u>	N/A	
Agent:	R Robinson and Sons	
Applicant:	Mr Colla McDonnell	
Objections: 0	Petitions of Objection: 0	
Support: 0	Petitions of Support: 0	

Drawings and additional information are available to view on the Planning Portal- www.planningni.gov.uk

1 RECOMMENDATION

- 1.1 That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 9 and the policies and guidance in section 7 and resolves to **GRANT** planning permission subject to the conditions and informatives set out in section 10.

2 SITE LOCATION & DESCRIPTION & CHARACTER OF AREA

- 2.1 The site is located at approx. 317m South East of 3 Glasmullen Road, Glenariffe, Ballymena. The proposal is part of the existing agricultural farm holding located south west of 3 Glasmullen Road, which comprises several agricultural sheds and an existing poultry house.
- 2.2 The site for the proposed poultry unit is in the third agricultural field set back from the Glenariff Road and is relatively flat. This land is at a lower level than the existing farm holding as the land slopes downwards in a south east direction from the Glenariff Road. The boundaries of the field containing the proposed

poultry unit are trees/vegetation along the western and eastern boundaries and a post and wire fence along the southern and northern boundaries. The existing agricultural holding is accessed from the Glasmullen Road and the site proposes to use this same access with improvements with the new lane connecting into the existing access lane.

- 2.3 The site is located within the Antrim Coast and Glens AONB; is approx. 1km east of the Antrim Hills SPA; and 1.5km west of the Garron Plateau Ramsar. Existing residential properties are located approx. 0.3 km north west and approx. 0.35 km south west of the proposed poultry unit. The application site is within a potential archaeological site and there is a fluvial flood zone along the south eastern boundary of the site. The area is characterised by dispersed single dwellings and farm holdings.

3 RELEVANT HISTORY

E/2009/0018/F

Proposal: New free range poultry house for 19,000 birds max.

Address: 94m SE from 3 Glasmullan Road, Glenariff

Approval Granted: 05.01.2010

E/2015/0041/RM

Proposal: Dwelling on the farm

Address: 40 metres east of 3 Glasmullan Road, Kilmore,

Glenariffe, Current application

4 THE APPLICATION

- 4.1 Full planning permission is sought for Proposed New Poultry Unit for up to 37,000 Birds, Concrete Apron and Ancillary Building, Meal Silos, New Access Lane and Associated Landscaping. The new poultry unit is in addition to the existing poultry house bringing the overall capacity of the site to 60 000 birds.
- 4.2 The proposed poultry unit measures approx. 86m in length, 20.6m wide with a ridge height of 6.8m.

5 PUBLICITY & CONSULTATIONS

External:

5.1 **Neighbours: (0)**

No objections received.

Internal:

5.2 **Transport NI:** No objection subject to informatives.

Environmental Health: Refer to the Industrial Pollution and Radiochemical Inspectorate (IPRI) of the NIEA as permit required.

NIEA Natural Heritage: No objection subject to conditions

NIEA Industrial Pollution and Radiochemical Inspectorate (IPRI) No objection

DARDNI: Have confirmed farm business ID and that applicant claims single farm payments.

NIEA Waste Management Unit: No objection subject to PPC permit.

NIEA Water Management Unit: No objection subject to condition regarding disposal of poultry litter.

NIEA Land and Resource Management: No objection

NIEA Historic Monuments Unit: No objection

Rivers Agency: No objection subject to informatives.

NI Water: No objection subject to informatives.

6 MATERIAL CONSIDERATIONS

6.1 Article 45 of the Planning Act (Northern Ireland) 2011 states that, “where an application is made for planning permission, the council or, as the case may be, the Department, in dealing with the application, must have regard to the local development plan, so far as material to the application, and to any other material considerations.”

6.2 The development plan is:

- North Eastern Area Plan 2002 (NEAP)

- draft Northern Area Plan 2016 (dNAP)

- 6.3 The Regional Development Strategy (RDS) is a material consideration.
- 6.4 Due weight should be given to the relevant policies in the development plan.
- 6.5 All material considerations and any policy conflicts are identified in the “Considerations and Assessment” section of the report.

7 RELEVANT POLICIES & GUIDANCE

PPS 1 General Principles

PPS 2 Natural Heritage

PPS 3 Access, Movement and Parking

PPS21 Sustainable Development in the Countryside

8 CONSIDERATIONS & ASSESSMENT

- 8.1 PPS 1 operates a general presumption in favour of development unless there is demonstrable harm to interests of acknowledged importance.
- 8.2 The main considerations in the determination of this application relate to: the principle of the development in this location; visual integration, impact on neighbouring residential properties and, impact on natural or built heritage.
- Principle of development**
- 8.3 Policy CTY 1 of PPS 21 sets out the range of types of development which, in principle, are considered to be acceptable in the countryside and that will contribute to the aims of sustainable development. One of the types of development is agricultural and forestry development in accordance with Policy CTY 12.
- 8.4 Policy CTY 12 states that planning permission will be granted for development on an active and established agricultural and forestry holding where it is demonstrated that:

a) It is necessary for the efficient use of the agricultural holding.

- 8.5 DARD was consulted and confirmed that the applicant has a registered farm business ID which has been in existence for more than six years. DARD also stated that the business has claimed for Single Farm Payment, Less Favoured Area Compensatory Allowances or Agri Environment schemes in the last six years. It is therefore considered the applicant has an active and established farm business/agricultural holding.
- 8.6 The current application is part of a wider expansion of the poultry producing sector which ties in with the DETI and DFP announcement of an Agri-Food Loan scheme available to local broiler producers. As such the proposal relates to the expansion of the existing business and would appear to be necessary to support the needs of the existing business.

b) It is appropriate to the location in terms of character and scale.

- 8.7 The proposed poultry unit measures approx. 86m in length, 20.6m wide with a ridge height of 6.8m. It is positioned in the third agricultural field south east of the Glenariff Road and approx. 100m south east of the existing poultry unit. Also proposed are two meal silos (south east of the unit), a concrete apron (south west of the unit), a new access laneway and an ancillary building comprising changing facilities, office and generator. This building is modest in size measuring approx. 9.6m long x 4.2m wide x 3.9m high and will be positioned approx. 56m north east of the existing poultry unit.
- 8.8 The proposed poultry unit is located approx. 100m south east of the existing poultry unit in the third agricultural field set back from Glenariff Road. It is of a similar scale to the existing unit and is of a standard scale, form and design for a modern poultry unit. Buildings of this type are common in the rural area.

c) It visually integrates into the local landscape and additional landscaping is provided as necessary.

- 8.9 The new poultry unit will be positioned approx. 330m from Glenariff Road; approx. 290m from Glasmullen Road; and approx. 900m from Glen Road so views will be more long range

from these vantage points. The site for the new unit is well screened as there is good vegetation/trees along the northern boundary and there is a tree grouping immediately west of the site.

8.10 Glasmullen Road has good roadside vegetation in terms of trees so views of the new poultry unit will be transient and only for short distances. Glenariff Road also has good roadside vegetation and there are several dwellings along this frontage all of which assists with screening the intermittent long distance views of the new poultry house. All existing mature vegetation is to be retained and additional landscaping is proposed to aid integration. New hedging will define the northern and western boundaries of the site. The concrete apron will be surrounded by hedging to the south east and south west and trees will also be planted along the south western boundary of this section.

d) It will not have an adverse impact on the natural or built heritage.

8.11 Part of the application site is within the buffer zone of an archaeological site and monument - NIEA: HMU have no objections.

8.12 The proposal is located in Antrim Coast and Glens AONB and within close proximity of other designated sites. The proposal is not considered to have significant impacts on these special designations – see detailed consideration under PPS 2.

e) It will not result in a detrimental impact on the amenity of residential dwellings outside the holding.

8.13 Other than the applicants dwelling, there are 5 third party residential properties in the vicinity of the proposed poultry farm. Properties identified are Nos. 74 Glenariff Road (205m), 77 Glenariff Road (180m), 7 Glasmullen Road (315m) and 10 Glasmullen Road (200m). A live planning permission, E/2013/0003/RM, has been identified at 150m away.

8.14 A farm management plan and air quality assessment have been submitted which establishes the likely sources of noise and odour and sets out the procedures to prevent or minimise the impacts. As this proposal is for an installation of more than 40,000 birds in total, IPRI is responsible for the investigation of any noise or odour complaint. The Agricultural Advisory and

Development Service (ADAS) states that at a distance of 400m from a unit the risk of odours at a nuisance level would be minimal. At 200m, odour may be detectable on occasion, and at 100m, odour is very likely to be detectable on occasion and at 50m is inevitable on occasion.

8.15 Given the location relative to sensitive receptors, the proposed development should not give rise to detrimental impacts on the amenity of residential dwellings outside the holding. Environmental Health are content with the proposal subject to NIEA: IPRI granting a permit. They are the primary enforcing authority for environmental impacts from the proposed development by way of noise and air quality including odour.

8.16 Construction dust and noise will be a temporary short-term occurrence and will be minimised where possible. Dust particles and dust associated with animal feed will be reduced by adequate ventilation and general site management. Ventilation and temperature of the poultry unit significantly influences the concentration of odours. Odour levels for all 5 third party receptors are below the guideline figures. The ammonia levels are also within the guideline figures for the Protection of Human Health and Protection of Vegetation.

8.17 On balance it is considered that the proposal will not result in a detrimental impact on the amenity of residential dwellings outside the holding.

Proposed buildings

8.18 In the case where new buildings are proposed, CTY 12 requires: that existing buildings be used; the design and material are sympathetic, and; they are sited beside existing farm or forestry buildings. There are no existing buildings that can be used and all new poultry units have to be a particular size and shape. The re-use of buildings is not appropriate due to bio security risks to flocks and feed.

8.19 The design and materials to be used are sympathetic to the locality and adjacent buildings. The poultry unit is of simple design and buildings of this style are characteristic of the rural area.

- 8.20 The poultry unit is not positioned beside the existing farm holding (agricultural buildings or existing poultry unit) but is located approx. 100m away in a south east direction.
- 8.21 The last paragraph of CTY 12 states that 'exceptionally, consideration may be given to an alternative site away from existing farm or forestry buildings, provided there are no other sites available at another group of buildings on the holding, and where it is essential for the efficient functioning of the business, or there are demonstrable health and safety reasons'. It is reasonable and acceptable for new commercial poultry houses to be sited away from other development in order to reduce the risk of introducing disease to poultry. The exception under Policy CTY 12 can be applied in this instance.
- 8.22 The proposal meets all of the above criteria and therefore complies with Policy CTY 12.
- 8.23 Policy CTY 13 allows for a building in the countryside where it can be visually integrated into the surrounding landscape and it is of an appropriate design. As mentioned above under point c) the proposal will visually integrate into the surrounding landscape and is an appropriate design. It is considered the character of this area will still remain rural and the proposal will not cause a detrimental change to the AONB or the rural character of this area. The existing farm holding is being expanded although the new poultry unit is positioned approx. 100m south east of the existing unit. This location has amenity benefits in that it is located further away from residential properties and there is good vegetation along the field boundaries as well as a tree grouping to aid integration and limit direct views of the proposal from Glasmullen Road and Glenariff Road. The proposal should not cause a detrimental change to the rural character of this area.
- 8.24 Policy AMP3 of PPS3 deals with access to public roads. Transport NI have been consulted and offered no objection subject to conditions.
- 8.25 Policy NH1 of PPS 2 deals with European and Ramsar sites and Policy NH 3 deals with Site of Nature Conservation Importance - National. The site falls within the Antrim Coast and Glens AONB and is within 7.5km of various designated sites.

8.26 The potential impact of this proposal on European sites have been assessed in accordance with the requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995 (as amended). The proposal would not be likely to have a significant effect on the Antrim Hills SPA, Garron Plateau SAC/Ramsar or any other European site, either alone or in combination with any other plans or projects (in light of the definition of these terms in the 'Waddenzee' ruling of the European Court of Justice Case C-127/02) and an appropriate assessment is therefore not required.

8.27 NIEA: NED have considered the impacts of the proposal on Garron Plateau SAC/ASSI, Antrim Hills SPA, Glenariff ASSI, Glenballyeamon River ASSI, Glenariff Glen ASSI, Tievebullagh ASSI, Black Burn ASSI, Galboly ASSI, Gortnagory ASSI given the proximity of the application site (within 7.5km) and is content that the proposal will not have any adverse impact on the ASSI and N2K.

8.28 This has concluded that there will be no likely significant effects. Therefore given the outcome of this assessment the proposal is in compliance with policies NH1 and NH 3 of PPS 2. Additionally given the nature and scale of the proposal the proposal should not cause any harm to any protected species as per Policy NH 2 of PPS 2.

Other Matters

8.29 Information about litter utilisation was submitted stating the litter will be utilised according to Moy Park's Litter Utilisation Strategy in which they have identified renewable energy generation with EPR Fife as the nominated outlet for this material. Litter will be cleared from the site when the birds are removed and immediately transported to the relevant end user.

9 CONCLUSION

9.1 The proposed development is considered acceptable in this location having regard to the area plan and other material considerations. The development is an appropriate use of the land and is acceptable in terms of its layout and appearance. All

other matters can be secured by planning condition. Approval is recommended.

10 CONDITIONS/ INFORMATIVES

10.1 Regulatory Conditions:

1. As required by Section 61 the Planning Act (Northern Ireland) 2011, the development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

Reason: Time Limit.

2. The proposed planting as indicated on Drawing No. 04/1, date stamped 24th April 2015, shall be undertaken during the first available planting season after the occupation of the building for its permitted use.

Reason: In the interest of visual amenity and to ensure the development integrates into the countryside.

3. The trees/vegetation defining the north western boundary of the site (north of the proposed poultry unit) and the tree grouping west of the proposed poultry unit, as indicated on Drawing No. 04/1 date stamped 24th April 2015, shall be retained and protected. No retained tree/vegetation shall be cut down, uprooted or destroyed or have its roots damaged within the crown spread, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Planning Authority.

Reason: To ensure the continuity of amenity afforded by existing trees/vegetation.

4. If within a period of 5 years from the date of the planting of any tree, shrub or hedge, that tree, shrub or hedge is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Planning Authority, seriously damaged or defective, another tree, shrub or hedge of the same species and size as that originally planted shall be planted at the same place, unless the Council gives its written consent to any variation.

Reason: To ensure the provision, establishment and maintenance of a high standard of landscape.

5. The vehicular access, including visibility splays and the passing bay on Glasmullan Road, shall be provided in accordance with Drawing No. 04/1 bearing the date stamp 24th April 2015, prior to the commencement of any other development hereby permitted. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter.

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

6. The access gradient to the development hereby permitted shall not exceed 4% (1 in 25) over the first 20 m outside the road boundary. Where the vehicular access crosses a footway, the access gradient shall be between 4% (1 in 25) maximum and 2.5% (1 in 40) minimum and shall be formed so that there is no abrupt change of slope along the footway.

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

7. The onsite capacity shall be limited to 60,000 (broilers).

Reason: To ensure there are no adverse impacts on the selection features of Garron Plateau SAC/ASSI, Antrim Hills SPA, Glenariff ASSI, Glenballyeamon River ASSI, Glenariff Glen ASSI, Tievebullagh ASSI, Black Burn ASSI, Galboly ASSI and Gortnagory ASSI.

10.2 Informatives:

1. This permission does not confer title. It is the responsibility of the developer to ensure that he controls all the lands necessary to carry out the proposed development.

2. This permission does not alter or extinguish or otherwise affect any existing or valid right of way crossing, impinging or otherwise pertaining to these lands.
3. This approval does not dispense with the necessity of obtaining the permission of the owners of adjacent dwellings for the removal of or building on the party wall or boundary whether or not defined.
4. This determination relates to planning control only and does not cover any consent or approval which may be necessary to authorise the development under other prevailing legislation as may be administered by the Planning authority or other statutory authority.
5. Precautions shall be taken to prevent the deposit of mud and other debris on the adjacent road by vehicles travelling to and from the construction site. Any mud, refuse, etc. deposited on the road as a result of the development, must be removed immediately by the operator/contractor.
6. Poultry Litter shall be disposed of according to the methods as detailed in the Litter Utilisation Information which identifies EPR Fife as the nominated outlet for this material.
7. No effluent produced on site during the emptying or cleaning of the house should be permitted to escape o the environment.
8. All construction plant and materials shall be stored within the curtilage of the site.
9. 'Dirty' water must be collected in the dirty water tank as shown in Drawing No. 04/1 date stamped received 24th April 2015.
10. It is the responsibility of the Developer to ensure that water does not flow from the site onto the public road (including verge or footway) and that existing road side drainage is preserved and does not allow water from the road to enter the site.
11. Notwithstanding the terms and conditions of the Councils approval set out above, you are required under Articles 71-83 inclusive of the Roads (NI) Order 1993 to be in possession of the Department for Regional Development's consent before any work is commenced which involves making or altering any opening to

any boundary adjacent to the public road, verge, or footway or any part of said road, verge, or footway bounding the site. The consent is available on personal application to the TransportNI Section Engineer whose address is County Hall, Castlerock Road, Coleraine, BT51 3HS. A monetary deposit will be required to cover works on the public road.

12. The applicant should also be reminded of their responsibilities under the Control of Pollution (Silage, Slurry and Agricultural Fuel Oil) Regulations (SSAFO) (Northern Ireland) 2003 and The Nitrates Action Programme (NAP) Regulations (Northern Ireland) 2010.
13. The applicant is informed that they have a legal obligation under Part II of 'The Water (Northern Ireland) Order (1999)' to obtain the consent of the DOE NIEA prior to discharging effluent into a waterway or underground stratum for commercial, industrial or domestic premises. This includes any discharge intended to be made from the proposed drainage system as detailed in the application for planning permission.
14. The applicant is informed that it is an offence under Part II, Article 7 of 'The Water (Northern Ireland) Order (1999)' to knowingly or otherwise discharge or deposit any poisonous, noxious or polluting matter so that it enters a waterway or water contained in any underground strata. The penalty if found guilty of an offence under this Article is imprisonment for a term not exceeding 2 years or to a fine or to both.
15. The applicant is informed that it is an offence under section 47 of the Fisheries (NI) Act 1966 to cause pollution which is subsequently shown to have a deleterious effect on fish stocks and that they may be liable to criminal and civil court action for the cost of restocking/rehabilitating a watercourse should a fish kill occur.
16. The applicant's attention is drawn to Article 4 of the Wildlife (Northern Ireland) Order 1985 under which it is an offence to intentionally or recklessly kill, injure or take any wild bird. It is also an offence to intentionally or recklessly: take, damage or destroy the nest of any wild bird while that nest is in use or being built; or take or destroy an egg of any wild bird. If any person intentionally or recklessly disturbs any wild bird or destroy an egg of any wild

bird while it is building a nest or is in, on or near a nest containing eggs or young; or disturbs dependent young of such a bird they shall be guilty of an offence.

17. Tree and hedge loss should be kept to a minimum and removal should not be carried out during the bird building season between 1st March and 31st August.

18. The applicant will be required to be in receipt of a Pollution prevention and Control (PPC) permit prior to first operating the installation at a capacity over 40,000 bird places.

19. Prior to any land spreading NIEA WMU require a detailed Nutrient Management Plan.

17. NIEA WMU would like to highlight the following to the applicant under the SAFFO and NAP Regulations:

- It is noted that a tank will be installed to collect washings from the poultry house. For washings to be considered as dirty water and therefore, subject to the measures relating to dirty water under the NAP Regulations, the applicant must ensure the following:

- The washings must have a Biochemical Oxygen Demand (BOD) no greater than 2000 mg/litre, total nitrogen concentration less than 0.3 kg/m³ and less than 1% dry matter (as specified in the NAP Regulations).

- If the farm unit is subject to an IPPC permit, it will need to be demonstrated that wash water collection and storage facilities qualify as “best available techniques” (BAT). Construction of storage tanks to the British Standard BS5502 would qualify as BAT – other techniques are not excluded, but it will need to be demonstrated that they qualify as BAT i.e. that they provide a similar or better specification.

- If these conditions cannot be met, the washings would be considered as slurry under the above Regulations. The tank installed for collection of washings would then have to comply with the SSAFO Regulations and any disposal of the collected washings comply with the measures relating to slurry in the NAP Regulations.

- Any construction (or substantial alteration) of silage, slurry or agricultural fuel oil storage, completed after 1 December 2003, must comply with the SSAFO Regulations. As well as design, construction and storage capacity standards, the SSAFO Regulations require that any new (or substantially altered) silage, slurry and agricultural fuel oil stores are located at least 10m from any waterway.
- It should also be noted that under the SSAFO Regulations (Regulation 11) NIEA WMU (Agricultural Regulations Team) must be notified of new (or substantially altered) silage, slurry and agricultural fuel oil stores, at least 28 days before they are brought into use. When NIEA WMU has been notified, an inspection may be carried out.
- The applicant should be fully aware that if, subsequently, it is found that silage, slurry or agricultural fuel oil is being stored in facilities (built after 1 December 2003) that do not comply with the SSAFO Regulations, enforcement action may be taken.
- The applicant should be aware of the requirements of the NAP Regulations, which are now operational and cover all of Northern Ireland.
- In particular the applicant must demonstrate provision of sufficient storage capacity for the poultry manure produced on the holding to meet the requirements of the NAP Regulations.
- Should a diverter for the yard be installed it should be fitted prior to the tank to ensure effluent from the tank is not washed through the diverter and to the waterway.
- Prior to the use of a tank diverter being directed to the waterway the tank should be fully power-washed clean and the effluent spread to land. It is not sufficient to empty a tank of dirty water/slurry and divert the effluent to a waterway. Failure to manage a diverter system may lead to NIEA WMU requesting removal of the diverter.
- Under the NAP Regulations any run-off meeting the definition of slurry must be collected in a slurry tank. Run-off meeting the definition of dirty water as described above must be collected with the slurry or in a separate dirty water tank. Only clean water should be disposed of to a soakaway or waterway.

- We would also advise that adequate roof guttering to direct clean roof water to storm drainage, would help minimise the volume of dirty water produced at the site.

The applicant should view the following link containing SSAFO information and a Notification form: http://www.ni-environment.gov.uk/waterhome/agri_regs/agri_regs_ssafo.htm

18. Under the terms of the Water (NI) Order 1999 (as amended) will be required for the discharge of sewage effluent from the proposed development. However the applicant should be aware that there is no guarantee that discharge consent will be granted, as a number of site specific factors need to be taken into account in assessing the suitability of the proposed means of sewage effluent disposal.

An application form for consent to discharge sewage effluent under the Water (NI) Order 1999 (as amended) can be obtained by contacting NIEA WMU at the above address, or by visiting our web site at:-

http://www.ni-environment.gov.uk/water-home/regulation_of_discharges_industrial/industrial_and_private_sewage_2.htm

19. All wastewater treatment systems and soakaways must be located in such a position that they cannot affect surface or ground waters and cannot cause a nuisance to any nearby residential properties.
20. NIEA WMU recommends that no development should take place on-site until the method of sewage disposal has been either agreed in writing with Northern Ireland Water or a consent to discharge has been granted.
21. Care will need to be taken to ensure that polluting discharges do not occur during the works phase. The applicant and contractors involved in the development of this proposal should ensure only clean surface water is discharged to the water environment.
22. NIEA WMU would encourage the use of SUDS (Sustainable Drainage System) techniques during the construction phase to deal with site drainage. If it is not possible to adequately manage construction phase site drainage using SUDS features, consent to discharge under the terms of the Water (NI) Order 1999 (as amended) will then be required.

An application form for consent to discharge site drainage under the Water (NI) Order 1999 (as amended) can be obtained by contacting NIEA WMU at the above address, or by visiting our web site at:

http://www.ni-environment.gov.uk/water-home/regulation_of_discharges_industrial/industrial_and_private_sewage_2.htm

23. The applicant should comply with all the relevant Pollution Prevention Guidelines (PPGs) in order to minimise the impact of the project on the environment, paying particular attention to:

PPG 01 - General guide to pollution prevention

PPG 02 - Above ground oil storage

PPG 04 - Disposal of sewage where no foul sewer is available

PPG 05 - Works in, near or liable to affect watercourses

PPG 06 - Working at demolition and construction sites

These PPGs can be accessed by visiting the NetRegs website at:

<http://search.netregs.org.uk/search?w=pollution%20prevention%20guidelines>

Any 'waterway' as defined by the 'Water (NI) Order 1999 (as amended)' will pose a constraint to the construction project. Consideration must be given at preliminary planning and design stages to ensure that impact on the receiving water environment during any testing, construction and operational phases are minimised.

Mitigation measures to address water quality concerns have not been covered at this stage. NIEA WMU has made comments below relating to considerations which should be made. The perceived risks to any waterway during the construction and operational phase are from oil, hydrocarbons, fuel, suspended solids, concrete, cement and grout.

24. NIEA WMU Pollution Prevention Team must be consulted about any work to be conducted in; near or liable to affect any waterway in order to agree a method statement with the contractors prior to the commencement of any works. This should reflect all mitigation measures identified to prevent pollution of the water environment

during the construction operational / maintenance phase of the project. Such measures must be in place prior to the commencement of any works and should be incorporated in method statements.

25. The appointed contractors will be required to comply with the Control Of Pollution (Oil Storage) Regulations (NI) 2010 (as amended). A key requirement of the Regulations is that oil storage containers (including temporary storage) must have a secondary containment system (a bund, which is an outer wall or enclosure designed to contain the contents of an inner tank, or a drip tray) to ensure that any leaking oil is contained and does not enter the aquatic environment. Guidance on how the Regulations will apply to your development can be found at: www.netregs.org.uk

The applicant should be informed that it is an offence under the Water (NI) Order 1999 (as amended) to discharge or deposit, whether knowingly or otherwise, any poisonous, noxious or polluting matter so that it enters a waterway or water in any underground strata. Conviction of such an offence may incur a fine of up to £20,000 and / or three months imprisonment.