

Report on	Consultation by DfI on further environmental information in respect of planning application LA03/2017/0310/F for Extraction, Transportation and working of sand gravel from Lough Neagh. Sand and gravel to be extracted from within two distinct areas totalling some 3.1km², in the north-west of Lough Neagh situated approximately east of Traad Point, north of Stanierds Point, west of Doss Point and south of Ballyronan and the ancillary deposition of silt and fine material.
Reporting Officer	Chris Boomer Planning Manager
Contact Officer	Melvin Bowman Sinead McEvoy

Is this report restricted for confidential business?	Yes	
If 'Yes', confirm below the exempt information category relied upon	No	x

1.0	Purpose of Report
1.1	To provide members with an overview and a draft reply to the consultation from the Department for Infrastructure (DFI) on a consultation on further environmental information in respect of planning application LA03/2017/0310/F for Extraction, Transportation and working of sand gravel from Lough Neagh. Sand and gravel to be extracted from within two distinct areas totalling some 3.1km ² , in the north-west of Lough Neagh situated approximately east of Traad Point, north of Stanierds Point, west of Doss Point and south of Ballyronan and the ancillary deposition of silt and fine material. The consultation was issued to this council on 20 th November 2017 and seeks a response within 4no. weeks of the consultation date.
2.0	Background
2.1	Members will recall that this council was previously consulted on this application and accompanying Environmental Statement in May 2017. At that time we responded to advise that we had no comment to make and given that this application is being dealt with by the Department of Infrastructure, verification of probity of the Environmental Statement lies with the Department.
2.2	This most recent DfI consultation relates specifically to the receipt of Further Environmental Information in relation to Shadow Habitats Regulations Assessment including Air Quality Report.
3.0	Main Report
3.1	The consultation is made up of a report which states that it is prepared to inform the applicants response on matters raised by NIEA on concerns regarding potential implications for the Lough Neagh Area of Special Scientific Interest (ASSI) and Lough Neagh and Lough Beg Special Protection Area (SPA) and Ramsar site in relation to air

	<p>quality and in particular, Nitrogen Oxide (NOx) concentrations and Nitrogen deposition. The Further Environmental Information report is compiled by Ecology Solutions Ltd. An Air Quality Assessment (undertaken by Redmore environmental) of the implications of barrages in the winning of sand from the Lough is appended to the report.</p>
3.2	<p>The report contains information on the conservation status of the ASSI, SPA and Ramsar site. It then goes on to provide an assessment of the implications of the proposals on these designations. The report advises that a number of discrete receptor locations have been chosen in order to ascertain the impact on the most relevant sensitive habitats across the landing sites.</p>
3.3	<p>The report considers atmospheric nitrogen, nitrogen deposition, identifying real effects and precautionary mitigation. The reports concludes that, on the basis of the best available scientific evidence, including detailed air modelling, the proposals will not result in a risk of any likely significant adverse effect on the ASSI/SPA/Ramsar site as a result of air quality impacts, either alone or in combination with other plans or projects.</p>
3.4	<p>The report goes on to state that currently there is no actual evidence of real harm being caused at the ASSI/SPA/Ramsar site as a result of air quality impacts from sand trader operations. Notwithstanding this the report states that precautionary mitigation has been proposed on a precautionary basis. They state that should the competent authority conclude that mitigation is required a modification to the unloading process is proposed, which will significantly reduce the length of time over which barge engines are running at the quayside. This will in turn result in a reduction in engine emissions and thus a reduction in atmospheric NOx concentrations and Nitrogen deposition levels around the Lough shore.</p>
4.0	Other Considerations
4.1	<p><u>Financial & Human Resources Implications</u></p> <p>Financial:</p> <p>Human:</p>
4.2	<u>Equality and Good Relations Implications</u>
4.3	<u>Risk Management Implications</u>
5.0	Recommendation(s)
5.1	<p>Members are asked to note the contents of this report and it is recommended that a response issue DFI to state that we have no comment to make on this consultation since the application is being decided by DFI and that responsibility for checking the probity of the Further Environmental Information rests with them. The proposed draft response to DFI is attached.</p>

6.0	Documents Attached & References
6.1	Appendix A – Draft letter to DFI



Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

Mid-Ulster District Council
Planning Department
Council Offices
50 Ballyronan Road
Magherafelt
BT45 6EN

Your Ref: LA03/2017/0310/F

January 2018

Strategic Planning Division
Clarence Court
10 – 18 Adelaide Street
Belfast
BT2 8GB

Dear Sir/Madam

Re: Consultation response to further environmental information in respect of planning application LA03/2017/0310/F for Extraction, Transportation and working of sand gravel from Lough Neagh. Sand and gravel to be extracted from within two distinct areas totalling some 3.1km², in the north-west of Lough Neagh situated approximately east of Traad Point, north of Stanierds Point, west of Doss Point and south of Ballyronan and the ancillary deposition of silt and fine material.

Thank you for your consultation of 20th November 2017 in respect of the above proposal.

Mid Ulster District Council Planning Committee has considered the further environmental information. The Council has no comment to make at this time. Given that this application is being dealt with by the Department of Infrastructure, verification of probity of the Further Environmental Information lies with the Department.

Yours sincerely

Melvin Bowman
On behalf of Dr Chris Boomer – Planning Manager
Mid-Ulster District Council

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