

Shared Environmental Service
Ardeevin
80 Galgorm Road
Ballymena
BT42 1AB

29/11/2024

Planning Reference: LA04/2022/2103/F

Location: 1 and 2 Duncrue Pass Belfast BT3 9BS.

Proposal: Proposed change of use and redevelopment of the existing waste management facility and adjoining plant hire business to create a new waste disposal installation for the incineration of healthcare and hazardous waste streams and associated works.

Consultation: This planning application was considered in light of the assessment requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) by Shared Environmental Service on behalf of Belfast City Council which is the competent authority responsible for authorising the project. The assessment which informed this response is attached at Annex A.

Outcome: Following an appropriate assessment in accordance with the Regulations and having considered the nature, scale, timing, duration and location of the project, SES advises the project would not have an adverse effect on the integrity of any European site either alone or in combination with other plans or projects.

SES has assessed the manner in which the project is to be carried out including any mitigation. The appropriate assessment has concluded that the design of the facility and regulatory oversight will ensure no adverse effects on site integrity of Belfast Lough Open Water SPA, Belfast Lough SPA/Ramsar site and East Coast (Northern Ireland) Marine Proposed SPA in light of the conservation objectives.

Advice for planner: Belfast City Council is advised to review the appropriate assessment provided by SES and if agreed, adopt the appropriate assessment. In recording the appropriate assessment in the planning report, the following statement may then be included:

Belfast City Council in its role as the competent Authority under the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended), and in accordance with its duty under Regulation 43, has adopted the HRA report, and conclusions therein, prepared by Shared Environmental Service, dated 29/11/2024. This found that the project would not have an adverse effect on the integrity of any European site.

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ANNEX A

Habitats Regulations Assessment

Carried out by Shared Environmental Service, adopted by Belfast City Council.

Date Completed: 29/11/2024

Planning Reference: LA04/2022/2103/F

Location: 1 and 2 Duncrue Pass Belfast BT3 9BS.

Proposal: Proposed change of use and redevelopment of the existing waste management facility and adjoining plant hire business to create a new waste disposal installation for the incineration of healthcare and hazardous waste streams and associated works.

Grid Reference: 334564 377090

Assessment stage completed

- 1. Assessment resulting in exemption
- 2. Assessment resulting in elimination
- 3. Assessment demonstrating no likely significant effect
- 4. Interim Assessment to inform e.g. EIA determination, PAD
- 5. Further information requested
- 6. Draft appropriate assessment referred to SNCB
- 7. Appropriate assessment complete, no adverse effect on site integrity without conditions
- 8. Appropriate assessment complete, no adverse effect on site integrity with conditions to mitigate
- 9. Appropriate assessment complete, adverse effect on site integrity

Summary of findings

Appropriate Assessment Outcome: The appropriate assessment has concluded that the design of the facility and regulatory oversight will ensure no adverse effects on site integrity of Belfast Lough Open Water SPA, Belfast Lough SPA/Ramsar site and East Coast (Northern Ireland) Marine Proposed SPA.

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Abbreviations/Glossary

AESI	Adverse effect on site integrity	NIW	Northern Ireland Water
Dfi	Department of Infrastructure	PAD	Pre-application discussion
EIA	Environmental Impact Assessment	RLB	Red line boundary
HRA	Habitats Regulations Assessment	SAC	Special Area of Conservation
LSE	Likely significant effect	SES	Shared Environmental Service
NA	Not applicable	SPA	Special Protection Area
NIEA	Northern Ireland Environment Agency	SNCB	Statutory Nature Conservation Body

Mitigation For the purposes of this report ‘mitigation’ includes measures to avoid, cancel or reduce effects

STAGE ONE ASSESSMENT

Note, in light of the April 2018 ruling of the European Court of Justice Case C323/17 (People over Wind and Sweetman), a cautious approach has been taken. Stage One Assessment does consider essential features and characteristics of the project but does not consider measures envisaged to avoid or prevent what might otherwise have been significant adverse effects on the integrity of European Sites. Assessment will therefore progress to Stage Two Appropriate Assessment unless there is certainty that it can be exempted, eliminated or screened out at Stage One. Incorporated and additional measures to avoid or reduce significant adverse effects will be assessed at Stage Two Appropriate Assessment.

A. Description and potential effects of the proposal

Description		
<i>Heading</i>	<i>Short description</i>	<i>Comment</i>
Proposal	Proposed change of use and redevelopment of the existing waste management facility and adjoining plant hire business to create a new waste disposal installation for the incineration of healthcare and hazardous waste streams and associated works.	<p>This proposal seeks to develop a thermal treatment facility for the safe disposal of healthcare and hazardous waste, by the process of incineration with heat recovery and will provide a safe and sustainable solution for the treatment of these wastes.</p> <p>This facility will receive and treat the following wastes streams:</p> <ul style="list-style-type: none"> ▪ Healthcare; waste from hospitals, surgeries, clinics, dentists, veterinary practices and pharmacies. ▪ Community healthcare facilities; residential care homes, day centres and care in the community practices. ▪ Hazardous waste producers; industrial and commercial waste producers that hazardous waste contractors currently export for disposal and recovery to other countries. ▪ Travel Industry; waste from ships and planes to control imported waste materials. ▪ Government Controlled Wastes; specialist waste disposal from Government laboratory facilities and for the destruction of confidential goods such as alcohol drugs and tobacco for HMRC.
Location	1 and 2 Duncrue Pass Belfast BT3 9BS.	
Type of Development	Waste Management	
Size and Scale	0.99 ha	P1 Form
Land-take	None in any European Site	
Resource requirements (water etc.)	Mains water supply	

Emission (disposal to land, water or air)	Foul sewage to mains. Surface water Aerial emissions	P1 Form - Site runoff discharge to existing combined mains sewer at Duncrue Pass, through existing interceptor on site.
Excavation requirements	Will be required to accommodate some aspects related to the site redevelopment. Excavation requirements will not be major in scale.	
Transportation requirements	ES Chapter 15 Traffic and Transport - Operationally there will be a 59% reduction in the number of daily car and van arrival and departures (LGV). There will be a 75% reduction in the number of daily OGV 1 and OGV 2 larger vehicle arrival and departure trip movements, reducing from 111 existing to 28 daily arrivals and 28 daily departures proposed. This reduction will provide environmental benefit as there will be significantly fewer localised daily haul route trips to and from the site.	ES Chapter 15 Traffic and Transport - A wider environmental benefit is traffic associated with up to 20,000 tonnes of clinical waste currently travelling to GB each year by boat can be processed locally, including extracting energy from waste. Assuming a 5-day week and 50 working weeks per year, 28 HGV arrivals and departures equates to 7,000 HGV departing trips and 7000 HGV arriving trips to/from GB that will not be needed.
Duration	Not specified	
Frequency	Not specified	
Timing	Not specified	
Other		
Considerations for Assessment		
Are sea defences proposed/required?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Will there be in river/sea works?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Is piling required?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not applicable	PRA&GQRA, 4.6.4 Updated Conceptual Site Model (ES Appendix 8.1) Table 18 indicates that the engineered design is likely to include piled foundations. The piling will involve limited interaction with groundwater. No risk has been identified to designated sites from contaminated groundwater and/or leachate given the following rational ' <i>limited hydraulic continuity with designated sites given distance from development site</i> '.

		No viable pathway has been identified for piled foundations to negatively impact qualifying feature of any European site.
Is site within a flood plain?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	ArcMaps flood layers checked. DfI Rivers response dated 13/02/2023 confirms site is not in a flood plain.
Is site within 30m of Otter SAC river bank?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Could there be contaminated land?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	PRA&GQRA (ES Appendix 8.1) states: <i>'The proposed development is not considered to pose an impact upon the local water environment.</i> <i>It is concluded that the proposed development poses a low risk to end users and local environment. No specific remedial measures are deemed necessary for commercial end use based on details of the proposed development and site investigation findings detailed within this Report.'</i>
Has NIW confirmed capacity for stormwater/sewage to mains?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not applicable	NIW response 28/02/2023 confirms approval for foul sewage discharge and available capacity at the receiving WWTW.
Potential Effects		
<i>Development Phase</i>	<i>Type</i>	<i>Comment</i>
Pre-construction	Not applicable	
Construction	4. Marine Impact - Indirect Choose an item. Choose an item.	Potential for construction discharges of silt/sediment; release of toxic contaminants from the storage/handling of waste materials; discharges from dewatering of the excavations and small-scale hydrocarbon leaks/spillage from plant entering the existing storm water sewer and negatively impacting connected European sites.
Operation	4. Marine Impact - Indirect 7d. Development - Air Pollution Choose an item.	Potential for operational discharges entering the existing storm water sewer and negatively impacting connected European sites. The nature of the proposed development will generate aerial emissions at the operational phase. Detailed air quality dispersion modelling has been undertaken to consider the predicted process contribution from the project. Further consideration is required at Stage 2 Appropriate Assessment.
Decommissioning	Not applicable	
Restoration and aftercare	Not applicable	

Unintended events	Not applicable	
Assumptions		
<i>Assumption/s</i>	<i>Impact on potential effects</i>	<i>Comment</i>
The site will comply with the terms of a PPC permit.	Operation of facility will be regulated by NIEA.	Prior to operation the site will also require a PPC Permit regulated by NIEA IPRI. Emissions from the site will be regulated under the Implementing Decision 2019/2020 'Establishing the best available techniques (BAT) conclusions, under directive 2010/75/EU of the European Parliament and of the Council, for Waste incineration'. Implementing Decision 2019/2020 references Best Available Techniques Associated Emission Limits (BAT-AEL) as contained within the Bat Reference Document (BREF) for Waste Incineration. Regulation 43 of the Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995 (as amended) applies to any permit application/variation and requires that the competent authority "shall agree to the plan or project only having ascertained that it will not adversely affect the integrity of any European Site". IPRI is the competent authority in this regard.
The applicant will comply with the Waste Management Licensing Regulations (Northern Ireland) 2003 and The Waste and Contaminated Land (Northern Ireland) Order 1997 (as amended).	Operation of facility will be regulated by NIEA.	Concerns the prevention, reduction and elimination of pollution of water, the prevention, reduction and elimination of pollution caused by waste, the regulation and control of the transit, import and export of waste (including waste materials).
The Air Quality Impact Assessment has been prepared by a duly competent company.	This will ensure that aerial emissions have been accurately modelled and are a true reflection of emissions generated during the operation of the proposal.	ES Chapter 14 Air Quality (inc. AQ Technical Appendix 14.1 and Technical Memorandum dated 13/09/24). Prepared by SLR Consulting Ltd, an EIA Quality Mark registered company with the Institute of Environmental Management and Assessment (IEMA). The author is a Chartered Environmentalist (CEnv), Member of the Institute of Air Quality Management (MIAQM) and Member of the Institution of Environmental Sciences (MIEnvSc).
Information gaps		
<i>Information gap</i>	<i>Pathway/Receptor</i>	<i>Comment</i>
None		

B. Overview of sites potentially affected

Site Selection				
Proposal type				Site/s potentially affected
Ammonia livestock emitting project?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If yes is development within 7.5km of European site?	<input type="checkbox"/> Yes <input type="checkbox"/> No	Select Site Select Site Select Site Select Site
Wind turbine/s	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If yes is it within NIEA consultation zone for a European site?	<input type="checkbox"/> Yes <input type="checkbox"/> No	Select Site Select Site Select Site
All developments – is it hydrologically connected to a European site?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	If yes could it have a conceivable impact on any European site?	<input type="checkbox"/> Yes <input type="checkbox"/> No	Belfast Lough Open Water SPA Belfast Lough Ramsar Belfast Lough SPA East Coast (Northern Ireland) Marine Proposed SPA
Could project increase disturbance to site selection features?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If yes detail:		Select Site Select Site Select Site
Any other potential impacts on European sites?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	If yes detail: Potential for aerial deposition from atmospheric pollutants.		Belfast Lough Open Water SPA Belfast Lough Ramsar Belfast Lough SPA East Coast (Northern Ireland) Marine Proposed SPA

Site name	Relative Location of proposal	Pathway	Comment
Belfast Lough Open Water SPA	c.1.5km to the north-east of the proposed development.	Aerial/Hydrological	Potential for construction discharges of silt/sediment; release of toxic contaminants from the storage/handling of waste materials; discharges from dewatering of the excavations and small-scale hydrocarbon leaks/spillage from plant entering the existing drainage network and negatively impacting connected European designated sites.
Belfast Lough SPA/Ramsar site	c.560m to the east of the proposed development.		
East Coast (Northern Ireland) Marine Proposed SPA	c.3.6km to the north of the proposed development.		
			Potential for operational aerial deposition of atmospheric pollutants resulting in acidification and nutrient enrichment of adjacent European designated sites.

Sites considered but excluded from further assessment	
Site name	Reason excluded
North Channel SAC	Hydrological connection, SAC boundary c.15.3km north-east of the proposed development, however, due to distance to this site and magnitude of hydrological dilution/dispersion there can be no conceivable effects on associated mobile features. Atmospheric deposition is not likely to impact the qualifying feature.
The Maidens SAC	Hydrological connection, SAC boundary c.37km north of the proposed development, however, due to distance to this site and magnitude of hydrological dilution/dispersion there can be no conceivable effects on associated mobile features. Atmospheric deposition is not likely to impact the qualifying feature.

C. Outcome Stage One

Proposal exempt	
Is the entire project directly connected with or necessary to the management of all the European site(s) potentially affected and listed above?	<input type="checkbox"/> Yes – project exempt <input checked="" type="checkbox"/> No – further consideration
If 'Yes' justify	Click here to enter text.
Proposal eliminated	
Can any conceivable effect on any European site be objectively ruled out?	<input type="checkbox"/> Yes – project eliminated <input checked="" type="checkbox"/> No – further consideration
If 'Yes' justify why eliminated	Click here to enter text.
Likely Significant Effect	
Considering the project as proposed, and in the absence of any incorporated or additional measures to avoid, cancel or reduce the effects on a European site, could there be a likely significant effect (LSE) on one or more site selection features of any site?	<input type="checkbox"/> No – assessment completed <input checked="" type="checkbox"/> Yes – Progress to Stage Two Appropriate Assessment
If 'No' justify why no LSE	Click here to enter text.

STAGE TWO APPROPRIATE ASSESSMENT

This appropriate assessment further assesses effects on European sites and features and takes account of the evidence listed in the final section 'Evidence Used to Inform Assessment'.

D. Scoping Appropriate Assessment

Sites and Features which will be further assessed			
Site	Feature/s	Development Phases	Potential Impacts
Belfast Lough Open Water SPA	All features	Construction and Operation	<p>Potential for construction discharges of silt/sediment; release of toxic contaminants from the storage/handling of waste materials; discharges from dewatering of the excavations and small-scale hydrocarbon leaks/spillage from plant entering the existing drainage network and negatively impacting connected European designated sites.</p> <p>Potential for operational aerial deposition of atmospheric pollutants resulting in acidification and nutrient enrichment of adjacent European designated sites.</p>
Belfast Lough SPA/Ramsar site			
East Coast (Northern Ireland) Marine Proposed SPA			

E. Assessment of Mitigation Measures

Detail of mitigation measures included in proposal

Environmental Statement - 10.8 Implementation of Mitigation Measures

Mitigation measures to reduce or eliminate impacts on ecological receptors are, for the most part, integral to the operations required to carry out demolition of existing buildings, site preparation and construction of the incinerator facility.

Mitigation of atmospheric emissions are inherent to the design of the flue gas treatment and continuous environmental monitoring equipment that will be installed as part of the plant. Mitigation measures that reduce or eliminates impacts on ecological receptors during operation of the incinerator are integral to the operation and function of the new facility.

The measures included in the proposal are required or are already existing under the proactive regulatory oversight in place for this type of waste facilities which are discussed in more detail in Section F - Assessment of Sites and Features.

F. Assessment of Sites and Features

Belfast Lough Ramsar		Pathway/s: Hydrological/Aerial		
Overall Objective		Not published - assumed to be to maintain or enhance the population of the qualifying species, to maintain or enhance the distribution, extent, structure, function and supporting processes of the qualifying habitats.		
Criterion	Qualifying Feature	Construction	Operation	Other
6	Common redshank , <i>Tringa totanus tetanus</i> Black-tailed godwit , <i>Limosa limosa islandica</i>	Potential impacts		
		<p>The location of the site within a heavily built-up commercial/industrial area restricts the potential for it to support significant populations of qualifying features or supporting habitat.</p> <p><u>Water Quality</u> There are no known waterways in the immediate vicinity of the site, and direct discharge of site waters during construction is therefore unlikely. Surface water from the site during construction of the site will be discharged to the existing combined sewer drainage system.</p> <p>The site has a <u>trade effluent discharge consent ref. TE340220</u> for discharge of trade effluent to foul sewer. A second connection found in the Speedy Hire yard discharges mainly stormwater and the domestic sewage from the staff toilet and kitchen. There are 3 interceptors within these two drainage systems. The site discharges rainwater from the site to a combined foul and stormwater system that ultimately drains to the Dargan WwTW. The Premier Drive Stream provides drainage for stormwater for most of this part of the Duncrue industrial area.</p>	<p>The location of the site within a heavily built-up commercial/industrial area restricts the potential for it to support significant populations of qualifying features or supporting habitat.</p> <p><u>Water Quality</u> This type of operational activity involves waste products that could pose a risk to the aquatic environment over a long period if not appropriately managed. Supporting information details the design of the facility with features which are integral to this type of development. All waste delivered to the site will be treated indoors and will be isolated from groundwater by the concrete platform construction of the facility. There will be no contact between waste liquids and any watercourse.</p> <p>It is stated in the ES, <i>'During the operational phase there may be an increased risk of pollution to water resources due to the use of temporary fuel storage containers and increased plant and equipment that will be used in the construction activity. Sensitivity of the controlled waters in the vicinity is low, given there is no direct connection to the Premier Drive Stream other than through the combined foul and storm water sewage network. The existing site has 3 no. oil interceptors installed, which will remain in place during the construction activity. This will limit the potential risk to stormwater from the accidental release of fuels</i></p>	NA

		<p><u>Summary</u> The existing site drainage infrastructure in place as required under the proactive regulatory oversight of the facility will ensure no adverse effect to the integrity of any European site from the construction phase of the proposal.</p>	<p><i>and chemicals. They will also serve to detain silt arising from rainfall run off on the hard standing yard areas.'</i></p> <p>The site has a <u>trade effluent discharge consent ref. TE340220</u> for discharge of trade effluent to foul sewer. A second connection found in the Speedy Hire yard discharges mainly stormwater and the domestic sewage from the staff toilet and kitchen. There are 3 interceptors within these two drainage systems. The site discharges rainwater from the site to a combined foul and stormwater system that ultimately drains to the Dargan WwTW. The Premier Drive Stream provides drainage for stormwater for most of this part of the Duncrue industrial area. If permission is granted for this application, a new discharge consent or a review of the existing discharge consent will be required.</p> <p>The site will operate under a Waste Management Licence. A Waste Management Licence ref. <u>LN/18/01</u> is currently in place. NIEA are responsible for granting waste licences, setting conditions on licensing activities and monitoring sites to ensure compliance with licence conditions.</p> <p>The site will be subject to the conditions of this licence which will confirm the types of waste that can be accepted and agree a working plan to include a management system detailing the operation, control, monitoring, and maintenance of all specified waste management operations. If permission is granted for this application, a new waste authorisation or a review of the existing waste authorisation will be required.</p> <p>Prior to operation the site will also require a PPC Permit regulated by NIEA IPRI. Emissions from the site will be regulated under the Implementing Decision 2019/2020 'Establishing the best available techniques (BAT) conclusions, under directive 2010/75/EU of the European Parliament and of the Council, for Waste incineration'. Implementing Decision 2019/2020 references Best Available Techniques Associated</p>	
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			<p>Emission Limits (BAT-AEL) as contained within the Bat Reference Document (BREF) for Waste Incineration. Regulation 43 of the Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995 (as amended) applies to any permit application/variation and requires that the competent authority “shall agree to the plan or project only having ascertained that it will not adversely affect the integrity of any European Site”. IPRI is the competent authority in this regard.</p> <p><u>Aerial Emissions</u> The waste incineration process will result in the production of waste gases, which will be directed to the facility gas-cleaning equipment to reduce emissions to air. Acidic gases derived from chlorine and sulphur compounds present in the incinerated waste have the potential to have effects on vegetation, habitats, receiving waters and aquatic organisms. Proposed gas-cleaning equipment neutralises acidic gases and filters out particulate matter and adsorbing heavy metals, dioxins and furans to prevent these from being emitted to atmosphere. Equipment will conform with the most stringent environmental limits set out in the 2019 BREF document (Chapter 2). A Continuous Emissions Monitoring System will continuously monitor flue gas contaminants prior to flue gas discharge to air via a stack (at this site 36m in height). Dispersion of treated flue gases is likely to result in no discernible effect on semi-natural habitats, fauna or ecological features of protected sites.</p> <p>The clean air emissions system and the Combined Heat and Power Plant will be installed internally into the Building 2 and a new flue will be added. Flue Gas Treatment will include dry reagent dosing and filtration to achieve emissions limits in line with requirements. A Continuous Emissions Monitoring System will be installed to continuously monitor flue gas contaminant concentrations for reporting to the NIEA. Flue gas will be exhausted via a stack of up to</p>	
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			<p>approximately 30m in height. Measures to address atmospheric emissions are inherent to the design of the flue gas treatment and continuous environmental monitoring equipment that will be installed as part of the plant.</p> <p>NIEA have advised Planning Authorities of an interim assessment approach based on the concepts detailed within the Decision-Making Threshold (DMT) project, commissioned by the Joint Nature Conservation Committee (JNCC Report No. 696). This recommends thresholds based on the best available scientific information and modelling.</p> <p>ES Chapter 14 Air Quality, AQ Technical Appendix 14.1 and Technical Memorandum (TM) 13/09/24 provide details of air dispersion modelling results at European sites in the vicinity of the proposal.</p> <p>Table 1 of the TM confirms the maximum NH₃ process contribution from the proposal at this site to be 0.0151 µg/m³. This equates to 0.517 % of the sites assigned Critical Level (CLe) 3 and exceeds the Decision-Making Threshold (DMT) of 0.08%. Where the DMT is exceeded a Site Relevant Threshold (SRT) can be applied. The SRT represents a simple refinement to the Universal DMT made on the basis of development pressure.</p> <p>Annex 1 of NIEA consultation response 17/10/24 provides the results of the Air Pollution Decision and Advisory Framework Assessment on all sites within 7.5km of the proposal for NH₃ concentration and Nitrogen Deposition.</p> <p>NED 17/10/24 advise that...</p> <p><i>'the PCs do not exceed the Site Relevant Threshold (SRT) for NH₃ concentration. Although the PCs for Inner Belfast Lough ASSI and Belfast Lough SPA/Ramsar exceed the SRT for Critical Load (CL), both PCs do not exceed the Test of Likely Significance</i></p>	
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			<p><i>threshold (ToLS) for CLs when considered in-combination with other plans/projects.</i></p> <p><i>The PCs for Inner Belfast Lough ASSI, Outer Belfast Lough ASSI, Belfast Lough SPA/Ramsar and Belfast Lough Open Water SPA exceed the ToLS threshold for NOx concentration on their own. However, the background NOx concentration does not exceed the NOx Critical Level (CLe) at the nearest receptor location for each of these designated sites. The Predicted Environmental Concentrations (PECs) for each of these sites were <70% and therefore meet the thresholds within the advisory framework. The rest of the designated sites have PCs which do not exceed the SRT for NOx concentration.'</i></p> <p><i>...for each of these sites the Process Contributions (PC's) meet the thresholds within the advisory framework. NED advises that under the Air Pollution Decision and Advisory Framework, there are no air quality concerns with the proposal.'</i></p> <p>Summary The maximum process contributions from the facility do not exceed the advisory thresholds set by NIEA. Measures and features inherent to the design of the facility are required under the proactive regulatory oversight in place as part of the sites operational procedures and will ensure no adverse effect to the integrity of any European site from operational aspects of the proposal in light of the conservation objectives.</p>	
		Impact of mitigation on potential effects		
		NA	NA	NA
		Residual Impacts		
		No AESI	No AESI	NA

Belfast Lough SPA		Pathway/s: Hydrological/Aerial			
Overall Objective		To maintain each feature in favourable condition			
Feature	Status	Feature Objective	Construction	Operation	Other
Qualifying Feature	Cited feature	<p>To maintain or enhance the population of the qualifying species.</p> <p>To maintain or enhance the range of habitats utilised by the qualifying species. To ensure that the integrity of the site is maintained;</p> <p>To ensure there is no significant disturbance of the species and to ensure that the following are maintained in the long term:</p> <ul style="list-style-type: none"> • 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. 	Potential impacts		
Redshank wintering population			<p>The location of the site within a heavily built-up commercial/industrial area restricts the potential for it to support significant populations of qualifying features or supporting habitat.</p> <p><u>Water Quality</u></p> <p>There are no known waterways in the immediate vicinity of the site, and direct discharge of site waters during construction is therefore unlikely. Surface water from the site during construction of the site will be discharged to the existing combined sewer drainage system.</p> <p>The site has a <u>trade effluent discharge consent ref. TE340220</u> for discharge of trade effluent to foul sewer. A second connection found in the Speedy Hire yard discharges mainly stormwater and the domestic sewage from the staff toilet and kitchen. There are 3 interceptors within these two drainage systems. The site discharges rainwater from the site to a combined foul and stormwater system that ultimately drains to the Dargan WwTW. The Premier Drive Stream provides drainage for stormwater for most of this part of the Duncrue industrial area.</p> <p><u>Summary</u></p>	<p>The location of the site within a heavily built-up commercial/industrial area restricts the potential for it to support significant populations of qualifying features or supporting habitat.</p> <p><u>Water Quality</u></p> <p>This type of operational activity involves waste products that could pose a risk to the aquatic environment over a long period if not appropriately managed. Supporting information details the design of the facility with features which are integral to this type of development. All waste delivered to the site will be treated indoors and will be isolated from groundwater by the concrete platform construction of the facility. There will be no contact between waste liquids and any watercourse.</p> <p>It is stated in the ES, <i>'During the operational phase there may be an increased risk of pollution to water resources due to the use of temporary fuel storage containers and increased plant and equipment that will be used in the construction activity. Sensitivity of the controlled waters in the vicinity is low, given there is no direct connection to the Premier Drive Stream other than through the combined foul and storm water sewage network. The existing site has 3 no. oil interceptors installed, which will remain in place during the construction activity. This will limit the potential risk to stormwater from the accidental release of fuels and chemicals. They will also serve to detain silt arising from rainfall run off on the hard standing yard areas.'</i></p>	NA

			<p>The existing site drainage infrastructure in place as required under the proactive regulatory oversight of the facility will ensure no adverse effect to the integrity of any European site from the construction phase of the proposal.</p>	<p>The site has a <u>trade effluent discharge consent ref. TE340220</u> for discharge of trade effluent to foul sewer. A second connection found in the Speedy Hire yard discharges mainly stormwater and the domestic sewage from the staff toilet and kitchen. There are 3 interceptors within these two drainage systems. The site discharges rainwater from the site to a combined foul and stormwater system that ultimately drains to the Dargan WwTW. The Premier Drive Stream provides drainage for stormwater for most of this part of the Duncrue industrial area. If permission is granted for this application, a new discharge consent or a review of the existing discharge consent will be required.</p> <p>The site will operate under a Waste Management Licence. A Waste Management Licence ref. <u>LN/18/01</u> is currently in place. NIEA are responsible for granting waste licences, setting conditions on licensing activities and monitoring sites to ensure compliance with licence conditions.</p> <p>The site will be subject to the conditions of this licence which will confirm the types of waste that can be accepted and agree a working plan to include a management system detailing the operation, control, monitoring, and maintenance of all specified waste management operations. If permission is granted for this application, a new waste authorisation or a review of the existing waste authorisation will be required.</p> <p>Prior to operation the site will also require a PPC Permit regulated by NIEA IPRI. Emissions from the site will be regulated under the Implementing Decision 2019/2020 'Establishing the best available techniques (BAT) conclusions, under directive 2010/75/EU of the European Parliament and of the Council, for Waste incineration'. Implementing Decision 2019/2020 references Best Available Techniques Associated Emission Limits (BAT-AEL) as contained within the Bat Reference Document (BREF) for Waste Incineration. Regulation 43 of the Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995 (as amended)</p>	
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				<p>applies to any permit application/variation and requires that the competent authority “shall agree to the plan or project only having ascertained that it will not adversely affect the integrity of any European Site”. IPRI is the competent authority in this regard.</p> <p><u>Aerial Emissions</u></p> <p>The waste incineration process will result in the production of waste gases, which will be directed to the facility gas-cleaning equipment to reduce emissions to air. Acidic gases derived from chlorine and sulphur compounds present in the incinerated waste have the potential to have effects on vegetation, habitats, receiving waters and aquatic organisms. Proposed gas-cleaning equipment neutralises acidic gases and filters out particulate matter and adsorbing heavy metals, dioxins and furans to prevent these from being emitted to atmosphere. Equipment will conform with the most stringent environmental limits set out in the 2019 BREF document (Chapter 2). A Continuous Emissions Monitoring System will continuously monitor flue gas contaminants prior to flue gas discharge to air via a stack (at this site 36m in height). Dispersion of treated flue gases is likely to result in no discernible effect on semi-natural habitats, fauna or ecological features of protected sites.</p> <p>The clean air emissions system and the Combined Heat and Power Plant will be installed internally into the Building 2 and a new flue will be added. Flue Gas Treatment will include dry reagent dosing and filtration to achieve emissions limits in line with requirements. A Continuous Emissions Monitoring System will be installed to continuously monitor flue gas contaminant concentrations for reporting to the NIEA. Flue gas will be exhausted via a stack of up to approximately 30m in height. Measures to address atmospheric emissions are inherent to the design of the flue gas treatment and continuous environmental</p>	
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				<p>monitoring equipment that will be installed as part of the plant.</p> <p>NIEA have advised Planning Authorities of an interim assessment approach based on the concepts detailed within the Decision-Making Threshold (DMT) project, commissioned by the Joint Nature Conservation Committee (JNCC Report No. 696). This recommends thresholds based on the best available scientific information and modelling.</p> <p>ES Chapter 14 Air Quality, AQ Technical Appendix 14.1 and Technical Memorandum (TM) 13/09/24 provide details of air dispersion modelling results at European sites in the vicinity of the proposal.</p> <p>Table 1 of the TM confirms the maximum NH₃ process contribution from the proposal at this site to be 0.0151 µg/m³. This equates to 0.517 % of the sites assigned Critical Level (CLe) 3 and exceeds the Decision-Making Threshold (DMT) of 0.08%. Where the DMT is exceeded a Site Relevant Threshold (SRT) can be applied. The SRT represents a simple refinement to the Universal DMT made on the basis of development pressure.</p> <p>Annex 1 of NIEA consultation response 17/10/24 provides the results of the Air Pollution Decision and Advisory Framework Assessment on all sites within 7.5km of the proposal for NH3 concentration and Nitrogen Deposition.</p> <p>NED 17/10/24 advise that...</p> <p><i>'the PCs do not exceed the Site Relevant Threshold (SRT) for NH3 concentration. Although the PCs for Inner Belfast Lough ASSI and Belfast Lough SPA/Ramsar exceed the SRT for Critical Load (CL), both PCs do not exceed the Test of Likely Significance threshold (ToLS) for CLs when considered in-combination with other plans/projects.</i></p> <p><i>The PCs for Inner Belfast Lough ASSI, Outer Belfast Lough ASSI, Belfast Lough SPA/Ramsar and Belfast</i></p>	
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				<p>ough Open Water SPA exceed the ToLS threshold for NOx concentration on their own. However, the background NOx concentration does not exceed the NOx Critical Level (CLe) at the nearest receptor location for each of these designated sites. The Predicted Environmental Concentrations (PECs) for each of these sites were <70% and therefore meet the thresholds within the advisory framework. The rest of the designated sites have PCs which do not exceed the SRT for NOx concentration.'</p> <p>...for each of these sites the Process Contributions (PC's) meet the thresholds within the advisory framework. NED advises that under the Air Pollution Decision and Advisory Framework, there are no air quality concerns with the proposal.'</p> <p><u>Summary</u> The maximum process contributions from the facility do not exceed the advisory thresholds set by NIEA. Measures and features inherent to the design of the facility are required under the proactive regulatory oversight in place as part of the sites operational procedures and will ensure no adverse effect to the integrity of any European site from operational aspects of the proposal in light of the conservation objectives.</p>	
			Impact of mitigation on potential effects		
			NA	NA	NA
			Residual Impacts		
			No AESI	No AESI	NA
Condition Assessment			Potential impacts		
Unfavourable					NA
Qualifying Feature	Cited feature		Impact of mitigation on potential effects		
Common tern & Arctic tern Breeding population			NA	NA	NA

Condition Assessment			Residual Impacts		
Favourable			No AESI	No AESI	NA
Qualifying Feature	Cited feature		Potential impacts		
Bar-tailed godwit (not breeding)					NA
		Impact of mitigation on potential effects			
Condition Assessment			NA	NA	NA
Favourable			Residual Impacts		
			No AESI	No AESI	NA
Qualifying Feature	Cited feature		Potential impacts		
Black tailed godwit					NA
		Impact of mitigation on potential effects			
Condition Assessment			NA	NA	NA
Favourable			Residual Impacts		
			No AESI	No AESI	NA

East Coast (Northern Ireland) Marine pSPA (Includes Belfast Lough Open Water SPA)		Pathway/s: Hydrological/Aerial			
Overall Objective		To maintain each feature in favourable condition			
Feature	Status	Feature Objective	Construction	Operation	Other
Qualifying Feature		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	Potential impacts		
Wintering populations of Great Crested Grebe, Red-throated Diver, Eider Duck			The location of the site within a heavily built-up commercial/industrial area restricts the potential for it to support significant populations of qualifying features or supporting habitat.	The location of the site within a heavily built-up commercial/industrial area restricts the potential for it to support significant populations of qualifying features or supporting habitat. <u>Water Quality</u>	NA

		<p>that the following are maintained in the long term:</p> <ul style="list-style-type: none"> • 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. 	<p><u>Water Quality</u> There are no known waterways in the immediate vicinity of the site, and direct discharge of site waters during construction is therefore unlikely. Surface water from the site during construction of the site will be discharged to the existing combined sewer drainage system.</p> <p>The site has a <u>trade effluent discharge consent ref. TE340220</u> for discharge of trade effluent to foul sewer. A second connection found in the Speedy Hire yard discharges mainly stormwater and the domestic sewage from the staff toilet and kitchen. There are 3 interceptors within these two drainage systems. The site discharges rainwater from the site to a combined foul and stormwater system that ultimately drains to the Dargan WwTW. The Premier Drive Stream provides drainage for stormwater for most of this part of the Duncrue industrial area.</p> <p><u>Summary</u> The existing site drainage infrastructure in place as required under the proactive regulatory oversight of the facility will ensure no adverse effect to the integrity of any European site from the construction phase of the proposal.</p>	<p>This type of operational activity involves waste products that could pose a risk to the aquatic environment over a long period if not appropriately managed. Supporting information details the design of the facility with features which are inherent to this type of development. All waste delivered to the site will be treated indoors and will be isolated from groundwater by the concrete platform construction of the facility. There will be no contact between waste liquids and any watercourse.</p> <p>It is stated in the ES, <i>'During the operational phase there may be an increased risk of pollution to water resources due to the use of temporary fuel storage containers and increased plant and equipment that will be used in the construction activity. Sensitivity of the controlled waters in the vicinity is low, given there is no direct connection to the Premier Drive Stream other than through the combined foul and storm water sewage network. The existing site has 3 no. oil interceptors installed, which will remain in place during the construction activity. This will limit the potential risk to stormwater from the accidental release of fuels and chemicals. They will also serve to detain silt arising from rainfall run off on the hard standing yard areas.'</i></p> <p>The site has a <u>trade effluent discharge consent ref. TE340220</u> for discharge of trade effluent to foul sewer. A second connection found in the Speedy Hire yard discharges mainly stormwater and the domestic sewage from the staff toilet and kitchen. There are 3 interceptors within these two drainage systems. The site discharges rainwater from the site to a combined foul</p>	
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				<p>and stormwater system that ultimately drains to the Dargan WwTW. The Premier Drive Stream provides drainage for stormwater for most of this part of the Duncrue industrial area. If permission is granted for this application, a new discharge consent or a review of the existing discharge consent will be required.</p> <p>The site will operate under a Waste Management Licence. A Waste Management Licence ref. <u>LN/18/01</u> is currently in place. NIEA are responsible for granting waste licences, setting conditions on licensing activities and monitoring sites to ensure compliance with licence conditions.</p> <p>The site will be subject to the conditions of this licence which will confirm the types of waste that can be accepted and agree a working plan to include a management system detailing the operation, control, monitoring, and maintenance of all specified waste management operations. If permission is granted for this application, a new waste authorisation or a review of the existing waste authorisation will be required.</p> <p>Prior to operation the site will also require a PPC Permit regulated by NIEA IPRI. Emissions from the site will be regulated under the Implementing Decision 2019/2020 'Establishing the best available techniques (BAT) conclusions, under directive 2010/75/EU of the European Parliament and of the Council, for Waste incineration'. Implementing Decision 2019/2020 references Best Available Techniques Associated Emission Limits (BAT-AEL) as contained within the Bat Reference Document (BREF) for Waste Incineration.</p>	
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				<p>Regulation 43 of the Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995 (as amended) applies to any permit application/variation and requires that the competent authority “shall agree to the plan or project only having ascertained that it will not adversely affect the integrity of any European Site”. IPRI is the competent authority in this regard.</p> <p><u>Aerial Emissions</u> The waste incineration process will result in the production of waste gases, which will be directed to the facility gas-cleaning equipment to reduce emissions to air. Acidic gases derived from chlorine and sulphur compounds present in the incinerated waste have the potential to have effects on vegetation, habitats, receiving waters and aquatic organisms. Proposed gas-cleaning equipment neutralises acidic gases and filters out particulate matter and adsorbing heavy metals, dioxins and furans to prevent these from being emitted to atmosphere. Equipment will conform with the most stringent environmental limits set out in the 2019 BREF document (Chapter 2). A Continuous Emissions Monitoring System will continuously monitor flue gas contaminants prior to flue gas discharge to air via a stack (at this site 36m in height). Dispersion of treated flue gases is likely to result in no discernible effect on semi-natural habitats, fauna or ecological features of protected sites.</p> <p>The clean air emissions system and the Combined Heat and Power Plant will be installed internally into the Building 2 and a new flue will be added. Flue Gas Treatment will include dry reagent dosing and filtration</p>	
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				<p>to achieve emissions limits in line with requirements. A Continuous Emissions Monitoring System will be installed to continuously monitor flue gas contaminant concentrations for reporting to the NIEA. Flue gas will be exhausted via a stack of up to approximately 30m in height. Measures to address atmospheric emissions are inherent to the design of the flue gas treatment and continuous environmental monitoring equipment that will be installed as part of the plant.</p> <p>NIEA have advised Planning Authorities of an interim assessment approach based on the concepts detailed within the Decision-Making Threshold (DMT) project, commissioned by the Joint Nature Conservation Committee (JNCC Report No. 696). This recommends thresholds based on the best available scientific information and modelling.</p> <p>ES Chapter 14 Air Quality, AQ Technical Appendix 14.1 and Technical Memorandum (TM) 13/09/24 provide details of air dispersion modelling results at European sites in the vicinity of the proposal.</p> <p>Table 1 of the TM confirms the maximum NH₃ process contribution from the proposal at this site to be 0.0135 µg/m³. This equates to 0.45 % of the sites assigned Critical Level (CLe) 3 and exceeds the Decision-Making Threshold (DMT) of 0.08%. Where the DMT is exceeded a Site Relevant Threshold (SRT) can be applied. The SRT represents a simple refinement to the Universal DMT made on the basis of development pressure.</p> <p>Annex 1 of NIEA consultation response 17/10/24 provides the results of the Air</p>	
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				<p>Pollution Decision and Advisory Framework Assessment on all sites within 7.5km of the proposal for NH3 concentration and Nitrogen Deposition.</p> <p>NED 17/10/24 advise that...</p> <p><i>'the PCs do not exceed the Site Relevant Threshold (SRT) for NH3 concentration. Although the PCs for Inner Belfast Lough ASSI and Belfast Lough SPA/Ramsar exceed the SRT for Critical Load (CL), both PCs do not exceed the Test of Likely Significance threshold (ToLS) for CLs when considered in-combination with other plans/projects.</i></p> <p><i>The PCs for Inner Belfast Lough ASSI, Outer Belfast Lough ASSI, Belfast Lough SPA/Ramsar and Belfast lough Open Water SPA exceed the ToLS threshold for NOx concentration on their own. However, the background NOx concentration does not exceed the NOx Critical Level (CLe) at the nearest receptor location for each of these designated sites. The Predicted Environmental Concentrations (PECs) for each of these sites were <70% and therefore meet the thresholds within the advisory framework. The rest of the designated sites have PCs which do not exceed the SRT for NOx concentration.'</i></p> <p><i>...for each of these sites the Process Contributions (PC's) meet the thresholds within the advisory framework. NED advises that under the Air Pollution Decision and Advisory Framework, there are no air quality concerns with the proposal.'</i></p> <p><u>Summary</u> The maximum process contributions from the facility do not exceed the advisory thresholds set by NIEA.</p>	
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				Measures and features inherent to the design of the facility are required under the proactive regulatory oversight in place as part of the sites operational procedures and will ensure no adverse effect to the integrity of any European site from operational aspects of the proposal in light of the conservation objectives.	
			Impact of mitigation on potential effects		
			NA	NA	NA
Condition Assessment			Residual Impacts		
Not assessed to date. (Great Crested Grebe wintering population, unfavourable in Belfast Lough Open Water SPA).			No AESI	No AESI	NA
Qualifying Feature			Potential impacts		
Breeding populations of Sandwich Tern, Common Tern, Arctic Tern, Manx Shearwater.			As above	As above	NA
			Impact of mitigation on potential effects		
			NA	NA	NA
Condition Assessment			Residual Impacts		
			No AESI	No AESI	NA

G. Assessment of In Combination Effects

Are there any residual insignificant effects on site integrity?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	Comment: The proposed development has no residual significant or insignificant effects which could contribute to cumulative effects. Therefore, an in-combination assessment is not required.
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H. Outcome of Appropriate Assessment

Site	Residual effect following application of mitigation measures?	Comment
Belfast Lough Open Water SPA Belfast Lough SPA/Ramsar site East Coast (Northern Ireland) Marine Proposed SPA	<input checked="" type="checkbox"/> No adverse effect on site integrity	Regulatory oversight will ensure site integrity of adjacent European sites are not impacted by the proposed development.

Taking account of the assessment above, including any incorporated and additional mitigation measures, could there be an adverse effect on site integrity for any site from the proposal alone or in combination with other projects or plans?		<input checked="" type="checkbox"/> No AESI – summarise outcome and record any conditions required to ensure mitigation is implemented <input type="checkbox"/> Yes AESI – detail here .
Recommendation	The appropriate assessment has concluded that the design of the facility and regulatory oversight will ensure no adverse effects on site integrity of Belfast Lough Open Water SPA, Belfast Lough SPA/Ramsar site and East Coast (Northern Ireland) Marine Proposed SPA.	
Conditions to ensure mitigation is implemented		
Are any conditions required to ensure that the proposal and mitigation measures are adhered to?		<input type="checkbox"/> Yes – complete next section and add condition/s <input checked="" type="checkbox"/> No – assessment complete

EVIDENCE USED TO INFORM ASSESSMENT

Title	Date	Source	Comment
Application Documents	29/11/2024	NI Planning Portal	
Conservation Objectives	29/11/2024	NIEA Website	
ArcView Spatial Information	29/11/2024	Spatial NI and NIEA	
Representations	29/11/2024	NI Planning Portal	1 representation received to date – neutral.
Information gap/s		What is the impact of these?	
None			
Uncertainties		What is the impact of these?	
None			

Consultation with Statutory Nature Conservation Body (SNCB)	
Was the SNCB consulted?	<input checked="" type="checkbox"/> Yes – provide date and advice below <input type="checkbox"/> Not necessary as Stage One found appropriate assessment not required
Date	Advice
13/03/2023	<p><u>M&F</u> Shellfish Waters The application site is in close proximity to Belfast Lough, which is a Shellfish Water Protected Area under the Water Environment (Water Framework Directive) Regulations (Northern Ireland) 2017. The Shellfish Water Protected Area contains commercial shellfish harvesting areas which must meet stringent bacteriological and chemical standards laid down in the Water Framework Directive (Classification, Priority Substances and Shellfish Waters) Regulations (Northern Ireland) 2015 and the Food Hygiene Regulations (EU 2017/625). This must be taken into consideration when assessing any plan/project adjacent to a Shellfish Water Protected Area. MAT MAT would draw attention to the Guidance for Pollution Prevention (GPP) documents available on NetRegs and DAERA standing advice. These include GPP5 “Working and Maintenance In or Near Water” and GPP 21 “Pollution Incident Response Planning”.</p> <p><u>WMU</u> Has considered the impacts of the proposal on the water environment and would advise the proposal has the potential to adversely affect the surface water environment. Conditions: Should this application be approved Water Management Unit recommend the following condition is inserted in any decision notice. Condition: No development should take place on-site until the method of sewage disposal has been agreed in writing with Northern Ireland Water (NIW) or a Consent to discharge has been granted under the terms of the Water (NI) Order 1999. Reason: This condition is both to ensure protection to the aquatic environment and to help the applicant avoid incurring unnecessary expense before it can be ascertained that a feasible method of sewage disposal is available. The applicant should note this also includes the purchase of any waste water treatment system. In addition the recommended conditions and informatives as set out in DAERA Standing Advice Industrial and Commercial Developments are appropriate for this development. All DAERA Standing advice referred to in this response unless otherwise stated can be found at the following link www.daera-ni.gov.uk/water-environment-standingadvice Explanatory Note: If NIW advise the NI Planning Case Officer that they are content that both the Belfast Waste Water Treatment Works (WWTW) and the associated sewer network for this development can take the additional load, with no adverse effect on the WWTW or sewer network’s ability to comply with their Water Order Consents, then Water Management Unit has no objection to this aspect of the proposal. If NIW advise it is not possible to connect the proposed development then alternative arrangements will be required and a Discharge Consent issued under the terms of the Water (NI) Order 1999 will be required for the discharge of sewage effluent from the proposed development. The applicant must refer and adhere to all the relevant precepts contained in DAERA Standing Advice Industrial and Commercial Developments. The applicant must refer and adhere to the relevant precepts contained in DAERA Standing Advice Pollution Prevention Guidance. The applicant should note discharge consent, issued under the Water (Northern Ireland) Order 1999, is required for any discharges to the aquatic environment and may be required for site drainage during the construction phase of the development. Any proposed discharges not directly related to the construction of the development, such as from septic tanks or wash facilities, will also require separate discharge consent applications. The</p>

	<p>applicant must refer and adhere to all the relevant precepts contained in DAERA Standing Advice Discharges to the Water Environment.</p> <p><u>RU</u> An Environmental Statement has been provided in support of this planning application. Chapter 8 of which summarises the land contamination issues however Appendix 8.1 which contains the necessary risk assessments (PRA & GQRA) has not been provided for this consultation. Regulation Unit Land and Groundwater Team have not been provided with sufficient information to advise the Planning Authority as to the environmental risks from this development.</p> <p><u>IPRI</u> IPRI has previously commented on the related planning application, LA04/2021/2233/PAD, for the site and has stated that the applicant will require a PPC permit under the Pollution Prevention and Control (Industrial Emissions) Regulations (NI) 2013.</p>
18/04/2023	<p><u>RU</u> A Preliminary and Generic Quantitative Risk Assessment (PRA & GQRA) report has been provided by AMC Environmental in support of this planning application. The GQRA is informed by site investigations and environmental monitoring data. No unacceptable risks to environmental receptors have been identified for the development. There are potential risks through the creation of pathways via piling. Regulation Unit Land and Groundwater Team have no objections to the development provided conditions and informatives are placed on any Planning Decision Notice as recommended.</p> <p>Conditions Wording for proposed Conditions concerning the management of land contamination are provided below and should you wish to discuss or have further clarity then do not hesitate to get in touch with the Land and Groundwater Team in Regulation Unit. In addition to imposing planning Conditions to address contamination and its risks, it is essential to ensure that these planning Conditions are complied with and discharged.</p> <p>1. No development or piling work should commence on this site until a piling risk assessment, undertaken in full accordance with the methodology contained within the Environment Agency document on “Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention”, has been submitted in writing and agreed with the Planning Authority. The methodology is available at: http://webarchive.nationalarchives.gov.uk/20140329082415/http://cdn.environment-agency.gov.uk/scho0501bitt-e-e.pdf. Reason: Protection of environmental receptors to ensure the site is suitable for use.</p> <p>2. If during the development works, new contamination or risks are encountered which have not previously been identified, works should cease and the Planning Authority shall be notified immediately. This new contamination shall be fully investigated in accordance with the Land Contamination: Risk Management (LCRM) guidance available at https://www.gov.uk/guidance/landcontamination-how-to-manage-the-risks. In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Planning Authority in writing, and subsequently implemented and verified to its satisfaction. Reason: Protection of environmental receptors to ensure the site is suitable for use.</p>

	<p>3. After completing the remediation works under Condition 1; and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with Planning Authority. This report should be completed Regulation Unit by competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance available at https://www.gov.uk/guidance/landcontamination-how-to-manage-the-risks. The verification report should present all the remediation, waste management and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and wastes in achieving the remedial objectives. Reason: Protection of environmental receptors to ensure the site is suitable for use.</p> <p>4. Evidence must be presented in the Verification Report that all fuel storage tanks (and associated infra-structure) have been fully decommissioned and removed in line with current Guidance for Pollution prevention (GPP 2) and the Pollution Prevention Guidance (PPG27) and the quality of surrounding soils and groundwater has been verified. Should contamination be identified during this process, Condition 2 will apply. Reason: Protection of environmental receptors to ensure the site is suitable for use.</p>
07/08/2023	<p><u>NED</u></p> <p>Considered the impacts of the proposal and on the basis of the information provided requires further information to be able to determine whether the proposal would have a likely significant effect on a protected site.</p> <p>NED has considered the relevant documents and drawings to date (14/07/2023) uploaded to NIPP for the proposed development regarding proposed change of use and redevelopment of the existing waste management facility and adjoining plant hire business to create a new waste disposal installation for the incineration of healthcare and hazardous waste streams and associated works. The proposed development is located approximately 560m from the nearest point of Inner Belfast Lough ASSI and Belfast Lough SPA/Ramsar, 1.34km from Belfast Lough Open Water SPA, 4km S/4.7km SW from Outer Belfast Lough ASSI, 6.8km from Belvoir ASSI and 6.9km from Craigtantlet Woods ASSI.</p> <p>The proposed development has a tenuous hydrological connection to Inner Belfast Lough and Belfast Lough SPA/Ramsar (approximately 600m downstream) Belfast Lough Open Water SPA (approximately 1.7km downstream) and Outer Belfast Lough ASSI (approximately 4.8km downstream) via a watercourse located approximately 150m NE of the site. Inner Belfast Lough ASSI is designated for its invertebrate assemblage and for supporting a variety of overwintering bird species. Belfast Lough SPA is designated for supporting several breeding and overwintering bird species. Belfast Lough qualifies under criterion 3c of the Ramsar Convention by regularly supporting internationally important numbers of redshank in winter. Outer Belfast Lough ASSI is designated for Carboniferous, Ordovician and Permian stratigraphy, its terrestrial habitat (maritime cliff and slopes) and for supporting a variety of breeding and overwintering bird species. Belfast Lough Open Water SPA is designated for supporting Great Crested Grebe in winter. Belvoir ASSI is designated for its terrestrial habitat (wood pasture and parkland) and for its invertebrate assemblage. Craigtantlet Woods ASSI is designated for its terrestrial habitat (mixed ashwoods). NED note from the P1 Form (date stamped, 26/09/2022) that both surface water and foul sewage will be discharged via the existing combined mains sewer with an existing interceptor for surface water. Due to surface water and foul sewage being disposed of via mains, pollution of the watercourse approximately 150m NE of the site is unlikely and, when taking into account the dilution factor of Belfast Lough, the potential impacts of surface water from the development on the nearby designated sites is considered unlikely. NED note from Dfl Flood Maps NI that a significant portion of the site is within the 1 in 100-year pluvial floodplain. Although, the</p>

	<p>proposed development is to be constructed upon existing hardstanding and will utilise the existing drainage infrastructure and hydrocarbon interceptor. Therefore, the development should not increase the risk of flooding on site. NED refer to the DfI Rivers response regarding the development (dated, 13/02/2023).</p> <p>NED acknowledge the Environmental Statement (dated, 23/09/2022) and welcome the mitigation proposed throughout. However, NED note that ES refers to a Biodiversity Checklist/Survey (Appendix 10.2) and a shadow Habitats Regulations Assessment (Appendix 10.3) although these documents were not made available for NED to review. NED consider these documents should contain useful ecological information along with proposed mitigation measures for the site and therefore should be submitted for review. NED note chapter 14 of the ES (Air Quality) and Appendix 14.1 (Air Quality Technical Appendix, dated, July 2022) the only emissions considered for air dispersion modelling were those from the stack associated with the Combined Heat and Power plant. NED require specification on the wattages of the incinerator and the CHP and clarification that the emissions from the stack are the combined emissions from the incinerator and the CHP. NED refer to RU Land and Groundwater Team's response (dated, 18/04/2023) for comments regarding the PRA and GQRA. NED refer to Marine and Fisheries Division's response (dated, 13/03/2023) for comments on Shellfish Waters. NED refer to NI Water's consultation response (dated, 28/02/2023) stating that there is available capacity at Belfast WwTW to serve the proposal. NED recommends that further information is submitted so that a full assessment of the proposal and any potential adverse impacts on the designated sites can be undertaken.</p> <p>Further Information NED considers the following information should be submitted:</p> <ol style="list-style-type: none"> 1. NED request that the Biodiversity Checklist/Survey (Appendix 10.2) and the shadow Habitats Regulations Assessment (Appendix 10.3) should be submitted for review. 2. NED require clarification on the wattages of the incinerator and the CHP and clarification that the emissions from the stack are the combined emissions from the incinerator and the CHP.
04/10/2023	<p><u>NED</u></p> <p>NED has considered the impacts of the proposal and on the basis of the information provided is content with the proposal. Considerations The application site is in close proximity and hydrologically linked to the following national, European and international designated sites: • Belfast Lough Ramsar, which is designated under the Convention on Wetlands of International Importance, Ramsar 2.2.1971 (as amended); • Belfast Lough SPA and Belfast Lough Open Water SPA, which are designated under the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended); • Inner Belfast Lough ASSI, Outer Belfast Lough ASSI, Belvoir ASSI and Craigantlet Woods ASSI, which are declared under the Environment Order (Northern Ireland) 2002. In accordance with the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended), the Competent Authority should ensure an assessment is carried out to determine if the proposal, either alone or in combination, is likely to have a significant effect on a European site and the qualifying features, in line with the site conservation objectives. NIEA Natural Environment Division (NED) acknowledges receipt of the following document(s); • NI Biodiversity Checklist dated 22/05/2022. • Shadow Habitat Regulations Assessment, uploaded to the NIPP 11/08/2023. NED has considered the impacts of</p>

	<p>the proposal on designated sites and other natural heritage interests and, on the basis of the information provided, has no concerns.</p> <p>NED has considered the relevant documents and drawings to date (29/09/2023) uploaded to NIPP for the proposed development: proposed change of use and redevelopment of the existing waste management facility and adjoining plant hire business to create a new waste disposal installation for the incineration of healthcare and hazardous waste streams and associated works. NED acknowledge the Biodiversity Checklist (dated 22/05/2022), shadow Habitat Regulations Assessment (date uploaded, 11/08/2023) and the wattage information letter (date received, 14/08/2023). NED note that incorrect % Process Contributions (PC) have been provided for NH3 for ER1 and ER2 (the Designated sites) in Table 14.25 of the Environmental Statement (dated, 23/09/2022). NED advise these values should be 0.33% for both ER1 and ER2 based on a Critical Level (CLE) of 3µg/m3 for NH3. However, NED note that the % PCs are <1% of the CLEs for both NOx and NH3 for the designated sites, therefore the proposal is in line with DAERA'S current Operational Protocol.</p> <p>Other Natural Heritage Concerns NED acknowledges that the proposed development is located within an existing and operational industrial unit. Apart from the possibility of some nesting birds, NED is content that site is unlikely to support any other protected species or contain any other priority habitats. NED has no further comment to make in relation to protected/priority species or habitats not already addressed under the designated sites. Informative This facility will require a PPC permit under the Pollution Prevention and Control (Industrial Emissions) Regulations (NI) 2013. The applicant's attention is drawn to the following links, for DAERA's standing advice on protection of the terrestrial and water environment and the NetRegs Guidance for Pollution Prevention (GPP) documents: • https://www.daera-ni.gov.uk/articles/standing-advice-0 • https://www.netregs.org.uk/environmental-topics/guidance-for-pollutionprevention-gpp-documents/</p>
<p>IPRI provided a response directly to SES via email dated 28/11/2023.</p>	<p><u>IPRI</u></p> <p>Prior to operation the site will also require a PPC Permit regulated by NIEA IPRI. Emissions from the site will be regulated under the Implementing Decision 2019/2020 'Establishing the best available techniques (BAT) conclusions, under directive 2010/75/EU of the European Parliament and of the Council, for Waste incineration'. Implementing Decision 2019/2020 references Best Available Techniques Associated Emission Limits (BAT-AEL) as contained within the Bat Reference Document (BREF) for Waste Incineration. Regulation 43 of the Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995 (as amended) applies to any permit application/variation and requires that the competent authority "shall agree to the plan or project only having ascertained that it will not adversely affect the integrity of any European Site". IPRI is the competent authority in this regard.</p>
<p>31/05/2024</p>	<p><u>IPRI</u></p> <p>IPRI has previously commented on the related planning application, LA04/2021/2233/PAD, for this proposal and has stated that the applicant will require a PPC permit under the Pollution Prevention and Control (Industrial Emissions) Regulations (NI) 2013 and will need to apply for such, prior to commencement of operation.</p> <p><u>NED</u></p> <p>Following the Call for Evidence on the 'Future Operational Protocol to Assess the Impacts of Air Pollution on the Natural Environment' (2023), an interim assessment approach has been developed. This approach will be utilised by NIEA until a new assessment procedure is in place.</p>

<p>This interim approach is based on the concepts detailed within the Decision Making Threshold (DMT) project, commissioned by the Joint Nature Conservation Committee (JNCC).¹ This recommends thresholds based on the best available scientific information and modelling. NED advises there is insufficient information for NED to provide a substantive response to the consultation, and for the competent authority to undertake a robust Habitats Regulations Assessment.</p> <p>Considerations</p> <p>The application site is adjacent/in close proximity/hydrologically linked to the following National, European and International designated site/s: • Belfast Lough Ramsar, which is designated under the Convention on Wetlands of International Importance, Ramsar 2.2.1971 (as amended). • Belfast Lough SPA and Belfast Lough Open Water SPA, which are designated under the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended). • Inner Belfast Lough ASSI, Outer Belfast Lough ASSI, Belvoir ASSI, Bellevue ASSI and Craigtantlet Woods ASSI, which are declared under the Environment Order (Northern Ireland) 2002. In accordance with the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended), the Competent Authority should ensure an assessment is carried out to determine if the proposal, either alone or in combination, is likely to have a significant effect on a European site and the qualifying features, in line with the site conservation objectives.</p> <p>NIEA Natural Environment Division (NED) has concerns with this proposal and considers that, in the absence of further information and/or amendments, the proposal would be contrary to the Habitats Regulations.</p> <p>Designated Site Considerations</p> <p>In line with DAERA’s interim advisory framework, NED will consider and provide advice on the potential impact of proposals both alone and in-combination with other relevant plans and projects on the designated site network. Insufficient information has been submitted with the application to enable NED to make a considered response. NED recommends that further information is submitted so that a full assessment of the proposal and any potential adverse impacts on the designated sites can be undertaken.</p> <p>NED acknowledge receipt of the chapter 14 of the ES (Air Quality) and Appendix 14.1 (Air Quality Technical Appendix, dated, July 2022) which has applied a 2 km Zone of Influence (ZoI) to ASSI’s. However, as the proposal will produce ammonia (NH₃) emissions, a ZoI of 7.5km must be applied to all national, European and/or internationally designated sites.</p> <p>NED also require clarification on the type of fuel and total thermal input capacity of the proposal. The NO_x screening distance should be generated by using the Air Pollution Information System (APIS) MCP screening tool (Available: https://www.apis.ac.uk/MCPscreening-tool).</p> <p>Other Natural Heritage Concerns</p> <p>NED notes that the entirety of the site (as defined in Site Location Plan Drawing 005, dated 5 August 022) contains significant industrial infrastructure and is currently operational. Based on the site composition as well as the most recent aerial imagery available, NED is content that the application is unlikely to have any significant impact to any other natural heritage concerns outside those associated with the nearby designated site(s).</p> <p>Further Information</p>

	<p>NED advises that the following information is supplied to enable a determination of the potential impacts on the designated sites:</p> <ol style="list-style-type: none"> 1. Updated air quality impact assessment to include both nitrogen deposition (Critical Loads) and ammonia/NOx emissions (Critical Levels). This should determine the potential impacts on all designated sites within 7.5 km of the proposal. 2. Clarification on the type of fuel and total thermal input capacity of the proposal. Additional national, European and/or internationally designated sites may also require modelling depending on the Zone of Influence.
<p>20/09/2024</p>	<p><u>NED</u> Following the Call for Evidence on the ‘Future Operational Protocol to Assess the Impacts of Air Pollution on the Natural Environment’ (2023), a new assessment approach has been developed. This approach is based on the concepts detailed within the Decision Making Threshold (DMT) project, commissioned by the Joint Nature Conservation Committee (JNCC).¹ This recommends thresholds based on the best available scientific information and modelling.</p> <p>NED advises there is insufficient information for NED to provide a substantive response to the consultation, and for the competent authority to undertake a robust Habitats Regulations Assessment.</p> <p>NED has considered the proposal and highlights the following as potential impacts on the designated sites; In line with DAERA’s advisory framework, NED will consider and provide advice on the potential impact of proposals both alone and in combination with other relevant plans and projects on the designated site network. Insufficient information has been submitted with the application to enable NED to make a considered response.</p> <p>NED recommends that further information is submitted so that a full assessment of the proposal and any potential adverse impacts on the designated sites can be undertaken. NED acknowledge the Agent Cover Email (dated 16/07/2024) and the Technical Memorandum (dated 16/07/2024), addressing NED’s previous response. NED acknowledge the updated screening distance and inclusion of several additional environmental receptors as a result of the clarification on the thermal capacity of the incinerator (10MWth) and the type of fuel (higher sulphurous fuel: Solid and liquid heavy fuel oil, including combustion appliances and incinerators). However, NED note that the Process Contributions (PCs) provided for Critical Levels for NH3 and NOx, in addition to Critical Loads for N Deposition, are “based upon an average of the modelled 5-year dataset”. NED require that all PCs are based upon the highest yearly average of the 5-year dataset opposed to the average of the 5-year dataset. Therefore, NED request submission of the 5-year PCs for all designated sites for NH3 and NOx Cle and CL (N Deposition) to ensure the highest PCs have been used in the modelling.</p> <p>Further Information NED advises that the following information is supplied to enable a determination of the potential impacts on the designated sites:</p> <ol style="list-style-type: none"> 1. NED request submission of the 5-year PCs for all designated sites for NH3 and NOx Cle and CL (N Deposition) to ensure the highest PCs have been used in the modelling.
	<p><u>NED</u></p>

Following the Call for Evidence on the 'Future Operational Protocol to Assess the Impacts of Air Pollution on the Natural Environment' (2023), a new assessment approach has been developed. This approach is based on the concepts detailed within the Decision Making Threshold (DMT) project, commissioned by the Joint Nature Conservation Committee (JNCC).¹ This recommends thresholds based on the best available scientific information and modelling. NED have taken account of the potential risk associated with the effects from air pollution on designated sites. The Air Pollution Advisory Framework has been followed and indicates that the proposal represents a low risk to the qualifying features for which the sites have been designated.

Designated Site Considerations

In line with DAERA's advisory framework, NED will consider and provide advice on the potential impact of proposals both alone which are assessed against the De-minimis Threshold (DMT) and Site Relevant Threshold (SRT) and if required, in combination with other relevant plans and projects on the designated site network. The applicant has submitted a Technical Memorandum (dated 13/09/2024) which addresses NED's previous consultation response. Tables 1, 2 and 6 detail the modelled ammonia concentration, NO_x concentration and nitrogen deposition, i.e. the Process Contribution (PC), from the proposal at the designated sites which are within 7.5 km of the proposal.

For each of these sites the PCs do not exceed the Site Relevant Threshold (SRT) for NH₃ concentration. Although the PCs for Inner Belfast Lough ASSI and Belfast Lough SPA/Ramsar exceed the SRT for Critical Load (CL), both PCs do not exceed the Test of Likely Significance threshold (ToLS) for CLs when considered in-combination with other plans/projects. Annex 1 below provides the results of the Air Pollution Decision and Advisory Framework Assessment on all sites within 7.5km of the proposal for NH₃ concentration and Nitrogen Deposition. The PCs for Inner Belfast Lough ASSI, Outer Belfast Lough ASSI, Belfast Lough SPA/Ramsar and Belfast lough Open Water SPA exceed the ToLS threshold for NO_x concentration on their own. However, the background NO_x concentration does not exceed the NO_x Critical Level (CL_e) at the nearest receptor location for each of these designated sites. The Predicted Environmental Concentrations (PECs) for each of these sites were <70% and therefore meet the thresholds within the advisory framework. The rest of the designated sites have PCs which do not exceed the SRT for NO_x concentration.

Bellevue ASSI has been designated for its earth science features. It is considered, due to the nature of these features, that it is unlikely to be affected by nitrogen emissions from the proposal. NED note that an incorrect CL_e of 3µg/m³ has been applied to Belvoir ASSI (should be 1µg/m³).

NED also note that Belfast Lough SPA/Ramsar overlaps with Inner Belfast Lough ASSI at the nearest location to the proposal. NED has therefore applied the PCs for Inner Belfast Lough ASSI to Belfast Lough SPA/Ramsar.

NED advises that under the Air Pollution Decision and Advisory Framework, there are no air quality concerns with the proposal.

There is no significant hydrological connection to any designated site, however NED refer to the standing advice for the water environment below for consideration.

	<p>The Planning Authority should note that NED's response is based on the implementation of mitigation measures. It is the role of the competent authority to test the efficacy of these measures through Appropriate Assessment, as set out in the CJEU Ruling on the use of mitigation measures in HRA (Case C-323/17).</p> <p>The applicant is referred to standing advice to protect hydrological connections to designated sites from pollution: Standing advice for the water environment.</p> <p>Note, revised Standing Advice to inform the assessment of air quality impacts on the natural environment will be finalised and uploaded onto the DAERA website as soon as possible</p>
Does the HRA outcome fully reflect this advice?	Yes, the PEC from the proposal meets the thresholds within the NIEA advisory framework.

