


ACTIONS FROM PREVIOUS MEETING (9 OCT 2008)

Eileen Mallon (Neagh Bann Catchment Officer)




ACTION 1:
NIEA to contact Planning Service to obtain information regarding development on floodplains.

RESPONSE: Planning Policy Statement (PPS) 15: Planning and Flood Risk (June 2006) - Aims to avoid, wherever possible, development that may be at risk from flooding or that itself may increase the risk to flooding elsewhere.

Adopts a precautionary approach and an inter-agency approach.


Planning Service assess flood risk using:

- Strategic Flood Maps for NI (Rivers Agency).
- Local evidence
- Detailed study maps where available.



PPS15 sets out the **exceptional circumstances** and proposals of **overriding regional importance** which fall within one of the exceptions detailed under Policy FLD1 of PPS15.

- (a) previously developed land which is protected by appropriate flood defence
- (b) the replacement of a building in the countryside
- (c) development that is essential for operational reasons;
- (d) the use of land for sport and outdoor recreation use, amenity open space or for nature conservation purposes
- (e) the extraction of mineral deposits
- (f) the use of land for seasonal occupation by touring caravans and/or camp sites where this will not materially increase flood risk.



In all such cases developers are required to provide proper and robust **flood risk assessments and where appropriate, necessary mitigation measures.** As part of the process Planning Service will send flood risk assessments to DARD Rivers Agency for expert advice.

Planning Service will not refuse all planning applications located within the flood plain in towns and cities across Northern Ireland. Where there is flood risk, demonstration of how the risk will be mitigated is the responsibility of the applicant through the provision of a robust **flood risk assessment and where appropriate adequate mitigation measures.**

Rivers Agency will be consulted for advice in most cases.

4

Rivers Agency are **not consulted on minor development** such as applications to extend or alter individual buildings as it is unlikely that these types of applications will raise flood related issues

At present Rivers Agency are **not consulted on planning applications for single houses** in the countryside within a flood plain unless there are site specific issues that warrant an approval in which case Planning Service would liaise with Rivers Agency for advice. **Applicants** should identify potential flood risk as early in the development process as possible.

5

ACTION 2: NIEA to obtain information on the procedures used to regulate water levels in the Lough Neagh & Lower Bann system.

RESPONSE: Rivers Agency has responsibility for the water level management of Lough Neagh and the statutory range is 12.45 metres to 12.60 metres. This regime was established in 1955 and a system of seasonal operating levels was developed to try and minimize fluctuations of water levels outside this range.

The LBAC met with River Agency and other interested parties on the 24th Feb. Rivers Agency highlighted that a public review of water level & quality management was not planned but they are happy to discuss and address individual concerns.

Automation of the Sluice gates is almost complete.

6

ACTION 3: Six Mile Water reports to be circulated

RESPONSE: NIEA are progressing a river restoration plan for the Ballymartin and Blackwater and a Catchment plan for the Six Mile Water. The project has 3 main elements, establishing control, remediation and restoration. The outputs from the project include:

- A survey of the combined storm overflows and pumping stations
- PRA's of all Mallusk premises, and the use of enforcement notices
- A CCTV survey of the culverted section of the Blackwater
- SIMCAT modelling which aids tracing of discharges.
- A chemical inventory of Mallusk premises.
- Sediment and toxicology tests on the Blackwater
- Passive samples - capture information on pollutants.
- A biological impact survey and a biological Six Mile Water catchment study have been completed.
- A hydrological survey of the catchment.

7



ACTION 4: EM to contact KT, obtain details of changes to monitoring points requested and investigate.

RESPONSE: Monitoring intervals etc are set as part of the WFD requirements. Sites are carefully selected using a number of criteria. The NIEA monitoring team may give future consideration to an alternative monitoring station at Mayboy Bridge.

ACTION 5: EM to ensure RT has appropriate NIW contact details to seek possible compensation

RESPONSE: To register complaints write to:

NI Water
PO Box 1026
Belfast
BT1 9DJ.

Alternatively contact the Waterline on 08457 440088

8



ACTION 6 : EM, MJ, GP to contact AQ to discuss Craigmore, Ringsend further, gain information and improvements where required.

RESPONSE: The original landfill owner was prosecuted by NIEA for incidents of waste offences and water pollution which took place in May 2003. On 24th November 2006 the then owner was convicted of waste offences, sentenced on the 9th February 2007 to 4 months imprisonment and on 13th February 2008 the court made a confiscation order of £400,000. This is one of the largest confiscation order achieved to date in relation to environmental crime.

9



The site is now working under a PPC Permit and is working within the conditions laid down by NIEA. All the necessary risk assessments in regard to the PPC Permit were supplied. The details of the PPC are available in the public register in Coleraine BC offices or at NIEA offices in Belfast.

An EIA was carried out as Planning Service did not require one as it was an extension to an extant landfill.

2 proposed land fill in the area have completed EIA's to include the 'accumulative' impact of land fills in the area.

10



Our aim is to protect, conserve and promote our natural and built environment for the benefit of present and future generations.