

**Environment Marine & Fisheries
Group**
Marine & Fisheries Division



Department of
**Agriculture, Environment
and Rural Affairs**

An Roinn
**Talmhaíochta, Comhshaoil
agus Gnóthaí Tuaithe**

Department o'
**Fairmin, Environment
an' Kintra Matthers**

www.daera-ni.gov.uk

Our reference: **DAERA/26-133**

Tandragee Environmental Action (TEA)

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Marine & Fisheries Division

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13 March 2026

Tandragee Environmental Action (TEA),

Environmental Information Regulations 2004

I refer to your request for information received by the Department on 19 February 2026 in which you sought the following information.

This request relates to planning application LA08/2022/0505/F at 29 Aughlish Road, Tandragee, and in particular to the NIEA consultation response dated 22 September 2025, which records that:

> "Inland Fisheries consider it unlikely that the proposed development will significantly impact fisheries."

For the avoidance of doubt:

- this request concerns only recorded environmental information within the meaning of Regulation 2(1) EIR;

- it is limited to information held by DAERA, including within NIEA and Inland Fisheries, whether held directly or on the Department's behalf, at the time that

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conclusion was reached and any information subsequently relied upon in maintaining, updating, or communicating that position; and
- it does not seek the creation of new information or the provision of opinion.

This request is intended to be focused on the evidential basis of the fisheries conclusion and not to duplicate environmental information already publicly available on the planning file.

Where DAERA considers that any responsive information is already publicly available, please identify the specific document(s) relied upon, including title, date, and location of publication, so that the evidential basis of the conclusion can be clearly understood.

INFORMATION REQUESTED

Please disclose the following recorded environmental information, where held.

1. Fisheries impact assessment evidence

All recorded information created, received, or relied upon in reaching the conclusion that the proposed development is unlikely to significantly impact fisheries, including:

- any screening, assessment, appraisal, or technical review undertaken;
- ecological, hydrological, or water-quality data considered;
- modelling, risk assessment, or analytical methodology applied; and
- internal memoranda, briefing notes, or decision records documenting the conclusion.

2. Criteria, standards, or thresholds applied

Recorded information identifying:

- the criteria, guidance, standards, or policy framework used to determine the significance of effects on fisheries;
- any thresholds, trigger values, or assessment methodologies applied; and
- the evidential basis recorded for concluding that impacts would not be significant.

3. Inputs from other regulators or consultees

All recorded correspondence or information exchanged between Inland Fisheries and:

- other NIEA units (including the Water Management Unit);
- Shared Environmental Service (SES);
- DfI Rivers; or
- the planning authority,

insofar as such information informed or was relied upon in reaching the fisheries impact conclusion.

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4. Consideration of cumulative or in-combination effects

Any recorded information assessing, screening, or otherwise addressing:

- cumulative effects with the existing landfill or adjacent land uses;
- hydrological connectivity to downstream designated or sensitive sites; or
- in-combination effects with other plans or projects.

Where no such assessment or screening was undertaken, please disclose any recorded information explaining that position.

5. Baseline monitoring or survey evidence

All recorded baseline or monitoring information relied upon in the assessment, including:

- surface-water or groundwater quality data;
- fisheries survey data, habitat assessments, or ecological records; and
- any trend analysis, historical datasets, or monitoring summaries considered relevant.

FORMAT OF DISCLOSURE

Where environmental information is held electronically, please provide it in its native electronic format.

Where that format is not reasonably accessible using commonly available software, please provide it in another structured and commonly readable format (for example CSV, XLSX, or PDF), together with any necessary metadata to enable interpretation.

For the avoidance of doubt, this request includes information held on DAERA's behalf by contractors, consultants, or other public authorities.

ADVICE AND ASSISTANCE

If DAERA considers that any part of this request is unclear, overly broad, or may engage Regulation 12(4)(b), please provide advice and assistance under Regulation 9 to help refine the request so that the relevant environmental information can be disclosed, rather than refusing the request outright.

If any information is withheld, please:

- specify the EIR exception relied upon; and
- provide the reasoning required by Regulation 14, including consideration of the public-interest test where applicable.

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I can advise that the Department has completed its search and can confirm that it holds some of the information you requested.

The information held which can be disclosed can be found in the table below.

<p>1. Fisheries impact assessment evidence</p>	<p>Inland Fisheries did not carry out a bespoke fisheries impact assessment specifically for this planning application. Rather, the conclusion regarding potential fisheries impacts was reached through a desktop review and the application of professional judgement, drawing upon existing information sources.</p> <p>The desktop study included a review of ArcGIS Pro spatial datasets, publicly available mapping and aerial imagery such as Google Maps and Street View, as well as Inland Fisheries' own spatial datasets, including habitat and historic fish survey layers.</p> <p>Additionally, information submitted by the applicant and published on the Public Planning Portal (PPP) was considered, alongside the Northern Ireland Environment Agency (NIEA) consultation response available on the PPP.</p> <p>The Fisheries Act (Northern Ireland) 1966, as amended, was also taken into account. Professional and expert judgement was employed to assess fisheries interests and potential effects upstream, onsite, and downstream. The Inland Fisheries planning consultation response was published on the PPP and forms part of the recorded information used in the assessment.</p> <p>No site-specific fisheries surveys were undertaken for this application. Furthermore, no hydrological modelling, quantitative risk assessments, or bespoke analytical reports were commissioned or produced in relation to the proposed development.</p> <p>Inland Fisheries has carried out reasonable and proportionate searches of relevant records and confirms that no further recorded information falling within the scope of the request is held, in accordance with Regulation 12(4)(a).</p>
<p>2. Criteria, standards, or thresholds applied</p>	<p>The Inland Fisheries assessment was grounded in the legislative requirements of the Fisheries Act (Northern Ireland) 1966, as amended, and relied primarily on professional and expert judgement to determine the significance of potential effects on fisheries interests.</p>

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	<p>No recorded criteria, thresholds, or formal methodologies are held by Inland Fisheries in relation to this application beyond the legislative framework referenced. Accordingly, regulation 12(4)(a) applies.</p>
<p>3. Inputs from other regulators or consultees</p>	<p>Inland Fisheries holds limited recorded correspondence that contributed to its consultation process for this planning application. This includes two emails: one outlining the fisheries consultation response for the planning system, and one from the planning authority setting out the reason for consultation. Copies of these emails are provided at Annex A.</p> <p>There is no recorded correspondence with the Shared Environmental Service, DfI Rivers, or other NIEA units, including the Water Management Unit, insofar as such exchanges informed or were relied upon in reaching the fisheries impact conclusion.</p> <p>Regulation 12(4)(a) of the Environmental Information Regulations 2004 therefore applies in respect of any further correspondence.</p> <p>Personal data has been redacted under Regulation 12(3) and Regulation 13; the lawfulness and fairness assessment is at Annex B.</p>
<p>4. Consideration of cumulative or in-combination effects</p>	<p>Hydrological connectivity was considered by reference to publicly accessible NIEA GIS mapping. However, no recorded assessments were undertaken by Inland Fisheries in relation to cumulative effects associated with the existing landfill or adjacent land uses, nor in-combination effects with other plans or projects. Inland Fisheries holds no recorded information assessing or explaining the absence of such assessments.</p> <p>Accordingly, regulation 12(4)(a) of the Environmental Information Regulations 2004 applies, as no further relevant environmental information is held.</p>
<p>5. Baseline monitoring or survey evidence</p>	<p>Baseline information relied upon by Inland Fisheries comprised spatial datasets accessed via ArcGIS Pro, including habitat and historic fish survey layers, which were used to inform a broad contextual understanding of fisheries interests.</p>

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	<p>No surface-water or groundwater quality data, trend analyses, or bespoke monitoring reports were produced or referenced in relation to this application.</p> <p>Inland Fisheries holds spatial datasets within ArcGIS Pro, including habitat and historic fish survey layers. The raw datasets include attribute information that constitutes third-party personal data, such as surveyor details, access information and free-text survey notes.</p> <p>Disclosure of this information would contravene data protection legislation and is therefore excepted from disclosure under regulation 12(3) and regulation 13 of the Environmental Information Regulations 2004.</p> <p>In addition, some datasets include precise location information relating to sensitive fisheries and habitats. Disclosure of this information could adversely affect the protection of the environment by facilitating interference with fish stocks, illegal fishing activity, or disturbance of sensitive habitats. Regulation 12(5)(g) therefore applies.</p> <p>In these instances, the Department is legislatively required to consider the public interest in disclosure. An associated Public Interest Test has been conducted and is attached for your information at Annex C.</p>
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If you require any clarification, believe that any part of your request has been overlooked, misunderstood or misinterpreted, please contact me in the first instance to see if it is a matter that can be resolved.

If you are unhappy with the manner in which your request for information has been handled or the decision to release/withhold information, you have the right to request a formal review by the Department. If you wish to do so, please contact The Review Section either by e-mailing daera.informationmanager@daera-ni.gov.uk or by post at The Department of Agriculture, Environment and Rural Affairs, Data Protection & Information Management Branch, Floor 2, Jubilee House, 111 Ballykelly Road, Ballykelly, Limavady BT49 9HP, within two months from the date of this letter.

If after such an internal review you are still unhappy with the response, you have the right to appeal to the Information Commissioner at Wycliffe House, Water Lane, Wilmslow, CHESHIRE SK9 5AF, who will undertake an independent review of the Department's decision.

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Yours sincerely,



DAERA Inland Fisheries

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