



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

An Roinn

**Talmhaíochta, Comhshaoil
agus Gnóthaí Tuaithe**

Department of

**Fairmin, Environment
an' Kintra Matthers**

www.daera-ni.gov.uk

Our reference: DAERA 26-52

████████████████████
██████████@whatdotheyknow.com>

Waste Permitting Team
Lisburn NIEA
17 Antrim Road
Lisburn
BT28 3AL

Tel: 02890569596

Email: daera.informationmanager@daera-ni.gov.uk

24th March 2026

Dear ██████████,

The Environmental Information Regulations (EIRs) 2004

With regard to your *request for information received by the Department* on the 26th January 2026 which sought the following information:

EIR Information Requested:

Dear Sir/Madam,

Under the Environmental Information Regulations 2004, I request recorded information held by the Northern Ireland Environment Agency relating to planning application LA08/2022/0505/F (Lisbane Landfill, Aughlish Road, Tandragee).

As described in the planning application, the proposal is for an “extension” of the existing Lisbane landfill and involves the “connection of new management system infrastructure into that of the existing non-hazardous landfill (O/1992/0802/F) via connection and pumping”.

In that context, I request disclosure of any recorded information held by NIEA that considers or addresses whether the proposed physical or hydraulic connection of new landfill

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infrastructure to existing or legacy landfill infrastructure would, to any degree, affect NIEA's ability to:

- distinguish between historic and new sources of pollution;
 - attribute future pollution incidents or permit exceedances to specific landfill cells, phases or activities; or
 - enforce permit conditions in circumstances where pollutant pathways may become commingled.

This request is informed by recent enforcement records relating to Lisbane that NIEA disclosed in response to a separate, third-party Environmental Information Regulations request (Ref: DAERA/25-556), which address leachate containment, pollutant migration pathways and the condition of gas and leachate infrastructure.

This request includes, but is not limited to, any recorded information relating to:

- consideration of baseline groundwater or surface-water monitoring prior to infrastructure connection;
- borehole placement, monitoring design or sampling strategy intended to preserve source attribution following connection;
- assessment of whether shared leachate, drainage or pumping infrastructure could result in permanent attribution uncertainty; or
- internal discussion, correspondence, briefing notes or assessments addressing the regulatory or enforcement implications of infrastructure integration.

For the avoidance of doubt, this request includes, but is not limited to, records created, received or relied upon by NIEA in its role as statutory consultee on this planning application, including:

- NIEA's statutory consultation response(s) to the planning authority; and
- any internal records evidencing whether the implications of infrastructure connection for pollution attribution and future enforceability were considered, scoped, or discounted as part of that consultation input.

This request does not seek the creation of new analysis, opinion or assessment. It seeks disclosure only of recorded information already held by NIEA that evidences whether these matters have been considered.

If NIEA considers that any of the requested information is already publicly available (for example via the Planning Portal), please identify the specific document(s) relied upon and provide precise signposting (document title, date, and relevant page, section or paragraph) that addresses the matters set out above, rather than a general link.

If NIEA holds no recorded information within the scope of this request, please confirm this explicitly.

If any part of this request is considered unclear or potentially too broad, I would welcome advice and assistance under Regulation 9 to refine the scope.

Yours faithfully,
Neville Wilson

I can advise that the Department has completed its search and can confirm that it does not hold the information you requested. The Department refers to Regulation – 12 (4) (a) – information not held.

A public Interest Test has been included for your consideration. Please see appendix A.

Q1 and Q2. Applications for planning permission are made to the local Council and are solely for the Council to determine. NIEA act as a consultee and respond with advice when requested by the Council who are the sole decision maker.

Consultations to RU are assessed on a site-specific basis and responses are based on the technical information received from Council.

Q3 – As the planning application is made to the Council it would be up to them to determine how to engage public consultation.

If planning permission is granted and a subsequent application for PPC permit is received by NIEA the PPC team usually consult publicly prior to issuing of a permit.

If you require any clarification, believe 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.

Yours sincerely,

Waste Permitting Team

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APPENDIX A

Public Interest Test – Environmental Information Regulations

Reference Number – DAERA/26-52

Requested Information:

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Under the Environmental Information Regulations 2004, I request recorded information held by the Northern Ireland Environment Agency relating to planning application LA08/2022/0505/F (Lisbane Landfill, Aughlish Road, Tandragee).

As described in the planning application, the proposal is for an “extension” of the existing Lisbane landfill and involves the “connection of new management system infrastructure into that of the existing non-hazardous landfill (O/1992/0802/F) via connection and pumping”.

In that context, I request disclosure of any recorded information held by NIEA that considers or addresses whether the proposed physical or hydraulic connection of new landfill infrastructure to existing or legacy landfill infrastructure would, to any degree, affect NIEA’s ability to:

- distinguish between historic and new sources of pollution;
 - attribute future pollution incidents or permit exceedances to specific landfill cells, phases or activities; or
 - enforce permit conditions in circumstances where pollutant pathways may become commingled.

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- NIEA’s statutory consultation response(s) to the planning authority; and
- any internal records evidencing whether the implications of infrastructure connection for pollution attribution and future enforceability were considered, scoped, or discounted as part of that consultation input.

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Yours faithfully,
Neville Wilson

Exemption / Exceptions under consideration

Regulation – 12 (4) (a) – information not held.

Reasons why the public interest would favour disclosure:

- The Department is committed to conducting its business in a manner that is as open and as transparent as possible.

Reasons why the public interest would favour withholding:

- Information not held

Conclusion

Following consideration of the Public Interest Test, the Department has decided that it would not be in the public interest to fulfil the request made by the requestor.

Waste Permitting Team

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