

Planning Response Team  
NIEA Lisburn  
17 Antrim Road  
Tonagh  
Lisburn BT28 3AL  
Telephone: 028 9056 9604

Date: 16 June 2025

Dear Sir/Madam,

**Planning Application Ref.:** LA11/2025/0037/DC  
**Location:** Lands East and West of Maydown Road and situated approximately 150 metres North and North-West of No. 23 Maydown Road, Derry, BT47 6UJ

**Proposal:**

Discharge of condition No. 2 of LA11/2023/1729/RM - Relating to Final Construction Environmental Management Plan

Thank you for your consultation on the above which was received by the Department on 13/06/2025.

This letter provides a single combined response for your consultation request across all of DAERA's area of environmental responsibility. Summary comments in relation to the reason for consultation are provided in the table below at Annex A, and, where appropriate, more detailed advice is enclosed and attached to this letter.

You should be aware that, in the absence of comment, no inference can be made on DAERA's position with regard to other environmental matters. It is the responsibility of the planning authority to ensure that all risks to the environment and requirements under environmental legislation and planning policy have been considered.

***Sustainability at the heart of a living, working, active landscape valued by everyone.***

If you are deaf or have a hearing difficulty you can contact the Department via the Next Generation Text Relay Service by dialling 18001 + telephone number.



This advice and guidance will enable you to identify and consider if there are other potential risks to the environment due to impacts from the construction and operation of the proposed development and also its location.

In addition, we would also refer you to DAERA's published advice and guidance on development proposals where there is potential for effects on the natural and marine environments and fisheries interests, available at: <https://www.daera-ni.gov.uk/topics/environmental-advice-planning>.

As the Planning Authority is the competent authority under The Conservation (Natural Habitats, etc.) Regulations 1995 (as amended), this responsibility extends to the carrying out of Habitat Regulations Assessments (HRAs) before a planning decision is made.

Should you require assistance or if you wish to discuss anything further, please do not hesitate to contact the Planning Response Team using the contact details below.

Kind regards.

**Planning Response Team**

**On behalf of DAERA**

**Email: [planningresponse.team@daera-ni.gov.uk](mailto:planningresponse.team@daera-ni.gov.uk)**

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## Annex A

Advice Provided By:	Summary
<b>Water Management Unit</b>	Water Management Unit has considered the impacts of the proposal on the water environment and on the basis of the additional information provided are content to discharge the condition

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## **Water Management Unit**

**Section Reference:** LA11/2025/0037/DC - WMU/PC/ 37381-4

**Date:** 13/06/2025

### **Considerations:**

Water Management Unit has considered the impacts of the proposal on the water environment and on the basis of the additional information provided 'Fcomp.june2025.foyle Port Full' are content to discharge condition No. 2 of LA11/2023/1729/RM - Relating to Final Construction Environmental Management Plan.

## **Water Management Unit**

**Section Reference:** LA11/2025/0037/DC - WMU/PC/ 37381-4

**Date:** 13/06/2025

### **Considerations:**

Water Management Unit has considered the impacts of the proposal on the water environment and on the basis of the additional information provided 'Fcomp.june2025.foyle Port Full' are content to discharge condition No. 2 of LA11/2023/1729/RM - Relating to Final Construction Environmental Management Plan.

## Case details

**Reference:** LA11/2025/0037/DC  
**Authority:** Derry City and Strabane District Council  
**Address:** Lands East and West of Maydown Road and situated approximately 150 metres North and North-West of No. 23 Maydown Road, Derry, BT47 6UJ  
**Category:** Local  
**Consultation Type:** Statutory

### Description:

Discharge of condition No. 2 of LA11/2023/1729/RM - Relating to Final Construction Environmental Management Plan

### Reason for consultation:

NIEA - WMU - Please see revised CEMP

## Case officer details

**Name:** [REDACTED]  
**Contact number:** [REDACTED]  
**Contact email:** [REDACTED]

**From:** [NI Consultee Hub \(no-reply\)](#)  
**To:** [DAERA Planning Notifications](#)  
**Subject:** New consultation for LA11/2025/0037/DC  
**Date:** 13 June 2025 15:02:08

---

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Consultee Hub Logo



Dear NIEA,

There is a new consultation for case  
LA11/2025/0037/DC available to view on the Consultee  
Hub.

[View consultation](#)

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Regards,

The Consultee Hub Team

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TerraQuest Solutions Limited and supports the consultation of planning  
application information for Local Planning Authorities in accordance with  
statutory regulations.

TerraQuest Solutions Limited is owned by Apse Capital Limited (reg no.  
11620219).

Planning Response Team  
NIEA Lisburn  
17 Antrim Road  
Tonagh  
Lisburn BT28 3AL  
Telephone: 028 9056 9604

Date: 12 June 2025

Dear Sir/Madam,

**Planning Application Ref.:** LA11/2025/0037/DC  
**Location:** Lands East and West of Maydown Road and situated approximately 150 metres North and North-West of No. 23 Maydown Road, Derry, BT47 6UJ

**Proposal:**

Discharge of condition No. 2 of LA11/2023/1729/RM - Relating to Final Construction Environmental Management Plan

Thank you for your consultation on the above which was received by the Department on 30/05/2025.

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Kind regards.

**Planning Response Team**

**On behalf of DAERA**

**Email: [planningresponse.team@daera-ni.gov.uk](mailto:planningresponse.team@daera-ni.gov.uk)**

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## Annex A

Advice Provided By:	Summary
<b>Water Management Unit</b>	Water Management Unit has considered the impacts of the proposal on the water environment and on the basis of the information provided are unable to discharge the condition

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## **Water Management Unit**

**Section Reference:** LA11/2025/0037/DC - WMU/PC/ 37381-3

Date: 12/06/2025

### **Considerations:**

Water Management Unit has considered the impacts of the proposal on the water environment and on the basis of the information provided are unable to discharge condition No. 2 of LA11/2023/1729/RM - Relating to Final Construction Environmental Management Plan

### **Explanatory note:**

Water Management unit would offer the following comments

- Page 42 of the FCEMP has an incomplete pollution hotline number as it states "0800 80 70.
- The location of the Wash Out Basin and Sediment Basin in Appendix 7 (p49) appears to lie within the Pollution Prevention buffer zone (P45). Clarification is required on this issue.

## **Water Management Unit**

**Section Reference:** LA11/2025/0037/DC - WMU/PC/ 37381-3

Date: 12/06/2025

### **Considerations:**

Water Management Unit has considered the impacts of the proposal on the water environment and on the basis of the information provided are unable to discharge condition No. 2 of LA11/2023/1729/RM - Relating to Final Construction Environmental Management Plan

### **Explanatory note:**

Water Management unit would offer the following comments

- Page 42 of the FCEMP has an incomplete pollution hotline number as it states "0800 80 70.
- The location of the Wash Out Basin and Sediment Basin in Appendix 7 (p49) appears to lie within the Pollution Prevention buffer zone (P45). Clarification is required on this issue.

**From:** [REDACTED]  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** RE: WMU/PC/ 37381-3 -LA11/2025/0037/DC - Lands East and West of Maydown Road and situated approximately 150 metres North and North-West of No. 23 Maydown - DUE 18-6-25-ROS  
**Date:** 11 June 2025 09:22:21  
**Attachments:** [REDACTED]

Hi [REDACTED]

If the buffer strip that Rachel is referring to is the 10m vegetative buffer that is there to mitigate against risk to the waterway then no 'risk' activities should be conducted in this zone. Thus it would be inappropriate to locate a wash out basin or settlement feature within this zone.

[REDACTED]

[REDACTED]  
Higher Scientific Officer  
Pollution Prevention

DAERA | Environment, Marine and Fisheries | Northern Ireland Environment Agency |  
Water Management Unit | Pollution Prevention Team



**From:** [REDACTED]  
**Sent:** 11 June 2025 08:58  
**To:** [REDACTED]  
**Subject:** RE: WMU/PC/ 37381-3 -LA11/2025/0037/DC - Lands East and West of Maydown Road and situated approximately 150 metres North and North-West of No. 23 Maydown - DUE 18-6-25-ROS

Not sure how to include this as I'm not really clear on the issue highlighted.

[REDACTED]

**From:** [REDACTED]  
**Sent:** 10 June 2025 17:34  
**To:** [REDACTED]  
**Subject:** RE: WMU/PC/ 37381-3 -LA11/2025/0037/DC - Lands East and West of Maydown Road and situated approximately 150 metres North and North-West of No. 23 Maydown - DUE 18-6-25-ROS

Hi [REDACTED]

I have a couple of issues with this FCEMP:

- Has a Consent to Discharge been approved? (I'm assuming so, but wanted to check)
- Page 42 of the FCEMP has an incomplete pollution hotline number (it states "0800 80 70") but is correct on page 47.
- The location of the Wash Out Basin and Sediment Basin in Appendix 7 lies within the Pollution Prevention buffer zone (P45) and Appendix 6 "Site Activities During Construction" (Pg46)
- The Culvert installation indicates instream works, including excavation of the watercourse bed but I see there is mention of works only proceeding when conditions are in place as outlined by Inland Fisheries (Pg55)

I also noted that the Culverting Method Statement by TSL does not contain any mention of the Pollution Hotline, OSR or GPPs, but you could say that I'm just being picky as they refer to "In the event of an emergency the TSL site procedures will be followed as per induction instructions" (Pg51)

I think my main issue is as highlighted above - maybe [REDACTED] can help determine if that is an issue? [REDACTED]

Hope this helps to progress this one

Thanks

[REDACTED]

**From:** [REDACTED]  
**Sent:** 30 May 2025 14:37  
**To:** DG\_DAERA NIEA Pollution Prevention <nieapollutionprevention@daera-ni.gov.uk>  
**Cc:** DAERA WMUPlanningconsultations <WMUPlanningConsultations@daera-ni.gov.uk>  
**Subject:** FW: WMU/PC/ 37381-3 -LA11/2025/0037/DC - Lands East and West of Maydown Road and situated approximately 150 metres North and North-West of No. 23 Maydown - DUE 18-6-25-ROS

Apologies, we had already discharged this condition but have been reconsulted as Appendix 7 has been updated.

[REDACTED]

**From:** DAERA WMUPlanningconsultations <WMUPlanningConsultations@daera-ni.gov.uk>  
**Sent:** 30 May 2025 13:12  
**To:** [REDACTED]  
**Subject:** WMU/PC/ 37381-3 -LA11/2025/0037/DC - Lands East and West of Maydown Road and situated approximately 150 metres North and North-West of No. 23 Maydown - DUE 18-6-25-ROS

Browser window: NIEA Planning Consultations Mas x +  
URL: https://dardapps/NIEAPC/Section.aspx

Navigation tabs: Search | Consultation details | **Full response** | Your response summary | Section allocations | All summaries

### Application Information

Reference: LA11/2025/0037/DC  
Application Type: Discharge of Condition  
District Council: Derry City and Strabane District Council  
Planning Office: Derry City and Strabane District Council  
Development Hierarchy: LOCDEV  
Class: STAT  
Grid Reference: 247663/421714  
Applicant: MCI Planning  
Agent: MCI Planning  
NIPP Case Officer: [REDACTED]  
Location: Lands East and West of Maydown Road and situated approximately 150 metres North and North-West of No. 23 Maydown Road, Derry, BT47 6UJ  
Proposal: Discharge of condition No. 2 of LA11/2023/1729/RM - Relating to Final Construction Environmental Management Plan

### Consultation Information

Category: Discharge of Conditions  
Development Type: Offices  
NIPP Consultation Reason: WMU - See reason for consultation in CM and an updated CEMP uploaded on the Planning Register on 28 May.

### Extended Consultation Period Information

Section Response Target Date: 18/06/2025  
NIPP Response Target Date: 20/06/2025  
Revised Target Date:  
Reason for Revised Target Date:  
Notes:

### Section Reference

Reference: WMU/PC/ 37381-3  
Add / Edit reference  
Use the link below to maintain section reference  
[» Maintain section reference](#)

### Consultation HPRM Reference

HPRM Reference: AE1-24-14947

Windows taskbar: Search, ENG UK, 13:11, 30/05/2025

## Case details

**Reference:** LA11/2025/0037/DC  
**Authority:** Derry City and Strabane District Council  
**Address:** Lands East and West of Maydown Road and situated approximately 150 metres North and North-West of No. 23 Maydown Road, Derry, BT47 6UJ  
**Category:** Local  
**Consultation Type:** Statutory

### Description:

Discharge of condition No. 2 of LA11/2023/1729/RM - Relating to Final Construction Environmental Management Plan

### Reason for consultation:

Please see updated CEMP The Planning Authority requested clarification on a number of matters in relation to the CEMP and also updated Appendix 7 to reflect the location of the sediment basis and washout area. The Senior Planner has asked NIEA be re-consulted as it is necessary for the comments received from consultees relate to the version of the fCEMP that we are approving/discharging.

## Case officer details

**Name:** [REDACTED]  
**Contact number:** [REDACTED]  
**Contact email:** [REDACTED]

**From:** [NL Consultee Hub \(no-reply\)](#)  
**To:** [DAERA Planning Notifications](#)  
**Subject:** New consultation for LA11/2025/0037/DC  
**Date:** 30 May 2025 11:32:12

CAUTION – This email has been received from outside the NICS network. If you have any concerns, please report for investigation.

Consultee Hub Logo



Dear NIEA,

There is a new consultation for case  
LA11/2025/0037/DC available to view on the Consultee  
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Regards,

The Consultee Hub Team

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TerraQuest Solutions Limited and supports the consultation of planning  
application information for Local Planning Authorities in accordance with  
statutory regulations.

TerraQuest Solutions Limited is owned by Apse Capital Limited (reg no.  
11620219).

Planning Response Team  
NIEA Lisburn  
17 Antrim Road  
Tonagh  
Lisburn BT28 3AL  
Telephone: 028 9056 9604

Date: 06 March 2025

Dear Sir/Madam,

**Planning Application Ref.:** LA11/2025/0037/DC  
**Location:** Lands East and West of Maydown Road and situated approximately 150 metres North and North-West of No. 23 Maydown Road, Derry, BT47 6UJ

**Proposal:**

Discharge of condition No. 2 of LA11/2023/1729/RM - Relating to Final Construction Environmental Management Plan

Thank you for your consultation on the above which was received by the Department on 27/02/2025.

This letter provides a single combined response for your consultation request across all of DAERA's area of environmental responsibility. Summary comments in relation to the reason for consultation are provided in the table below at Annex A, and, where appropriate, more detailed advice is enclosed and attached to this letter.

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In addition, we would also refer you to DAERA's published advice and guidance on development proposals where there is potential for effects on the natural and marine environments and fisheries interests, available at: <https://www.daera-ni.gov.uk/topics/environmental-advice-planning>.

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Kind regards.

**Planning Response Team**

**On behalf of DAERA**

**Email: [planningresponse.team@daera-ni.gov.uk](mailto:planningresponse.team@daera-ni.gov.uk)**

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## Annex A

Advice Provided By:	Summary
<b>Water Management Unit</b>	Water Management Unit has considered the impacts of the proposal on the water environment and on the basis of the information provided are content in principle to discharge the condition

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## **Water Management Unit**

**Section Reference:** LA11/2025/0037/DC - WMU/PC/ 37381-2

**Date:** 05/03/2025

### **Considerations:**

Water Management Unit has considered the impacts of the proposal on the water environment and on the basis of the information provided are content in principle to discharge condition No. 2 of LA11/2023/1729/RM - Relating to Final Construction Environmental Management Plan.

## **Water Management Unit**

**Section Reference:** LA11/2025/0037/DC - WMU/PC/ 37381-2

**Date:** 05/03/2025

### **Considerations:**

Water Management Unit has considered the impacts of the proposal on the water environment and on the basis of the information provided are content in principle to discharge condition No. 2 of LA11/2023/1729/RM - Relating to Final Construction Environmental Management Plan.

From: [REDACTED]  
To: [REDACTED]  
Subject: RE: WMU/PC/ 37381-2 -LA11/2025/0037/DC - Lands East and West of Maydown Road -DUE 18-3-25-ROS  
Date: 05 March 2025 13:44:20  
Attachments: [REDACTED]

PP is content in principle with the submission.

[REDACTED]

[REDACTED]  
Higher Scientific Officer  
Pollution Prevention

DAERA | Environment, Marine and Fisheries | Northern Ireland Environment Agency |  
Water Management Unit | Pollution Prevention Team

[REDACTED]  
[REDACTED]



From: [REDACTED]  
Sent: 05 March 2025 09:04  
To: DG\_DAERA NIEA Pollution Prevention <niefapollutionprevention@daera-ni.gov.uk>  
Cc: DAERA WMUplanningconsultations <WMUPlanningConsultations@daera-ni.gov.uk>  
Subject: FW: WMU/PC/ 37381-2 -LA11/2025/0037/DC - Lands East and West of Maydown Road -DUE 18-3-25-ROS

I think they have covered our concerns in this latest CEMP and they have helpfully highlighted the information in red for us.

[REDACTED]

From: DAERA WMUplanningconsultations <WMUPlanningConsultations@daera-ni.gov.uk>  
Sent: 27 February 2025 11:49  
To: [REDACTED]  
Subject: WMU/PC/ 37381-2 -LA11/2025/0037/DC - Lands East and West of Maydown Road -DUE 18-3-25-ROS

Reference: LA11/2025/0037/DC  
Application Type: Discharge of Condition  
District Council: Derry City and Strabane District Council  
Planning Office: Derry City and Strabane District Council  
Development Hierarchy: LOCDEV  
Class: NSTAT  
Grid Reference: 247663/421714  
Applicant: MCI Planning  
Agent: MCI Planning  
NIPP Case Officer: [REDACTED]  
Location: Lands East and West of Maydown Road and situated approximately 150 metres North and North-West of No. 23 Maydown Road, Derry, BT47 6UJ  
Proposal: Discharge of condition No. 2 of LA11/2023/1729/RM - Relating to Final Construction Environmental Management Plan

Category: Discharge of Conditions  
Development Type: Offices  
NIPP Consultation Reason: WMU - See a Final CEMP uploaded on the Planning Register for consideration and comments.

Extended Consultation Period Information

Section Response Target  
Date: 18/03/2025  
NIPP Response Target Date: 20/03/2025  
Revised Target Date:  
Reason for Revised Target  
Date:  
Notes:

Section Reference

Reference: WMU/PC/ 37381-2  
Add / Edit reference  
Use the link below to maintain section reference  
» Maintain section reference

Consultation HPRM Reference

HPRM Reference  
HPRM Reference: AE1-24-14947

## Case details

**Reference:** LA11/2025/0037/DC  
**Authority:** Derry City and Strabane District Council  
**Address:** Lands East and West of Maydown Road and situated approximately 150 metres North and North-West of No. 23 Maydown Road, Derry, BT47 6UJ  
**Category:** Local  
**Consultation Type:** Non-Statutory

### Description:

Discharge of condition No. 2 of LA11/2023/1729/RM - Relating to Final Construction Environmental Management Plan

### Reason for consultation:

FAO WMU: amended CEMP received

## Case officer details

**Name:** [REDACTED]

**Contact email:** [REDACTED]

**From:** [NL Consultee Hub \(no-reply\)](#)  
**To:** [DAERA Planning Notifications](#)  
**Subject:** New consultation for LA11/2025/0037/DC  
**Date:** 27 February 2025 10:47:11

---

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Consultee Hub Logo



Dear NIEA,

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Planning Response Team  
NIEA Lisburn  
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Tonagh  
Lisburn BT28 3AL  
Telephone: 028 9056 9604

Date: 17 February 2025

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**Location:** Lands East and West of Maydown Road and situated approximately 150 metres North and North-West of No. 23 Maydown Road, Derry, BT47 6UJ

**Proposal:**

Discharge of condition No. 2 of LA11/2023/1729/RM - Relating to Final Construction Environmental Management Plan

Thank you for your consultation on the above which was received by the Department on 22/01/2025.

This letter provides a single combined response for your consultation request across all of DAERA's area of environmental responsibility. Summary comments in relation to the reason for consultation are provided in the table below at Annex A, and, where appropriate, more detailed advice is enclosed and attached to this letter.

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Kind regards.

**Planning Response Team**

**On behalf of DAERA**

**Email: [planningresponse.team@daera-ni.gov.uk](mailto:planningresponse.team@daera-ni.gov.uk)**

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## Annex A

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## **Water Management Unit**

**Section Reference:** LA11/2025/0037/DC - WMU/PC/ 37381-1

**Date:** 17/02/2025

### **Considerations:**

Water Management Unit has considered the impacts of the proposal on the water environment and on the basis of the information provided are unable to discharge condition No. 2 of LA11/2023/1729/RM - Relating to Final Construction Environmental Management Plan

### **Explanatory note:**

Water Management unit would offer the following comments

- The document is written by a consultant with no final contractor appointed. Once a contractor has been appointed a final CEMP should be submitted to NIEA Water Management Unit, at least 8 weeks prior to the commencement of construction
- WMU require more detail in the form of methods of works for the culverting of any waterway, dewatering and over pumping as described in this document. This detail should include mapping of those features.
- WMU require more details of mitigation measures and final effluent disposal from the two wheel washes
- Details required on the measures to control, store (and treat) concrete wash water and waste arising from the process on site

## **Water Management Unit**

**Section Reference:** LA11/2025/0037/DC - WMU/PC/ 37381-1

**Date:** 17/02/2025

### **Considerations:**

Water Management Unit has considered the impacts of the proposal on the water environment and on the basis of the information provided are unable to discharge condition No. 2 of LA11/2023/1729/RM - Relating to Final Construction Environmental Management Plan

### **Explanatory note:**

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- The document is written by a consultant with no final contractor appointed. Once a contractor has been appointed a final CEMP should be submitted to NIEA Water Management Unit, at least 8 weeks prior to the commencement of construction
- WMU require more detail in the form of methods of works for the culverting of any waterway, dewatering and over pumping as described in this document. This detail should include mapping of those features.
- WMU require more details of mitigation measures and final effluent disposal from the two wheel washes
- Details required on the measures to control, store (and treat) concrete wash water and waste arising from the process on site

From: [REDACTED]  
To: [REDACTED]  
Subject: RE: WMU/PC/ 37381-1 - LA11/2025/0037/DC - Lands East and West of Maydown Road and situated approximately 150 metres North and North-West of No. 23 Maydown Road, Derry, BT47 6UJ - DUE 10-2-25-R0S  
Date: 17 February 2025 09:53:08  
Attachments: [REDACTED]

Decent document but consultant lead, with no final contractor appointed. OSR, GPPs, site runoff, spill procedures all good and lots of silt fencing throughout the site with buffers. New headwall will be land side, well away from the river so no extra detail needed there.

We will need much more detail in the form of proper methods of works for the culverting of any waterway, dewatering and over pumping as described in this document. This detail should include mapping of those features.

Two wheel washes and concrete wash area shown, we need more detail of mitigations and final effluent.

**Measures to control, store (and treat) concrete wash water and waste arising from the process on site will be implemented.**

The final contractor will need to give these details. What measures?

Can't discharge the condition at this time. Sorry again for the delay, my error.

Regards,

From: [REDACTED]  
Sent: 24 January 2025 14:40  
To: DG\_DAERA NIEA Pollution Prevention <nleapollutionprevention@daera-ni.gov.uk>  
Cc: DAERA WMUplanningconsultations <WMUPlanningConsultations@daera-ni.gov.uk>  
Subject: FW: WMU/PC/ 37381-1 - LA11/2025/0037/DC - Lands East and West of Maydown Road and situated approximately 150 metres North and North-West of No. 23 Maydown Road, Derry, BT47 6UJ - DUE 10-2-25-R0S

I've gone through the CEMP. Its alright but I couldn't find what they were doing with their wheel wash. Could you have a quick look and see if I've missed anything else.

From: DAERA WMUplanningconsultations <WMUPlanningConsultations@daera-ni.gov.uk>  
Sent: 22 January 2025 12:31  
To: [REDACTED]  
Subject: WMU/PC/ 37381-1 - LA11/2025/0037/DC - Lands East and West of Maydown Road and situated approximately 150 metres North and North-West of No. 23 Maydown Road, Derry, BT47 6UJ - DUE 10-2-25-R0S

The screenshot shows a web browser window with the URL <https://dardapps/NIEAPC/Section.aspx>. The page has a navigation bar with tabs: Search, Consultation details (selected), Full response, Your response summary, Section allocations, and All summaries. The main content area is divided into several sections:

- Application Information:**
  - Reference: LA11/2025/0037/DC
  - Application Type: Discharge of Condition
  - District Council: Derry City and Strabane District Council
  - Planning Office: Derry City and Strabane District Council
  - Development Hierarchy: LOCDEV
  - Class: NSTAT
  - Grid Reference: 247663/421714
  - Applicant: MCI Planning
  - Agent: MCI Planning
  - NIPP Case Officer: [REDACTED]
  - Location: Lands East and West of Maydown Road and situated approximately 150 metres North and North-West of No. 23 Maydown Road, Derry, BT47 6UJ
  - Proposal: Discharge of condition No. 2 of LA11/2023/1729/RM - Relating to Final Construction Environmental Management Plan
- Consultation HPRM Reference:**
  - HPRM Reference: AE1-24-14947
- Consultation Information:**
  - Category: Discharge of Conditions
  - Development Type: Offices
  - NIPP Consultation Reason: WMU - See a CEMP uploaded on the Planning Register for consideration and comments.
- Extended Consultation Period Information:**
  - Section Response Target Date: 10/02/2025
  - NIPP Response Target Date: 12/02/2025
  - Revised Target Date:
  - Reason for Revised Target Date:
  - Notes:
- Section Reference:**
  - Reference: WMU/PC/ 37381-1
  - Add / Edit reference
  - Use the link below to maintain section reference
  - » Maintain section reference

The Windows taskbar at the bottom shows the system tray with the date 22/01/2025 and time 12:29.

## APPROVAL OF RESERVED MATTERS

### Planning Act (Northern Ireland) 2011

Application No: **LA11/2023/1729/RM**

Date of Application: **9 June 2023**

Site of Proposed Development: **Lands East and West of Maydown Road and situated approximately 150 metres North and North-West of No. 23 Maydown Road, Derry, BT47 6UJ**

Description of Proposal: **Erection of one IT service and data centre buildings, substation compounds, generators, switch gear and transformers together with internal access roads, vehicular access, car parking, security perimeter fencing and gate houses, external site lighting, and associated works.**

Applicant: Atlantic Hub Property Limited  
Address: 7 Culmore Point, Derry  
BT48 8JW

Agent: Mark McIvor  
Address: 69 Clarendon Street, Londonderry  
BT48 7ER

Drawing Ref: No 01Rev2; 02Rev5; Site Plan rev2 2023\_06 06; Site sections rev2 2023\_06 06; Ground Floor Plan; First Floor Plan; Second Floor Plan; Roof Plan; Elevations; Landscape Proposals; Site Topographical Survey ; Site perimeter elevations; No.14Rev 1 Proposed Attenuation Tank & No. 15 Rev2 Proposed Drainage Layout; No. 18 Longitudinal Profiles; Private Streets Determination Sheet 1 of 2 Redacted & Private Streets Determination & Sheet 2 of 2 Redacted

With respect to the above proposal for development, being matters reserved in the outline planning permission specified above. The Council in pursuance of its powers under the above-mentioned Act and in accordance with your application

**Derry City & Strabane**  
District Council

Comhairle  
**HEREBY APPROVES**  
Chathair Dhoire &

the said reserved matters subject to compliance with the following conditions which are imposed for the reasons stated:

**Derry Citty & Strabane**  
Destrack Cooncil

1. The development to which this approval relates must be begun by whichever is the later of the following dates:-
  - i. The expiration of a period of 5 years from the grant of outline planning permission; or
  - ii. The expiration of a period of 2 years from the date hereof.

Reason: As required by Section 62 of the Planning Act (Northern Ireland) 2011.

2. Prior to any construction works commencing on site, a final Construction Environmental Management Plan (CEMP) shall be submitted to and agreed in writing by the Council. The final CEMP must identify all potential risks to the existing watercourses within the site and must incorporate all of the pollution prevention measures detailed in the outline CEMP (MCI June 2024, including the Addendum of August 2024 - Appendix 11). The approved CEMP shall be adhered to and implemented in full throughout the construction period in accordance with the approved details, unless otherwise agreed in writing by the Council.

Reason: To ensure the project will not have an adverse effect on the integrity of any European site.

3. The drainage network shall be constructed as shown on Drainage Layout Drawing Number 15 Rev 2, published to the planning portal 17 June 2024.

Reason: To provide adequate measures to mitigate the flood risk from the development to elsewhere.

4. Prior to the commencement of any other development hereby permitted, the vehicular accesses, including visibility splays of 4.5m x 140.0m and a forward sight distance of 140.0m shall be provided in accordance with drawings numbered 16 (Rev. 3) and 17 (Rev. 4), published to the Planning Register on 21 June 2024, The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter.

Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.

5. The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992.

The Department hereby determines that the width, position and arrangement of the

streets, and the land to be regarded as being comprised in the streets, shall be as indicated on drawings numbered 16 (Rev. 3) and 17 (Rev. 4) published to the Planning Register on 21 June 2024.

Reason: To ensure there is a safe and convenient road system within the development and to comply with the provisions of the Private Streets (Northern Ireland) Order 1980.

6. The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992.

No other development hereby permitted shall be commenced until the works necessary for the improvement of a public road have been completed in accordance with the details outlined blue on drawings numbered 16 (Rev. 3) and 17 (Rev. 4), published to the Planning Register on 21 June 2024. The Council hereby attaches to the determination a requirement under Article 3(4A) of the above Order that such works shall be carried out in accordance with an agreement under Article 3(4C).

Reason: To ensure that the road works considered necessary to provide a proper, safe and convenient means of access to the development are carried out.

7. No part of the development hereby permitted shall be commenced until the detailed design of the proposed road works, including longitudinal and cross-sections, as generally indicated on drawings numbered 16 (Rev. 3) and 17 (Rev. 4), published to the Planning Register on 21 June 2024 has been submitted to and approved by the planning authority.

Reason: To ensure that the road works considered necessary to provide a proper, safe and convenient means of access to the development are carried out.

8. The development hereby permitted shall not come into operation until hard surfaced areas have been constructed and permanently marked in accordance with the approved drawing numbered 02 (Rev. 4), published to the Planning Register on 29 February 2024 to provide adequate facilities for parking, servicing and circulating within the site. No part of these hard surfaced areas shall be used for any purpose at any time other than for the parking and movement of vehicles.

Reason: To ensure that adequate provision has been made for parking, servicing and traffic circulation within the site.

9. The gradients of the access roads shall not exceed 4% (1 in 25) over the first 10m outside the road boundary. Where the vehicular access crosses a footway, the access gradient shall be between 4% (1 in 25) maximum and 2.5% (1 in 40) minimum and shall be formed so that there is no abrupt change of slope along the

footway.

Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users

10. Gates or security barriers at the access shall be located at a distance from the edge of the public road that will allow the largest expected vehicle to stop clear of the public road when the gates or barriers are closed.

Reason: To ensure waiting vehicles do not encroach onto the carriageway.

11. Notwithstanding the provisions of the Planning (General Development) (Northern Ireland) Order 1993 no planting other than grass, flowers or shrubs with a shallow root system and a mature height of less than 250 mm shall be carried out in verges determined for adoption.

Reason: In order to avoid damage to and allow access to the services within the service strip.

12. Subject to the above conditions, the development shall be carried out in accordance with approved drawings:

01Rev2 as published on the public planning register on 27 February 2024

02Rev5 as published on the public planning register on 21 June 2024

Site Plan rev2 2023\_06 06 as published on the public planning register on 09 June 2023

Site sections rev2 2023\_06 06; Ground Floor Plan; First Floor Plan; Second Floor Plan; Roof Plan; Elevations; Landscape Proposals; Site Topographical Survey; Site perimeter elevations; as published on the public planning register on 16 June 2023

14Rev 1 Proposed Attenuation Tank & No. 15 Rev2 Proposed Drainage Layout as published on the public planning register on 17 June 2024

18 Longitudinal Profiles as published on the public planning register on 21 June 2024

Private Streets Determination Sheet 1 of 2 Redacted & Private Streets Determination Sheet 2 of 2 Redacted as published on the public planning register on 09 July 2024

Reason: To ensure the development is carried out in accordance with the approved plans.

## **Informatives**

1. This document is the decision of the Council in respect of application LA11/2023/1729/RM. No part of this document may be changed or altered in any way without the consent of the Council. If you wish to verify the accuracy of the decision notice, or download a copy, please check the Planning Portal by searching at: <https://planningregister.planningsystemni.gov.uk/simple-search>
2. This permission does not alter or extinguish or otherwise effect any existing or valid right of way crossing, impinging or otherwise pertaining to these lands.
3. This permission does not confer title. It is the responsibility of the developer to ensure that he/she controls all the lands necessary to carry out the proposed development.
4. This determination relates to planning control only and does not cover any consent or approval which may be necessary to authorise the development under other prevailing legislation as may be administered by the Council or other statutory authority.
5. The developer is advised that he/she will be responsible for the design, construction and maintenance of the drainage network, and managing the flood risk associated with this network.
6. Under the terms of Schedule 6 of the Drainage (NI) Order 1973, any proposals either temporary or permanent, in connection with the development which involves interference with any watercourses such as culverting, bridging, diversion, building adjacent to or discharging storm water etc requires the written consent of DfI Rivers.
7. The applicant must refer and adhere to the relevant precepts contained in DAERA Standing Advice Industrial and Commercial Developments; Pollution Prevention Guidance and Discharges to the Water Environment.
8. The developer is informed that it is an offence under the Water (Northern Ireland) Order 1999 to discharge or deposit, whether knowingly or otherwise, any poisonous, noxious or polluting matter so that it enters a waterway or water in any underground strata. Conviction of such an offence may incur a fine of up to £20,000 and / or three months imprisonment.

9. There is a public water main within 20m of the proposed development boundary which can adequately service these proposals. An application to NI Water is required to obtain approval to connect. Applications and guidance notes can be found at [www.niwater.com](http://www.niwater.com) at the following link - <https://www.niwater.com/services-fordevelopers/multi-unit-developments/water-services/new-water-connections/>
  
10. The applicant should demonstrate best environmental practice when working close to watercourses. The potential for deleterious matter to enter a watercourse is of primary concern. Impacts on the aquatic environment such as a decrease in water quality can cause a significant impact upon various life history stages of fish species.
  
11. The applicant should also be aware that it is an offence under section 41 of the Foyle Fisheries Act (1952) to cause pollution which is detrimental to fisheries interests.
  
12. The applicant's attention is drawn to The Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended), under which it is an offence:
  - a) Deliberately to capture, injure or kill a wild animal of a European protected species, which includes the otter (*Lutra lutra*);
  - b) Deliberately to disturb such an animal while it is occupying a structure or place which it uses for shelter or protection;
  - c) Deliberately to disturb such an animal in such a way as to be likely to –
    - i. Affect the local distribution or abundance of the species to which it belongs;
    - ii. Impair its ability to survive, breed or reproduce, or rear or care for its young; or
    - iii. Impair its ability to hibernate or migrate;
  - d) Deliberately to obstruct access to a breeding site or resting place of such an animal; or
  - e) To damage or destroy a breeding site or resting place of such an animal.

If there is evidence of otter activity on the site, all works should cease immediately and further advice sought from the Wildlife Team, Northern Ireland Environment Agency, Klondyke Building, Cromac Avenue, Gasworks Business Park, Belfast BT7 2JA. Tel. 028 9056 9558 or 028 9056 9557
  
13. The applicant should contact the Industrial Pollution and Radiochemical Inspectorate in order to confirm the specification, configuration (e.g. N+1,2N etc) and total capacity of the emergency generation designed onsite and then the

appropriate regulatory pathway can be discussed.

14. HSENI advises the developer to meet all the Health and Safety at Work (NI) Order 1978 requirements and relevant statutory provisions.

15. The Private Streets (Northern Ireland) Order 1980 and The Private Streets (Amendment) (Northern Ireland) Order 1992

Under the above Orders the applicant is advised that before any work shall be undertaken for the purpose of erecting a building the person having an estate in the land on which the building is to be erected is legally bound to enter into a bond and an agreement under seal for himself and his successors in title with the DfI Roads to make the roads (including road drainage) in accordance with The Private Streets (Construction) Regulations (Northern Ireland) 1994 and The Private Streets (Construction) (Amendment) Regulations (Northern Ireland) 2001. Sewers require a separate bond from Northern Ireland Water to cover foul and storm sewers.

16. The developer, future purchasers and their successors in title should note that DfI Roads will not adopt any 'street' as defined in The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992 until such time an Article 161 agreement between the developer and NI Water for the construction of foul and storm sewers including any attenuation holding tanks and discharge pipes has been fully implemented and works upon completion approved by NI Water.

17. Separate approval must be received from DfI Roads in respect of detailed standards required for the construction of streets in accordance with The Private Streets (Construction) Regulations (Northern Ireland) 1994 and The Private Streets (Construction) (Amendment) Regulations (Northern Ireland) 2001.

18. Highway design shall be in accordance with the current relevant standards of the Design Manual for Roads and Bridges (DMRB).

19. It is DfI Roads' requirement for works, including temporary works, which impact the progression of traffic and non-motorised users that the Applicant contact DfI Roads – Traffic Section at an early stage and prior to commencement of the works to this development so that a detailed programme of works and any required / associated traffic management proposals and permits may be agreed.

20. The approval does not empower anyone to build or erect any structure, wall or fence or encroach in any other manner on a public roadway (including a footway and verge) or on any other land owned or managed by the Department for Infrastructure for which separate permissions and arrangements are required.
21. Precautions shall be taken to prevent the deposit of mud and other debris on the adjacent road by vehicles travelling to and from the construction site. Any mud, refuse, etc. deposited on the road as a result of the development, must be removed immediately by the operator/contractor.
22. Notwithstanding the terms and conditions of the Council's approval set out above you are required under Article 71 – 83 inclusive of The Roads (NI) Order 1993 to be in possession of the Department for Infrastructure's consent before any work is commenced which involves making or altering any opening to any boundary adjacent to the public road, verge or footway or any part of said road, verge, or footway bounding the site. The consent is available on personal application to the DfI Roads Section Engineer whose address is Londonderry Section Office, 1 Crescent Road, Londonderry BT47 2NQ. A monetary deposit will be required to cover works on the public road.
23. All construction plant and materials shall be stored within the curtilage of the site.
24. It is the responsibility of the Developer to ensure that water does not flow from the site onto the public road (including verge or footway) and that existing road side drainage is preserved and does not allow water from the road to enter the site. The Developer should note that this planning approval does not give consent to discharge water into a DfI Roads drainage system.
25. Notwithstanding the terms and conditions of the Council's approval set out above, you are required under Article 60 of The Road Traffic (NI) Order 1995 to be in possession of the Department for Infrastructure's consent before moving any equipment which would be defined as an abnormal load. The consent is available on personal application to the DfI Roads Abnormal loads Section DfI Roads Headquarters, Clarence Court, 10-18 Adelaide Street, Belfast, BT2 8GB.
26. The proposed development should take into account the position of any NIE Networks' equipment in the area to ensure safety. The developer should maintain statutory clearance from NIE Networks' equipment during the construction and operational phases of the project and also during future maintenance programmes in accordance with HSE Guidance Note GS6 "Avoidance of Danger from Overhead

Electric Lines" and HSE Booklet HS(G)47 "Avoiding danger from underground services". Further information is also available at [www.nienetworks.co.uk/Safety-Environment](http://www.nienetworks.co.uk/Safety-Environment).

27. Should information be required at this stage regarding the location of NIE Networks' equipment adjacent to the development, please contact NIE Networks with the location details of your proposed development at:
- Northern Ireland Electricity Networks Ltd, Distribution Service Centre, Request for Markup, Carn Industrial Estate, Craigavon, BT63 5QJ.
  - [markups@nienetworks.co.uk](mailto:markups@nienetworks.co.uk)

If you require any further clarification or additional information then please do not hesitate to contact the NIE Customer Helpline Number: 03457 643 643

Dated: 9 October 2024

Authorised Officer: A McNee

## Case details

No

**Reference:** LA11/2025/0037/DC  
**Authority:** Derry City and Strabane District Council  
**Address:** Lands East and West of Maydown Road and situated approximately 150 metres North and North-West of No. 23 Maydown Road, Derry, BT47 6UJ  
**Category:** Local  
**Consultation Type:** Non-Statutory

### Description:

Discharge of condition No. 2 of LA11/2023/1729/RM - Relating to Final Construction Environmental Management Plan

### Reason for consultation:

FAO WMU: Condition relates to final CEMP

## Case officer details

**Name:**

**Contact email:**



**From:** [NI Consultee Hub \(no-reply\)](#)  
**To:** [DAERA Planning Notifications](#)  
**Subject:** New consultation for LA11/2025/0037/DC  
**Date:** 22 January 2025 11:02:39

CAUTION – This email has been received from outside the NICS network. If you have any concerns, please report for investigation.

Consultee Hub Logo



Dear NIEA,

There is a new consultation for case  
LA11/2025/0037/DC available to view on the Consultee  
Hub.

[View consultation](#)

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This email is for information only, please do not reply as  
the mailbox is not monitored.

Regards,

The Consultee Hub Team

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