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| File number | CB27111-3 |
| Planning Ref | LA02/2018/1145/F |
| Applicant | Cloghan Point Holdings Ltd |
| Proposal | Redevelopment of the existing terminal to an import, storage and distribution facility, incorporating Class I Petrol, Class II (1) Dual Purpose Kerosene (DPK) and Class III (1) Gas Oil & Diesel. The terminal will also incorporate the import, storage and blending of Biofuels (such as Class I Ethanol and Unclassified (1) FAME), dyes and additives. The demolition of existing buildings, structures and chimney stack, the tiered levelling of existing ground levels, jetty-head modifications and new road-loading gantries, Vapour Recovery Unit (VRU) and operations building. Surface-water drainage will be discharged via oil interceptor(s). The new upper site will be vehicle park. |
| Location | Cloghan Point Oil Terminal Quay Lane Whitehead |

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| Site Visit | none |
| Date of Report | 24 March 2021 |
| Case officer | ██████████ |

Project Summary

Cloghan Point Holdings Ltd have submitted an application for the redevelopment of the existing Cloghan Point Oil Terminal at Quay Lane, Whitehead.

The current consultation relates to submission of the Environmental Statement which was received by the Planning Authority on 09/02/2021.

Case History

CB17872 (V/2010/0215/HSC): Hazardous Substance Consent for storage of petroleum products (gas oil) up to 126000 tonnes, Cloghan Point Oil Terminal

| Date | Event |
|-----------|---|
| 01-Dec-10 | Consultation 1: Environmental Impact |
| 13-Apr-11 | Response 1: No concerns |

CB26711 (LA02/2018/0882/HSC): Storage of hazardous substances at Cloghan Point Oil Terminal, Quay Lane, Whitehead

| Date | Event |
|-----------|--|
| 17-Oct-18 | Consultation 1: within Coast N&S of Cloghan SLNCI |
| 21-Dec-18 | Response 1: Require habitat survey and site plans |
| 21-Feb-19 | Consultation 2: Biodiversity Checklist & Preliminary Ecological Appraisal |
| 07-Apr-19 | Response 2: No concerns, subject to conditions: <ul style="list-style-type: none"> HMP Lighting plan for no light spill more than 1 Lux onto hedges around Upper Site |

CB27111 (LA02/2018/1145/F): Cloghan Point Oil Terminal redevelopment

| Date | Event |
|-----------|--|
| 21-Feb-19 | Consultation 1: |
| 07-Mar-19 | Response 1: Require: <ul style="list-style-type: none">• Site Drainage Plan• Construction Method Statement |
| 27-Nov-19 | Consultation 2: Request for information for EIA Scoping Report |
| 27-May-20 | Response 2: Scoping info for ES |
| 01-Mar-21 | Consultation 3: Environmental Statement and Badger Report |

Environmental Statement contents

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ES Chapter 9: Biodiversity

The ecology chapter was written by [REDACTED] with RPS. It details the Extended Phase 1 Habitat Survey that was undertaken in January and April 2020.

The badger survey was undertaken by [REDACTED] of RPS.

Designated sites: See CDP response

Priority Habitats

The habitats recorded on site are:

- **Broadleaved semi-natural woodland:** Two relatively small areas are present along either side of Quay Lane in the central portion of the site. These appear to have established through planting with occasional self-seeded individual trees and shrubs and a limited range of woodland ground flora species.
- **Scrub:** The majority of the upper site is occupied by dense scrub comprised of Gorse and Bramble with occasional stands of Bramble, scattered Cotoneaster and groups of immature Hawthorn and scattered trees. Although of low ecological significant in itself, this habitat is within and is a selection feature for the **Coast N&S of Cloghan Point SLNCI**.
- **Scattered Trees:** Areas of scrub within the upper site support a number of immature self-seeded scattered trees. Species include Hawthorn, Elder and Grey willow, with ivy and bramble present as climbers.
- **Species-poor Neutral Grassland:** Areas of unmanaged species-poor neutral grassland are present around the margins of the upper and lower sites and in unmanaged areas along Quay Lane. This habitat grades into adjacent areas of scrub and supports occasional areas subject to colonisation by bramble. These grasslands are rank and support a limited range of species. This habitat description does not include for early species-rich grassland habitats which are not fully established and are therefore described within the habitat recolonising hardstanding, below.
- **Species-poor Hedgerow:** Three hedgerows, labelled H1, H2 and H3 on ES Volume II Figure 9.3 Extended Phase 1 Habitat Map, were recorded within and adjacent to the proposed upper site.
 - Hedgerow H1 is located outside of the north-east boundary of the upper site and is comprised largely of mature hawthorn in addition to whitebeam, Swedish whitebeam and occasional fuchsia. The hedgerow is subject to regular management.
 - Hedgerow H2 is located to the south of the upper site boundary and is a gappy hedgerow, comprised of a number of middle-age Elm, in addition to hawthorn, gorse and bramble.
 - Hedgerow H3 is located in the east of the upper site and extends into the proposed upper site for a short length in its south-western extent. It is a gappy and unmanaged hedgerow comprised of hawthorn with gorse which blends into adjacent areas of scrub.
 - Other hedgerows in proximity to the site of proposed redevelopment including those associated with agricultural lands either side of Quay Lane, are comprised almost entirely of hawthorn and subject to regular management.

This habitat is considered to represent an example of the NI priority habitat: Hedgerow

- **Tall Ruderal:** Tall ruderal habitat is present at the margins of scrub and recolonising hardstanding in the north of the upper site and along the boundary of Quay Lane
- **Amenity Grassland:** The site of proposed redevelopment supports a number of narrow strips of regularly mown grassland, either side of Quay Lane throughout much of the site. These areas are species poor and support a limited range of vegetation typical of regularly mown amenity grasslands.

- Recolonising Hardstanding: The site of proposed redevelopment was recorded to support an area of recolonising former hardstanding, comprised of course gravel, which supports a range of scattered habitats including tall ruderal, scrub, immature trees and grassland.

These areas are species-rich and likely to be of some ecological value for local invertebrate populations. They were reported in an earlier PEA report to be indicative of NIPH Open Mosaic Habitats on Previously Developed Land. However, because it covers less than 0.25ha, it cannot be considered as NI priority habitat.

- Bare Ground / Hardstanding
- Buildings
- Marine and coastal habitats

The proposed development will result in the loss of areas of hardstanding and buildings in the lower site, in addition to small areas of tall ruderal vegetation, amenity grassland and semi-improved neutral grassland within the proposed substation location and upper site. Habitats of relatively greater ecological value including areas of broadleaved semi-natural woodland, hedgerows and the vast majority of scattered trees within the site will be largely retained, although a short length of approximately 10m of H3 species-poor hedgerow (NIPH Hedgerows) will require removal from the upper site.

Compensatory hedgerow planting will ensure no overall loss of NIPH.

Birds

The programme of overwintering bird surveys which were carried out from October 2019 to March, recorded that metal arms at the end of Cloghan Point Jetty are of some value for roosting Cormorant, but the numbers recorded do not qualify the site as being of all-Ireland importance. The shoreline or coastal waters in proximity to the lower site were not found to be of any notable value for waders or waterfowl, and supported low numbers of a limited range of species.

The breeding bird survey has shown the assemblage of birds on site to be typical of the mix of habitats found within the site of proposed redevelopment and surrounding landscape. Primarily hardstanding, the lower site offers limited opportunities for breeding birds. The access road and upper site support a number of breeding birds. However, these are mainly confined to the steep vegetated bank and vegetation which is being retained.

Surveys of the breeding population of Black guillemots have confirmed the birds primarily nest under the structures of the main jetty causeway and platform. Figures recorded during 2020 surveys are consistent with counts over recent years, presented in the BTO NI Seabird Reports 2013-2019, and highlights Cloghan Point Jetty as one of the most important sites for breeding Black guillemots in Northern Ireland. No works will take place during the breeding season, unless supervised by the ECoW.

Mitigation is required to address the potential for disturbance to birds using the scrub habitat on the slopes below the upper site: no vegetation clearance will take place during the breeding season.

Bats

A Preliminary Roost Assessment (PRA) of trees and buildings on site was carried out in January and April 2020.

Two trees within hedgerows to the north-east and west of the upper site boundary were categorised as having low BRP as they had cracks, splits and rot holes with potential to support roosting bats. These trees will be fully retained as part of the proposed redevelopment.

The nature and coastal exposure of the buildings mean they have negligible BRP.

Habitats within the upper site (scrub, recolonising vegetation, scattered trees and hedgerow) provide relatively limited opportunities for foraging and commuting bats but are likely to be utilised by at least a number of individual foraging bats. However areas of similar habitat are found throughout the locality.

Lighting has potential to give rise to abandonment of trees supporting potential opportunities for roosting bats and foraging and commuting habitats outside of the proposed upper site boundary, but the lighting plan for the site will ensure that light spill onto potential roost sites and bat foraging habitats will be minimised.

Otter

See App 9.1. An otter survey was carried out in December 2019 and January 2020. Otter spraint and individual otters were recorded along the shoreline of the lower site in proximity to the jetty. The stretch of coastline along which the site of proposed redevelopment lies is used regularly by otter but is likely to form a small portion of a large otter territory.

The construction works will mainly affect terrestrial areas of the upper and lower sites, which were not recorded to support otter. While such works will not have potential to lead to direct loss of habitat for otter, noise or visual stimuli may trigger low level disturbance or displacement as a result of works within the lower site or on the jetty. However, as this disturbance would only affect a small portion of an otter's territory, impacts are not likely to be significant.

Lighting associated with the lower site may have potential to reduce the suitability or appeal of shoreline habitat and coastal waters in proximity of the site for foraging and commuting otter during night time hours.

Badgers

A badger survey was carried out on 13 December 2019, 28 January and 27 November 2020. [REDACTED]

[REDACTED] Safeguarding measures for the protection of badger are required at construction stage during vegetation clearance and earthworks on the upper site, including:

- Placing an Ecological Exclusion Zone 25m around the sett
- Vegetation removal and replanting will be monitored by the ECoW to provide advice re badgers during construction.

Lighting associated with the upper site has potential to illuminate habitats of value for foraging and commuting badger.

Common Lizard

The areas of habitat within the proposed Upper Site which support habitats suitable for common lizard were subject to refugia survey in April and May 2020, under licence from NIEA. No lizards were recorded within the site during the surveys and as such it is considered that the species is not present within the site.

Mitigation

- An Ecological Clerk of Works (ECoW) will be employed to provide advice pre-construction and during construction relating to the protection of badgers, to provide advice on the timing of works and the implementation of mitigation and enhancement measures, to monitor identified works and to produce site inspection reports.

- All activities at construction stage will be undertaken in line with the finalised CEMP.
- Measures for the prevention of pollution at construction phase
- Light spill to habitats surrounding construction areas is minimised
- Vegetation removal will be undertaken outside of the nesting bird season (March to August)
- Works on the Jetty shall be timed to be undertaken outside of the Black guillemot breeding season, or otherwise only under supervision of an ECoW
- Native species rich hedgerow and trees shall be planted at the boundary of the Upper Site at a ratio of 3:1 to compensate for the necessary loss of natural habitat, including a short length of species-poor hedgerow.
- The proposed lighting scheme, as shown on ES Vol 2: Drawing PD6982809 Layout Drawing – Site Lighting Plan Upper Site, shows the 1 lux light level surrounding the proposed Upper Site. Drawing PD6982428 Layout Drawing - Flora Plan Upper Site shows trees with bat roost potential to be retained and additional native tree and hedgerow planting. It is considered that the proposed lighting scheme along with the landscaping boundary treatment will ensure that areas of habitat adjacent to the proposed development areas will be subject to relatively low lighting levels and screened by vegetation. It is considered that potential identified disturbance and displacement effects in respect of bats, breeding birds, badger, otter and the Coast N & S of Cloghan Point SLNCI will be effectively mitigated through the avoidance of operational phase disturbance in these areas.

Recommendations

Conditions:

- Protected species plan
- Lighting plan
- Planting plan

Informatives:

- Bate & otters
- Badgers
- otters