

Reference Number: DAERA/26-712
Request Details:
Request for further environmental
information under the Environmental
Information Regulations 2004 — PPC
Permit P0341/10A, Glenside Climate
Solutions Park — follow-up to your
response of 4 September 2026,
reference DAERA/26-574



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

**Northern Ireland Environment Agency
Waste & Industrial Pollution
Regulation and Enforcement Division**

[REDACTED]
[REDACTED]

NIEA Regulation Unit
17 Antrim Road
Lisburn
Tonagh
BT28 3AL

E-mail: daera.informationmanager@daera-ni.gov.uk

06 October 2026

Dear [REDACTED],

Environmental Information Regulation 2004

I refer to your request for information received by the Department on 11 September 2026 that sought the information set out in Appendix A.

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 is added in red text to the request set out in Appendix A.

Under Regulation 12(4)(a) the Department is excepted from the duty to disclose the information on the grounds that the information sought is not held.

Some of the information sought is already publicly available thus Regulation 6(1)(b) has been engaged.

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The Department has decided not to disclose some of the information you requested as it considers Regulation 12(4)(d) to be engaged. 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 Appendix B.

Regarding your request for all correspondence with the applicant in point three of your request, under Regulation 12(4)(b) of the EIR, the Department may refuse to comply with a request for information where it is considered to be manifestly unreasonable. The Department considers the request to be manifestly unreasonable on the grounds of diversion of resources.

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.

Yours sincerely,

Waste Permitting Team

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Appendix A

By email: donnamcdonnell@hotmail.com

11 September 2026

NIEA PPC Regulatory Team

Northern Ireland Environment Agency

Department of Agriculture, Environment and Rural Affairs

By email: daera.informationmanager@daera-ni.gov.uk; wru.queries@daera-ni.gov.uk

cc: Lisburn & Castlereagh City Council, Planning Department
(eir@lisburncastlereagh.gov.uk)

Dear Sir/Madam,

Request for further environmental information under the Environmental Information Regulations 2004 — PPC Permit P0341/10A, Glenside Climate Solutions Park — follow-up to your response of 4 September 2026, reference DAERA/26-574

1. Purpose of this request

I refer to my request received by the Department on 7 August 2026 and to your response dated 4 September 2026 (reference DAERA/26-574) concerning PPC Permit P0341/10A, Glenside Climate Solutions Park, operated by Natural World Products (NWP). Thank you for that response.

I am also aware of a response issued by Lisburn & Castlereagh City Council (LCCC) on 7 September 2026, under case reference EIR168, to a separate request concerning the same permit, which attached a note of a meeting between the Council's Planning Department, NIEA and the Council's Environmental Health Officers held on 7 May 2026 (“the Tab A minutes”). That response, together with yours, raises further points which I ask the Department to address below.

This is a fresh request for further information, confined to the matters set out below, and is not a request for internal review of DAERA/26-574.

2. The statutory basis for treating V1-V4 as exempt from consultation

Your response states:

“Consultation with council planning did not occur for variations V1, V2, V3, and V4, as it is not required for standard variations as part of the Departments’ procedure for variation applications.”

The term “standard variation” does not appear anywhere in the Pollution Prevention and Control (Industrial Emissions) Regulations (Northern Ireland) 2013 (“the 2013 Regulations”). The relevant statutory gate is Schedule 7 Part 1 paragraph 5(1), under which the consultation and advertisement procedure (including notice to Schedule 4 paragraph 12 consultees, which includes the Department for Infrastructure/Planning Service for a specified waste management activity) applies where a variation authorises a “substantial change” in operation — a change which, in the enforcing authority’s opinion, may have negative effects on human health or the environment, applying Regulation 2 — or a Regulation 13(3) BAT-derogation case, or any other case where the Department itself chooses to apply it.

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I ask the Department to confirm the statutory basis, if any, for categorising a class of variations as “standard” and therefore exempt from consultation as a matter of internal procedure, rather than by reference to an individually reasoned Regulation 2 “substantial change” opinion formed on each variation’s own facts. I also ask the Department to provide a copy of the “Department’s procedure for variation applications” referred to in your response, since it is relied upon as the entire basis for exempting variations V1 to V4 from consultation with the mandatory statutory consultee.

I further ask the Department to confirm, separately for each of variations V1, V2, V3 and V4, whether a Regulation 2 “substantial change” opinion was ever formed; if so, by whom and on what date; and if not, why not.

3. NIEA’s consultation request to LCCC on the current application should be disclosed directly

Your response confirms that, for the current (February 2026) variation application, “the Department has consulted with Lisburn & Castlereagh City Council’s Planning Department,” withholding the material as “ongoing” under Regulation 12(4)(d).

LCCC’s own EIR168 response states that it received this consultation request on 5 March 2026, and states that “detail of the consultation request from NIEA is available to view on their website” — but I have checked NIEA’s public register for Permit P0341/10A and can find no published material setting out what the Department has specifically asked LCCC Planning to review or confirm in relation to planning permission for the current variation application.

The consultation request itself is a procedural communication between two public authorities as to whether a proposed PPC permit variation has the necessary planning permission in place. It does not concern NWP’s own commercial operations, technical processes, or business affairs, and I do not accept that it could properly be withheld as commercially confidential under Regulation 12(5)(e) or any similar exception. Nor, in my respectful submission, can a document of this kind properly be regarded as “still in the course of completion” under Regulation 12(4)(d) merely because LCCC has not yet replied to it — the request itself, as sent by the Department, is a finished document. Article 6 of the Aarhus Convention, on which the EIR gives domestic effect, requires that the public be given early and effective opportunities to participate in environmental decision-making, and that information relevant to that decision-making process be made available to the public for comment and review. Whether the Department has sought, and obtained, confirmation that planning permission is in force for the activities covered by this variation is squarely relevant to the public’s ability to participate meaningfully in its determination.

Consistent with Article 6 and the Regulation 12(2) presumption in favour of disclosure, I ask the Department to provide a copy, in full, of its consultation request(s) to LCCC dated 5 March 2026 (and any other consultation request(s) sent to LCCC relating to the current variation application).

4. Regulation 10(4)(b): has NIEA received a clear consultation response confirming planning permission?

The Tab A minutes record an NIEA officer stating that:

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“It is important NIEA get a clear consultation response from planning that the proposed permit activities in the application have relevant planning permission.”

Your response to sub-request four of my original request (concerning consideration of Regulation 10(4)(b) of the 2013 Regulations) referred only to the decision document for the original 2010 permit having been published to the public register. That document concerns the original grant, not the variations, and does not confirm whether the Department has considered Regulation 10(4)(b) — which provides that a permit for a specified waste management activity shall not be granted unless planning permission is in force for that use — in relation to variations V1 to V4 or the current application.

I ask the Department to confirm directly: (a) whether it has now received the “clear consultation response” from LCCC Planning referred to by its own officer in the Tab A minutes, confirming that the proposed permit activities have relevant planning permission; (b) if not, whether the Department will determine the current variation application before receiving it; and (c) whether the Department accepts that, on LCCC's own account (recorded in the same minutes) that it cannot provide a consultation response until its own enforcement cases concerning the Glenside facility have concluded, Regulation 10(4)(b) cannot presently be satisfied for the current application.

I also ask that the NIEA publish on the public register all decision documents in full, including all correspondence with the applicant in line with the requirements of the PPC regulations.

5. The commercial confidentiality review and current status of the application

The Tab A minutes record that, as at 7 May 2026, NIEA was “currently undertaking a review of commercially confidential application material, following correspondence from NWP's legal representatives,” that “the application documents cannot yet be made publicly available,” that LCCC “will be notified once the review has concluded and the material is available for public access,” and that “the commercial confidentiality claim is voluminous and complex.” The minutes also record that the application was, at that date, “currently paused” pending this review and consultation responses.

More than four months have now passed. I ask the Department to confirm:

(a) whether its review of NWP's commercially confidential application material has now concluded and, if so, when, and whether the application documents have since been made publicly available;

(b) if the review has not concluded, its current status and expected date of completion;

(c) the specific EIR exception relied upon to withhold the application material in the meantime, together with the public interest test conducted in support of that reliance; and

(d) whether the current variation application remains “paused” as at the date of this request and, if not, when it resumed and on what basis.

6. The site meeting of 2 June 2026

The Tab A minutes record that a site meeting with NWP was confirmed for 2 June 2026, intended (among other things) to help LCCC gain “a full understanding of the activities taking place on site, including those proposed in the permit variation

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application.” I ask the Department to confirm whether that meeting took place and, if so, to provide any note or record of it, and to confirm whether it has informed the Department’s own assessment of the application.

7. Formal request

For the avoidance of doubt, I formally request the following information under the EIR:

1. Confirmation of the statutory basis, if any, for treating “standard variations” as categorically exempt from consultation with LCCC Planning, and a copy of the “Department’s procedure for variation applications” referred to in your response of 4 September 2026.

The Department regulates according to The Pollution Prevention and Control (Industrial Emissions) Regulations (Northern Ireland) 2013.

2. Confirmation of whether a Regulation 2 “substantial change” opinion was formed for each of variations V1, V2, V3 and V4 individually, and if so by whom and on what date; if not, why not.

The Department regulates according to The Pollution Prevention and Control (Industrial Emissions) Regulations (Northern Ireland) 2013.

3. Full copies of all decision documents in relation to all permit variations V1-V4 including all correspondence with the Applicant and any planning determinations or interpretations that the NIEA used when determining each tonnage increase.

Please refer to the public register [Pollution Prevention and Control permitted processes | Public registers | DAERA](#) for copies of decision documents for variations one to four.

Regarding your request for all correspondence with the applicant, this is deemed as manifestly unreasonable.

Regarding your request for planning determinations, no information is held. This request should be directed to the relevant planning authority.

4. A copy, in full, of the Department’s consultation request(s) to LCCC Planning dated 5 March 2026, and of any other consultation request(s) sent to LCCC relating to the current variation application.

This request relates to material which is still in the course of completion, thus Regulation 12(4)(d) has been engaged.

5. Confirmation of whether the Department has received a consultation response from LCCC Planning confirming that the proposed permit activities in the current application have relevant planning permission, and if not, whether the Department will determine the application before receiving one.

This request relates to material which is still in the course of completion, thus Regulation 12(4)(d) has been engaged.

6. Confirmation of whether the Department's review of NWP's commercially confidential application material has concluded and, if so, when; if not, its current status, expected completion date, and the specific exception and public interest test relied upon to withhold the material meanwhile.

The Departments' commercially confidential review has concluded, and the relevant application documents have been published to the public register [Pollution Prevention and Control permitted processes | Public registers | DAERA](#)

7. Confirmation of whether the current variation application remains paused and, if not, when it resumed and on what basis.

This request relates to material which is still in the course of completion, thus Regulation 12(4)(d) has been engaged.

8. Confirmation of whether the site meeting of 2 June 2026 with NWP took place, any note or record of it, and whether it has informed the Department's assessment of the application.

The Department conducted a site inspection of NWP, Glenside Road on 2 June 2026, the compliance assessment report (CAR) can be found on the public register using the above link. This inspection has not informed on the current application.

8. Timescale and further comments

I understand the Department is required to respond within 20 working days of receipt of this request under Regulation 5(2) of the EIR. If any part of this request is refused, I ask that the Department confirm the specific exception relied upon, together with any public interest test conducted, and provide details of the internal review procedure and my right to complain to the Information Commissioner's Office.

This request is narrow and closed in scope, is confined to matters arising directly from your own response of 4 September 2026 and the related EIR168 response issued by LCCC, and should not, in my respectful submission, be regarded as manifestly unreasonable or unduly burdensome under Regulation 12(4)(b).

If it would assist in clarifying any part of this request, please contact me using the details above.

Yours faithfully,
Donna McDonnell

Appendix B

Public Interest Test – EIR

Reference Number – DAERA/26-712

Requested Information

See Appendix A above.

Exceptions under consideration

Regulation 12(4)(d).

Regulation 12(4)(b).

Reasons why the public interest would favour disclosure:

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

Reasons why the public interest would favour withholding:

- The requested information forms part of an incomplete decision-making process which disclosure to the public domain could adversely affect the decision-making and/or outcome on the determination of the variation application. The requested information will form part of the final decision document.
- Complying with the volume of information requested would apply an unjustified level of disruption and diversion of staff from statutory duties.

Conclusion

Following consideration of the public interest test, the Department has decided to withhold the information where Regulation 12(4)(d) has been engaged as this forms part of an ongoing decision-making process. The reason for withholding the requested information outweighs the reason for its disclosure. Regarding the engagement of Regulation 12(4)(b), the Department considers this to be manifestly unreasonable based on the burden of dealing with the request and consequent diversion of resources in dealing with this query.

Waste Permitting Team

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