



DAERA Environmental Advice for Planning

Standing Advice

Discharges to the water environment

Advice for developments that may require a Consent to Discharge under the Water (NI) Order 1999.

Introduction

If a proposed development will result in a potentially polluting discharge to the water environment, during the construction or operational phases e.g. sewage effluent, site drainage or process effluent, or has the potential to make a discharge, a discharge Consent issued under the Water (Northern Ireland) Order 1999 may be required.

In these circumstances Northern Ireland Environment Agency (NIEA) Standing Advice on Planning Consultations includes the following:

- NIEA Water Management Unit recommends that no development should take place on-site until the method of effluent disposal has been agreed in writing with Northern Ireland Water (NIW) or Consent to discharge has been granted.
- If there is an existing Consent in place for a particular site, this may need to be reviewed if any aspect of the Consent is altered i.e. an increase in the volume of effluent discharged, a change in the location of a discharge point or to reflect a change in the ownership of the Consented premises.
- If there is an intention to discharge any effluent (i.e. surface water or effluent from a private treatment plant) from the proposed development via a Northern Ireland Water (NIW) or privately owned surface water drain, the surface water drain may discharge directly to a watercourse. Discharge Consent under the terms of the Water (NI) Order 1999 may be required.
- There is no guarantee that a discharge Consent will always be granted, as a number of site specific factors need to be taken into account in assessing the suitability of the proposed means of effluent disposal.

- If it is not possible to adequately manage construction or operational phase site drainage using Sustainable Drainage Systems (SuDS) features, consent to discharge under the terms of the Water (Northern Ireland) Order 1999 may then be required.
- Applicants should be aware 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.
- The applicant should ensure that measures are in place to prevent pollution of surface or groundwater as a result of the activities on site, both during construction and thereafter.

An application form for Consent to discharge under the Water (NI) Order 1999 can be obtained by contacting **NIEA Water Management Unit** at:

17 Antrim Road,
Tonagh,
Lisburn.
BT28 3AL

Or by visiting our website: <https://www.daera-ni.gov.uk/articles/regulating-water-discharges>

Please be advised that applications for discharge Consent take a minimum of four months to determine.

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