



## DAERA Environmental Advice for Planning

# Standing Advice

## Abstractions & impoundments

Advice for developments that may involve an abstraction or impoundment of water under the Water Abstraction & Impoundment (Licensing) Regulations (NI) 2006

### Introduction

In accordance with the Water Abstraction and Impoundment (Licensing) Regulations (Northern Ireland) 2006, it is a mandatory requirement that upon the abstraction and/or diversion and/or impoundment of water from the natural river channel/lake, coastal or groundwater sources, an abstraction/impoundment licence should be obtained unless the operations specified are Permitted Controlled Activities (PCA). For further guidance on PCA please use link below:

<https://www.daera-ni.gov.uk/publications/water-abstraction-and-impoundment-licensingregulations-northern-ireland-2006-permitted>

Northern Ireland Environment Agency (NIEA) Water Regulation Unit (RU) recommends that developers should apply for the required statutory permissions prior to, or at the same time as, applying for planning permission.

### What Permissions do I require?

There are several authorisation types that may be granted under the Abstraction and Impoundment Licensing (AIL) Regulations Northern Ireland) 2006, the type of authorisation will be determined by the volume of water abstracted as detailed below:

1. Less than 10m<sup>3</sup> per day - authorisation is subject to activities complying with PCA conditions and no contact with NIEA is required.
2. Between 10m<sup>3</sup> to 20m<sup>3</sup> per day - authorisation is subject to notification to NIEA and compliance with the PCA conditions.
3. Above 20m<sup>3</sup> per day - authorisation is subject to submission of an application to NIEA and the issue of a formal licence which may have conditions.

## Additional Information

- RU recommends that no development should take place on-site until the appropriate authorisation or licence has been granted.
- If there is an existing licence in place for a particular site, this may need to be reviewed if any aspect of the licence conditions is altered as a result of the proposed development (i.e., an increase in the volume abstracted or to reflect a change in ownership).
- There is no guarantee that an authorisation or licence will always be granted, as several site specific factors need to be taken into account in assessing an application.
- Quarry operators should adhere to the Northern Ireland Environment Agency (NIEA) and the Quarry Productions Association for Northern Ireland (QPANI) jointly produced guidance document “Guidance for the Wise Use of Water in the Aggregates and Quarry Products Industry” (<https://www.daera-ni.gov.uk/sites/default/files/publications/doe/water-guidance-wise-use-water-dec2015.pdf>). This document aims to help quarry managers to improve environmental performance on their sites. It is also intended to raise awareness and emphasise the importance of water management.
- Please note that the discharge of water associated with dewatering may require Discharge Consent under the terms of the Water (Northern Ireland) Order 1999. DAERA Standing Advice: Discharges to the Water Environment, contains further guidance and can be viewed using the following link:

<https://www.daera-ni.gov.uk/publications/standing-advice-development-mayhaveeffect-water-environment-including-groundwater-and-fisheries>

## How Do I Apply?

Further information and an application form to abstract and/or impound water under the Water Abstraction and Impoundment (Licensing) Regulations (Northern Ireland) 2006 can be obtained from the following sources **NIEA Water Regulation Unit** at

17 Antrim Road,  
Tonagh, Lisburn.  
BT28 3AL

Or by visiting our website: <https://www.daera-ni.gov.uk/articles/applying-abstract-orimpoundwater>

**Please be advised that applications to abstract or impound water take up to four months to determine.**

## Final Comments

Effective mitigation measures must be in place to protect the water environment and surrounding water bodies from any discharge into them that may damage ecological status and to ensure that the Water Environment (Water Framework Directive) Regulations (Northern Ireland) 2017 objectives for the water body are not compromised nor the objectives in other downstream water bodies in the same and other catchments.

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.

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Nov 2017	Updated DAERA branding; new hyperlinks to associated standing advice on DAERA website
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