Department of Agriculture, Environment and Rural Affairs
www.daera-ni.gov.uk

Published:	Sep 2015
Updated:	Sep 2022

DAERA Environmental Advice for Planning

Standing Advice

Pollution Prevention Guidance

Advice for Planning Officers to inform decision making and for applicants seeking planning permission for developments which may impact upon the water environment

Introduction

Pollution Prevention should be a primary consideration during all stages of a development's lifecycle, from planning, construction, operation, and maintenance all the way through to decommissioning or reinstatement of a site.

A good understanding of the pollution risks from your development will help reduce:

- The risk of pollution incidences
- Impact on the water environment
- Point source and diffuse pollution
- Waste and costs
- Bad practice

Information NIEA require for developments with the potential to impact upon the water environment

Drainage Plans

Northern Ireland Environment Agency (NIEA) requires a detailed site drainage plan for the operational phase of the proposed development to be submitted with certain planning applications. This will help ensure the site is adequately designed to mitigate against potentially polluting activates associated with the development. Drainage plans should be included with planning applications involving commercial, refuelling, vehicle washing, industrial, extractive, energy, and waste management related activities. Any unusual or novel proposal should also be accompanied by a detailed drainage plan.

A drainage plan should clearly show the site's storm drainage, foul sewers, any combined drainage systems, and detail where all drainage discharges to. Silt traps, oil interceptors and

any other drainage infrastructure incorporated into the drainage network should also be illustrated.

It should be noted that while a formal site drainage plan is not required for the construction phase of the development, consideration of surface water control and treatment during the construction phase will be equally important and should be considered at an early stage.

Good Practice Planning and Implementation

The construction phase of a proposal is one of the most high risk stages of a development during which pollution is likely to occur.

If a development is in close proximity to a watercourse additional care will need to be taken to prevent pollution.

Any 'waterway' as defined by the Water (NI) Order 1999 will pose a constraint to a construction project. Consideration must be given at preliminary planning and design stages to ensure that impact on the receiving water environment during any testing, construction and operational phases are minimised.

The applicant and appointed contractors must identify all the relevant Pollution Prevention Guidelines (PPG) and the replacement guidance series, Guidance for Pollution Prevention (GPPs) that relate to their proposal and must adhere to the guidance contained within these (see Table 1 below).

The main risks to a waterway during the construction and operational phases are from oil, hydrocarbons, fuel, chemicals, paint, suspended solids, concrete, cement and grout.

Construction Method Statements

Works to be conducted in; near (within 10 metres) or liable to affect any waterway should be undertaken in accordance with a site specific Construction Method statement (CMS).

If an application is granted permission a full, detailed, site specific method statement may be required, by way of Planning Condition, from the appointed contractor(s). This may need to be submitted for NIEA agreement a minimum of four weeks prior to works beginning onsite. The onus is solely on the applicant and their contractors to ensure sufficient time for the agreement of the CMS prior to any deadline for works commencing on site.

Queries relating to a CMS, that has not been formally requested by way of a Planning Condition, should be submitted outside of the planning regime and directly to Water Management Pollution Prevention Team nieapollutionprevention@daera-ni.gov.uk who will be happy to advise.

The CMS should be based on the Source – Pathway – Receptor model which will ensure that all mitigation measures are identified to prevent pollution of the water environment during the construction, operational and maintenance phase of the project.

Implementing and strictly adhering to a CMS is important to minimise the impact on the water environment. However, it must be acknowledged that a CMS is a live document that

may need to be adjusted and adapted as the development progresses in order to protect the environmental receptors if unforeseen issues arise.

Method statements should as a minimum:

- Identify risks to waterways e.g., from cement, concrete, grout, suspended solids, chemicals, paint, and hydrocarbons including fuels or oils.
- Identify potential pollution Source-Pathways-Receptors;
- Demonstrate adherence to good working practices as detailed in current guidance. All relevant PPGs (GPPs) e.g., GPP 5 Works and maintenance in or near water and PPG 6 Working at Demolition and Construction sites.
- Detail mitigation measures to be employed to minimise the risk of pollution to any waterway (as defined by the Water (NI) Order 1999) and should include:

  1) Safe refuelling procedures and secondary containment for chemicals, oil, fuels etc
  2) Emergency spill procedures
  3) Best practice for handling and storage of earth stockpiles
  4) NIEA's Pollution Prevention hotline number 0800 80 70 60. It is recommended that in the event of a water pollution incident the NIEA water pollution hotline is contacted within 30 minutes unless it is not safe to do so.

Consideration should also be given to:

1. Phased vegetation stripping and minimisation of exposed land to control suspended solid generation.

2. The use of cut off channels and check dams. The water collected in these features should be channelled to settlement features for treatment of suspended solids prior to discharge.

3. Use of settlement systems for treatment of suspended solids from site drainage.

4. Any works in a waterway must be conducted 'in the dry' e.g., behind coffer dams, use of over pumping, temporary diversions etc.

It should be noted NIEA do not recommend that machinery enters any waterway at any time. NIEA must be consulted prior to commencement of any such works to ensure appropriate mitigation measures are in place. The Pollution Prevention team also work with contractors to ensure minimal disturbance and generation of suspended solids during the placement and removal of cofferdams/diversions etc.

NIEA does not encourage in stream settlement as a mitigation measure, the contractor must strive to ensure the generation of suspended solids is prevented/ minimised in the first instance. The use of downstream settlement measures is considered a secondary line of protection.

5. Management and maintenance of mitigation measures to ensure effective functioning of the measures

6. Prevent pollution by fuel or oil from leaking machinery There must be regular inspections of machinery working near any waterway.

7. Safe refuelling, handling and storage practices for earth stockpiles and secondary containment for chemicals, oil, fuels etc.

8. Compliance with the requirements of Control of Pollution (Oil Storage) Regulations (NI) 2010.

(This list is not exhaustive but should merely be used as a starting point for considerations to be made.)

All such measures must be in place prior to the commencement of any works and should be incorporated in method statements.

Oil Storage Regulations

The Control of Pollution (Oil Storage) Regulations (Northern Ireland) 2010 (as amended) create new standards for above ground Oil Storage facilities in industrial, commercial, and Institutional sectors.

In summary, the Regulations apply to:

- Above ground oil storage in containers over 200 litres
- Private domestic or residential oil tanks over 3,500 litres
- Industrial, commercial, and institutional/residential establishments (e.g., schools, day care centres, hospitals nursing homes)
- Waste oil storage and companies who refine or distribute oil.
- Oil stored in buildings.

The Regulations do not apply to:

- Oil stored on farms solely for agricultural use
- Domestic oil storage if less than 3500l
- Oil stored on premises regulated under the Control of Major Accident Hazards-Regulations (Northern Ireland) 2000 where the container is 2500 tonnes or more.
- Oil stored wholly underground

Please note that there are some exceptions to the above circumstances. Full details can be found in the guidance detailed at the end of this section.

A key requirement of the Regulations is that oil storage containers covered by the Regulations, fixed or mobile, must have a secondary containment system (of 110% capacity) as defined by the regulations (e.g. a bund, which is an outer wall or enclosure designed to contain the contents of an inner tank, or a drip tray) to ensure that any leaking oil is contained and does not enter the aquatic environment.

Guidance on how the Regulations will apply to your development can be found in GPP 2:

Above ground oil storage tanks, which can be viewed using the following link https://www.netregs.org.uk/media/1890/guidance-for-pollution-prevention-2-2022-update.pdf (PDF 760KB)

Full guidance on the Regulations can be found at: https://www.daera-ni.gov.uk/publications/control-pollution-oil-storage-regulations-northern-ireland-2010guidance (PDF 1.1MB)

Pollution Prevention Guidelines (PPG)

A range of Pollution Prevention Guidelines (PPGs) have been produced which are targeted at a particular type of business or activity. **NIEA recommend these PPGs should be referred to by planning applicants, building contractors and development operators as a source of information on good practice regarding their proposed development.**

PPGs can be obtained at:

http://www.netregs.org.uk/library_of_topics/pollution_prevention_guides/all_ppgs.aspx

Please note that a review of the PPGs is currently underway. The review will result in a replacement guidance series, Guidance for Pollution Prevention (GPPs). Some PPGs have already been replaced and some have been withdrawn and replaced by other best practice guidance (see Table 1 and Table 2 below)

Table 1 All Current Pollution Prevention Guidelines

PPGs	Name	Description
GPP 1	Understanding your environmental responsibilities - good environmental practices	A basic introduction to pollution prevention, with signposts to other PPGs and publications. (June 2021)
GPP 2	Above ground oil storage tanks	For above ground oil storage, excluding oil refineries and distribution depots. (June 2021)
GPP 3	Use and design of oil separators in surface water drainage systems	For identifying where an oil separator is required and, if so, what size and type of separator is appropriate. (March 2022)
GPP4	Treatment and disposal of sewage where no foul sewer is available	For selecting the correct sewage disposal, treatment and disposal options, and maintenance and legal requirements. (June 2021)
GPP 5	Works and maintenance in or near water	These guidelines cover construction and maintenance works in, near or liable to affect surface waters and groundwaters. (February 2018)
PPG 6	Working at construction and demolition sites	For the construction and demolition industry. (2012)

PPG 7	The safe operation of refueling facilities	For operators of liquid fuel refuelling facilities, it applies to all types of fixed refueling facilities. (July 2011)
GPP 8	Safe Storage and disposal of used oils	For storing and disposing of used oils. Applies to activities ranging from a single engine oil change to those of large industrial users. (June 2021)
GPP 13	Vehicle washing and cleaning	For washing and cleaning any vehicle using automatic wash systems, high pressure or steam cleaners and washing by hand. (June 2021)
PPG 18	Managing Fire Water and Major Spillages	For identifying equipment and techniques available to prevent damage to the water environment caused by fires and major spillages. (June 2000)
GPP 19	Vehicles: Service and Repair	For work in garages and vehicle service centres. (June 2021)
GPP 20	Dewatering of underground Ducts and chambers	For dewatering underground ducts and inspection chambers. (June 2021)
GPP 21	Pollution Incident Response Planning	For producing emergency pollution incident response plans to deal with accidents, spillages, and fires. (June 2021)
GPP 22	Dealing with spills	For incident response - dealing with spills. (October 2018)
GPP 24	Stables, kennels, and catteries	For managing and operating stables, kennels, and catteries. (May 2021)
GPP 25	Hospitals and Healthcare Establishments	This guidance is for facilities, sites, or establishments (public and private) that provide healthcare and associated services. This includes hospitals, health centres, community healthcare, general practitioner (GP) surgeries, dental services, long-term care facilities, hospices, pharmacies, and veterinary practices. (May 2021)
GPP 26	Safe Storage - drums and intermediate bulk containers	For site operators of industrial and commercial premises storing and handling drums and intermediate bulk containers (IBCs) containing oil, chemicals, or potentially polluting substances. (June 2021)

PPG 27	Installation, decommissioning And removal of underground Storage tanks	For installing, removing and decommissioning all underground storage tanks (USTs), including those containing petroleum, diesel, fuel oil, aviation fuel, waste oil, domestic heating oil and other potentially polluting materials such as organic solvents. (April 2002)
PPG 28	Controlled Burn	For using controlled burns as part of a fire fighting strategy to prevent or reduce damage to the environment. (July 2007)
GPP 29	Micro-breweries and micro-distilleries	Guidance for small scale breweries and distilleries (March 2019)

The following documents replaced previous PPGs and are the current best practice guidance in their respective areas.

Table 2 Documents replacing withdrawn PPGs

Name	Guidance link
Pesticides - Code of Practice for Using Plant Protection Products.	Northern Ireland Guidance https://www.daera-ni.gov.uk/publications/code-practice-usingplant-protection-products
Sheep dip	The Code of Good Agricultural Practice (COGAP) The Code of Good Agricultural Practice (COGAP) | Department of Agriculture, Environment and Rural Affairs (daera-ni.gov.uk) Groundwater authorization for disposal of sheep dip https://www.daera-ni.gov.uk/articles/groundwaterauthorisations
Dairies and other milk handling operations	Guidance on waste management and what causes water pollution

NIEA Pollution Prevention Hotline

NIEA have a 24 hour Pollution Prevention Hotline number (0800 807060). Any observed incident of pollution should be reported to the Pollution Hotline number as soon as possible, to enable the matter to be fully resolved and investigated in a timely manner.

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

DAERA Planning Response Team
Klondyke Building
Cromac Avenue
Malone Lower
Belfast
BT7 2JA
T: (028) 9056 9604
E: PlanningResponse.Team@daera-ni.gov.uk
W: https://www.daera-ni.gov.uk/topics/environmental-advice-planning

Apr 2015	First Published
Jun 2016	Updated URL's; References to DOE changed to DAERA
Nov 2017	Updated DAERA branding; PPG references updated to include new GPP's; Updated URL's

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