

EIA SCREENING DETERMINATION

The Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017

Under Regulation 12 (1) of the EIA Regulations, where it appears to the Council that the application received is:

- a) a Schedule 1 or Schedule 2 application; and
- b) the development in question has not been subject of a screening determination as to whether the development is EIA development or not; and
- c) the application is not accompanied by a statement referred to by the applicant as an Environmental Statement;

The Council shall make a screening determination as to whether the development is or is not, EIA development.

Application Reference Number: LA10/2025/0953/F

Variation of Condition 41 of K/2014/0246/F (Article 28 application for non-compliance with conditions 25 and 26 of application No K/2013/0072/F (Extension to existing underground exploration tunnel; including temporary buildings, vehicle parking, waste rock storage area, water treatment system and passing bays)) to complete restoration of the site in accordance with Drawing No 14 (K/2013/0072/F) and in accordance with conditions No 39 & 40 (K/2014/0246/F) by the end of October 2025

Application received 10 October 2025

Yes/No – Please Describe	
1 Does the proposed development fall within the scope of Schedule 1	NO
2 a. Does the proposed development fall within a type listed in Column 1 of Schedule 2? b. Is the proposed development is a change or an extension to an existing development described in Column 1	2 a. YES - The proposed development falls generally within category 2(B) of Schedule 2 of the 2017 EIA regs • The carrying out of development to provide for underground mining. 2b. No
3a Is the proposed development to be located within a “sensitive area”? • Areas of Special Scientific Interest (ASSI), • Areas of Outstanding Natural Beauty (AONB), • Scheduled Monuments • European Protected Sites – SPAs/SACs.	Yes - The proposed development is located within the Sperrin AONB . The site is located close to the Owenkillew River, which is a Special Area of Conservation (SAC) and Area of Special Scientific Interest (ASSI).
3b Does the proposed development meet any of the relevant thresholds and / or criteria in Column 2 of Schedule 2?	N/A given the site is within a Sensitive Area (3a above).

*Consider whether the proposed development is a **change / extension** to an existing development described in Column 1 of Schedule 2 – See Schedule 2(13)(a) “*The thresholds and criteria in the corresponding part of column 2 of this table applied to the development as changed or extended are met or exceeded and in such a case the change or extension may have significant adverse effects on the environment.*”

Regulation 2 defines “sensitive area**” as any of the following - **Areas of Special Scientific Interest (ASSI), Areas of Outstanding Natural Beauty (AONB), Scheduled Monuments and European Protected Sites – SPAs/SACs.**

Likely Significant Effects

The development is determined to fall within Schedule 2 and the screening process considers whether the development is ‘likely to have significant effects on the environment by virtue of factors such as nature, size or location’.

As required by regulation 8(7), where the Council has to decide whether Schedule 2 development is EIA development, we must take into account the selection criteria set out in Schedule 3 as are relevant to the development.

The Council has taken into account the selection criteria set out in Schedule 3, where relevant to the proposed development and as detailed in the checklist below.

There are two stages to this section of the checklist:

- First, identifying the potential **impacts** of the proposed development based upon the characteristics of the development and its location.
- Secondly, considering whether significant environmental **effects** are likely based upon the characteristics of the potential impacts.

Proposal

Description: Section 54 application seeking permission to retain mining related surface infrastructure development without compliance with condition 41 of planning approval K/2014/0246/F.

The application seeks permission to vary condition 41 to allow for an extension to the period for the completion of decommissioning/restoration to the end of November 2026.

There are no changes to the agreed decommissioning and restoration plans other than the extended time period.

Accompanying documents:

In screening the application the Council has reviewed and taken into account the relevant planning permissions K/2013/0072/F & K/2014/0246/F and the accompanying reports, consultee replies and previous EIA screening decisions and the information from the agent accompanying this planning application.

	<u>Potential Impact</u> <u>(Yes, No, or N/A)</u> Briefly describe potential impact. If answer NO, the answer in the second column is N/A	<u>Is this likely to result in a significant effect?</u> <u>(Yes / No and explain why?)</u> Include measures envisaged to avoid or prevent significant adverse impacts on the environment
Are there potential cumulative impacts with other existing and/or approved developments?	Visual impact with existing compound to neighbouring properties. The site is located in a rural area predominantly defined by agricultural farmland. The existing compound is located right beside a group of farm buildings further to the east of the site. There are also a number of houses/farm groups nearby. A CLUD approved under LA10/2019/1451/LDE for a storage area for plan machinery and equipment in existing farmyard and sheds with no alteration to the outward appearance of the yard and buildings. The site is located adjoining the main compound site. Another application LA10/2020/0503/F has also been approved for extension of yard to provide a hardstanding storage for diggermats and security fencing – this use is associated with the Applicant.	NO The Sperrins AONB is considered to have a high sensitivity to change. It is not considered that the project will give rise to likely significant environmental impacts in cumulation with these other developments. Mitigation works have been carried out to the waste rock area. Overall, the development is not considered to have a significant impact upon the environment.
USE OF NATURAL RESOURCES		

	<u>Potential Impact</u> <u>(Yes, No, or N/A)</u> Briefly describe potential impact. If answer NO, the answer in the second column is N/A	<u>Is this likely to result in a significant effect?</u> <u>(Yes / No and explain why?)</u> Include measures envisaged to avoid or prevent significant adverse impacts on the environment
Will the proposed development use natural resources such as land, water, materials or energy, especially any resources which are non-renewable or are in short supply?	The application is to retain all existing works on site for a further period of time.	NO - the effects are not considered to be significant.

	<u>Potential Impact</u> <u>(Yes, No, or N/A)</u> Briefly describe potential impact. If answer NO, the answer in the second column is N/A	<u>Is this likely to result in a significant effect?</u> <u>(Yes / No and explain why?)</u> Include measures envisaged to avoid or prevent significant adverse impacts on the environment
Will construction, operation or decommissioning of the project involve actions which will cause physical changes in the topography of the area?	Deconstruction works proposed when the site eventually restored include; Removal of above ground buildings Removal of foundations Removal of berms Removal of culverts and headwall Physical works will arise from restoration and decommissioning	NO According to the site decommissioning and restoration statement previously discharged for these conditions all foundation materials will either be removed, used to secure the adit, used to fill excavations or used to achieve new ground levels as necessary. All areas in which foundations were present will be filled in with original excavated material unless foundation material is suitable for this purpose. Any surplus material will be recycled /disposed of via an authorised contractor. All above ground infrastructure will be removed and grassed over similar to area of waste rock which has already been seeded. The removal of the works on site and restoration will not result in any significant physical changes to the area. The site will be restored into grassland at close to the original ground levels resulting in no significant effects on the environment.

	<u>Potential Impact</u> <u>(Yes, No, or N/A)</u> Briefly describe potential impact. If answer NO, the answer in the second column is N/A	<u>Is this likely to result in a significant effect?</u> <u>(Yes / No and explain why?)</u> Include measures envisaged to avoid or prevent significant adverse impacts on the environment
Are there any areas on/around the location which contain important, high quality or scarce resources which could be affected by the project, e.g. forestry, agriculture, water/coastal, fisheries, minerals?	The compound accesses the exploratory mine – the extension of time to allow for the existing infrastructure to remain will have no impact on this mineral resource. Areas on/around the location which contain important, high quality or scarce resources which could be affected by the project are Curraghinalt Burn and Owenkillew River SAC and ASSI that are home to pearl mussel and salmon. The decommissioning element and restoration part of the proposal will have the potential to cause risks to the receiving environment from surface water runoff and sediment during decommissioning of the site.	NO Mitigating measures have been provide by the applicant through K/2013/0072/F and K/2014/0246/F & accompanying evidence discharging conditions that demonstrate that there will not be any significant environmental effects.
PRODUCTION OF WASTE		

	<u>Potential Impact</u> <u>(Yes, No, or N/A)</u> Briefly describe potential impact. If answer NO, the answer in the second column is N/A	<u>Is this likely to result in a significant effect?</u> <u>(Yes / No and explain why?)</u> Include measures envisaged to avoid or prevent significant adverse impacts on the environment
Will the construction, operation or decommissioning of the proposed development produce wastes?	Works will include removal of site compound, hard standing and access track extension, removal of above ground building, WWtW. On site operation/uses will remain as current. Excavated earth and building materials from decommissioning.	NO The DC sets out how materials will be used and recycled where possible or disposed of via an authorised contractor. Removal of waste water plant will be sold on, returned to supplier or disposed of at a suitably licensed facility. Whilst there is potential for impacts upon the env from decommissioning works the removal of materials will not result in any significant impacts on the environment subject to standard best practice commonly found at construction sites.
POLLUTION AND NUISANCES		
Will the construction, operation or decommissioning phases of the proposed development release pollutants or any hazardous, toxic or noxious substances to the air?	No construction works proposed. Operations remain as present. Potential for impacts on local air quality from decommissioning/demolition, vehicles	NO Decommissioning will be in accordance with best practice and not result in any significant impacts.

	<u>Potential Impact</u> <u>(Yes, No, or N/A)</u> Briefly describe potential impact. If answer NO, the answer in the second column is N/A	<u>Is this likely to result in a significant effect?</u> <u>(Yes / No and explain why?)</u> Include measures envisaged to avoid or prevent significant adverse impacts on the environment
Will the construction, operation or decommissioning of the proposed development lead to risk of contamination of land or water from releases of pollutants?	Potential during demolition and clearing of site for run off into watercourse, potential removal of vegetation along watercourses, use and storage of fuels, oils and treatment of sewage facilities.	NO Standard mitigation along with best practice can be employed to ensure no significant impact.
Will the construction, operation or decommissioning phases of the proposed development cause noise, vibration or the release of light, heat, energy or electromagnetic radiation?	There is potential for noise during demolition, and noise during the construction stages of the development.	NO The project will not give rise to any likely significant effects upon the environment, including nearby sensitive receptors.
MAJOR ACCIDENTS		
Will there be any risk of major accidents (including those caused by climate change, in accordance with scientific knowledge) during construction, operation or decommissioning?	There is the potential for pollution or risk from accident during both demolition and construction phases.	NO Standard mitigation can also be employed to ensure no significant impact during demolition and restoration. Any impact likely not considered significant.
HUMAN HEALTH		

	<u>Potential Impact</u> <u>(Yes, No, or N/A)</u> Briefly describe potential impact. If answer NO, the answer in the second column is N/A	<u>Is this likely to result in a significant effect?</u> <u>(Yes / No and explain why?)</u> Include measures envisaged to avoid or prevent significant adverse impacts on the environment
Will the project present a risk to the population (having regard to population density) and their human health during construction, operation or decommissioning? (for example due to water contamination or air pollution)	Potentially there could be impact on the human health of the surrounding residential population in terms of use of plant equipment, material transportation and possible dust from demolition, operation or decommissioning.	NO Standard mitigation can be employed to ensure no significant impact during demolition and restoration.
LAND USE		
Are there existing and/or approved land uses or community facilities on or around the location which could be affected by the project? E.g. housing, densely populated areas, industry / commerce, farm/agricultural holdings, forestry, tourism, mining, quarrying, facilities relating to health, education, places of worship, leisure /sports / recreation?	Whilst the area is rural there are dispersed dwelling in the area along with agricultural holdings. Possible impacts from noise odours, discharged into water environment traffic etc.	NO Impacts have all been considered at the time of consent. While there are new developments approved since then there is no change to the impacts and no significant effects on the environment.
NATURAL ENVIRONMENT		

Are there any areas on or around the application site that are protected under international or national legislation for their ecological, landscape, cultural heritage or other value which could be affected by the construction, operation or decommissioning of the proposed development? Are there any protected areas which are designated or classified for their terrestrial, avian and marine ecological value, or any non-designated / non-classified areas which are important or sensitive for reasons of their terrestrial, avian and marine ecological value, located on or around the location and which could be affected by the project? (e.g. wetlands, watercourses or other water-bodies, the coastal zone, mountains, forests or woodlands, undesignated nature reserves or parks. (Where designated indicate level of designation (international, national, regional or local). Could any protected, important or sensitive species of flora or fauna which use areas on or around the site, e.g. for breeding, nesting, foraging, resting, over-wintering, or migration, be affected by the project?	No construction works proposed. Operations will remain as current Site is in Sperrins AONB Close to/linked to Owenkillew SAC and ASSI Drumlea and Mullan Woods and Owenkillew and Glenelly Woods ASSI.	No Retention of the site will not have any significant effects on any of the designations. Impacts and effects from restoration and decommissioning have already been considered in principal permission and these have not changed. No likely significant effects.
WATER RESOURCES		

	<u>Potential Impact</u> <u>(Yes, No, or N/A)</u> Briefly describe potential impact. If answer NO, the answer in the second column is N/A	<u>Is this likely to result in a significant effect?</u> <u>(Yes / No and explain why?)</u> Include measures envisaged to avoid or prevent significant adverse impacts on the environment
Are there any water resources including surface waters, e.g. rivers, lakes/ponds, coastal or underground waters on or around the location which could be affected by the project, particularly in terms of their volume and flood risk? Are there any groundwater source protection zones or areas that contribute to the recharge of groundwater resources which could be affected by the proposed development?	Nearest surface water receptor runs along eastern edge of application site. Potential impacts on surface water and groundwater quality.	No- no significant impact – works outside flood zones. Eastern edge of site may be prone to some surface water flooding but does not extend to main site. Best practice will ensure that no significant effects from decommissioning.
Are there any areas on or around the location of the proposed development where environmental quality standards are already exceeded which could be affected by the proposed development?	No	
LANDSCAPE AND VISUAL		

	<u>Potential Impact</u> <u>(Yes, No, or N/A)</u> Briefly describe potential impact. If answer NO, the answer in the second column is N/A	<u>Is this likely to result in a significant effect?</u> <u>(Yes / No and explain why?)</u> Include measures envisaged to avoid or prevent significant adverse impacts on the environment
1 - Are there any areas or features on or around the location which are protected for their landscape and scenic value, and/or any non-designated / non-classified areas or features of high landscape or scenic value on or around the location which could be affected by the project? Where designated indicate level of designation (international, national, regional or local). 2 - Is the project in a location where it is likely to be highly visible to many people?	Site within Sperrin AONB (Nationally important) Limited views from Camcosy but longer views from roads on other side of valley.	NO. Although existing ground infrastructure has been in place for some time the waste rock area has been restored as required. Retention of remaining buildings/works for an extended period of time will not have a significant effect on the environment
TRANSPORTATION AND ACCESS		
Are there any transport routes on or around the location which are used by the public for access to recreation or other facilities, which could be affected by the proposed development? Are there any transport routes on or around the location which are susceptible to congestion or which cause environmental problems, which could be affected by the development?	Yes Potential impacts on road network from vehicle movements etc during decommissioning and restoration phase. NO	No The decommissioning and restoration work will take place within the grounds of the site – increase in vehicle movements along the road – some materials recycled on site.

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CULTURAL HERITAGE AND ARCHAEOLOGY			
Are there any areas or features which are protected for their cultural heritage or archaeological value, or any non-designated / classified areas and/or features of cultural heritage or archaeological importance on or around the location which could be affected by the project (including potential impacts on setting, and views to, from and within)? Where designated indicate level of designation (international, national, regional or local).	No recorded arch sites within 700m of the site.		N/A
TRANSBOUNDARY			
Is the project likely to lead to transboundary effects?	Hydrological connections		These are at a significant distance and not significant effects likely.
STABILITY			
Is the location susceptible to earthquakes, subsidence, landslides, erosion, or extreme /adverse climatic conditions, e.g. temperature inversions, fogs, severe	No		N/A

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winds, which could cause the project to present environmental problems?		

Conclusion

The scale and nature of the project has been reviewed including all available information from consultees on original application(s), mitigation measures outlined in documents and probability of impacts having regard to best practice during operation phases and decommissioning.

Having regards to this information and assessment there are no significant effects from the project. Whilst there may be potential impacts (surface water discharges of sediment for example) there are mitigation measures proposed and best practice measures to ensure that the project will not significantly effect the environment and it does not need to proceed by way of an Environmental Impact assessment.