



# Belfast

## Local Development Plan

### Plan Strategy 2035

Habitats Regulations Assessment (HRA)  
May 2023

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**Belfast**  
City Council



Belfast Local Development Plan 2035

Plan Strategy

April 2023

Habitats Regulations Assessment (HRA)

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## Non-Technical Summary

### Habitats Regulations Assessment

Regulation 43 of the Habitats Regulations, which implements a requirement of the Habitats and Birds Directives, requires an appropriate assessment to be undertaken of plans and projects which are likely to have a significant effect on an international site in Northern Ireland or Ireland, either alone or in combination with other plans or projects. This is known as Habitats Regulations Assessment (HRA) and provides for assessment of the implications of a land use plan for international sites in view of their conservation objectives. For this report international sites include Special Areas of Conservation (SACs), Special Protection Areas (SPAs) and Ramsar sites.

This HRA Report is prepared in support of the Plan Strategy for Belfast City Council Local Development Plan (LDP). It records the assessment of the Plan Strategy and its potential impacts on international sites.

### Overview of the draft Plan Strategy draft Habitats Regulations Assessment

A draft HRA was first undertaken in 2018 in support of the draft Plan Strategy. This is the final HRA which is being published following the independent examination and the receipt by the Council of a direction from the Department for Infrastructure under the Planning Act (Northern Ireland) 2011. This assesses the Plan Strategy as directed to be modified in the direction from the Department for Infrastructure. It takes account of the views of the Planning Appeals Commission expressed in the independent examination report. It takes account of up to date information.

### Overview of Plan Strategy

The Plan Strategy provides a plan-led policy framework for making day-to-day decisions to help Belfast City Council (the Council) deliver sustainable development for employment, homes and infrastructure in a high quality environment across the Council area. It sets out how the area will change and grow until 2035. The nature of the Plan Strategy is that it has the potential to have a significant effect on some international sites, therefore we are undertaking a HRA in our role as a competent authority to ensure the legal requirements of the Habitats Regulations are fully met.

### International Sites Overview

A total of 20 international sites that have a confirmed or theoretical connection to the plan area were identified. On further review it was found that 15 of these sites might be affected by the Plan Strategy. Four sites are partly or wholly within the plan area. On a precautionary basis, all sites within 10km of the plan area were considered. Appendix 4, Maps 1 to 3 illustrate these sites in relation to the Council area.

### Screening of the Plan

All of the Plan Strategy proposals were reviewed in Section 4, from the Vision, Strategic Aims and Objectives, through the Strategic Policies and Spatial Development Strategy, to the Topic-based Policies, Delivery and Appendices. Following the screening of the Plan Strategy it concluded that, in the absence of mitigation, there is potential for likely significant effects to arise from 98 development plan policies, in addition 7 plans or projects were identified for consideration of in combination effects. These were all screened-in for appropriate assessment.

### Appropriate Assessment

Those policies and plans or projects screened-in were assessed in Section 5. It was found that measures were incorporated which can be considered to be mitigation to avoid the Plan Strategy having adverse effects on the integrity of international sites.

### Conclusions of the HRA

On the basis of the analysis set out below, the Council can conclude the Plan Strategy (with the modifications set out in the direction made by the Department for Infrastructure) will not adversely

affect the integrity of any international sties, either alone or in combination with other plans and projects.

## List of Abbreviations

ACMD	Areas of Constraint on Minerals Development
AD	Anaerobic Digesters
AHLI	Areas of High Landscape Importance
AoHSV	Area of High Scenic Value
AONB	Area of Outstanding Natural Beauty
ASSI	Area of Special Scientific Interest
BMAP	Belfast Metropolitan Area Plan
CEMP	Construction Environmental Management Plan
CJEU	Court of Justice of the European Union
CMS	Construction Method Statement
COMAH	Control of Major Accident Hazards
CPA	Countryside Policy Area
cSAC	Candidate Special Area of Conservation
CSM	Common Standards Monitoring
DAERA	The Department of Agriculture, Environment and Rural Affairs
DD	Direct Disturbance
DEFRA	Department for Environment, Food and Rural Affairs
DFI	Department for Infrastructure
EC	European Commission
EIA	Environmental Impact Assessment
EPA	Environmental Protection Agency
FCS	Favourable Conservation Status
GB	Green Belt
HMO	Houses in Multiple Occupation
HNA	Housing Needs Assessment
HRA	Habitats Regulations Assessment
HWMMT	High Water Mark Mean Tide
J&A	Justification and Amplification
JNCC	Joint Nature Conservation Committee
KSR	Key Site Requirement
LDP	Local Development Plan
LLPA	Local Landscape Policy Area
LPP	Local Policies Plan
LSE	Likely significant effect
LWMMT	Low Water Mark Mean Tide
MRAs	Minerals Reserve Areas
N2K	Natura 2000
NA	Not Applicable
NIEA	Northern Ireland Environment Agency
NIW	Northern Ireland Water
NSN	National Site Network

POP	Preferred Options Paper
pSPA	Proposed Special Protection Area
RDS	Regional Development Strategy
RSPB	Royal Society for the Protection of Birds
SA	Sustainability Appraisal
SAC	Special Area of Conservation
SCA	Special Countryside Area
SCI	Statement of Community Involvement (planning context)
SEA	Strategic Environmental Assessment
SES	Shared Environmental Service
SGP	Strategic Growth Plan
SLNCI	Site of Local Nature Conservation Importance
SME	Small & Medium Enterprises
SPA	Special Protection Area
SPG	Strategic Planning Guidance
SPPS	Strategic Planning Policy Statement
SuDS	Sustainable Drainage Systems
WQ	Water Quality
WR&SR	Water Resource & Supply Resilience Plan
WwTW	Wastewater Treatment Works

# 1 Introduction

## Local Development Plan 2035

The Plan Strategy for Belfast City Council Local Development Plan (LDP) sets out how the area will change and grow over the period up to 2035. It provides:

- a vision for Belfast City Council towards the end of the plan period;

“Belfast will be a city re-imagined and resurgent. A great place to live and work for everyone. Beautiful, well connected and culturally vibrant, it will be a sustainable city shared and loved by all its citizens, free from the legacy of conflict. A compassionate city offering opportunities for everyone. A confident and successful city energising a dynamic and prosperous city region. A magnet for talent and business and admired around the world. A city people dream to visit.”

- a set of overarching principles and strategic objectives to deliver the vision;
- a strategy for the growth of the area – allocation and distribution set based on different settlement types.
- a suite of strategic planning policies and detailed policies to guide development; and
- details of how the Plan Strategy will be monitored and reviewed.

The Plan Strategy is the first of two development plan documents which will comprise the LDP. The Plan Strategy provides a plan-led policy framework for making day-to-day decisions to help Belfast City Council (herein referred to as ‘the Council’ or ‘Council area’) deliver sustainable development including future housing, employment, retail and infrastructure provision across the Council area.

The Plan Strategy is the first document in a two-stage process, the second being the Local Policies Plan. Together these will constitute the Council’s new Local Development Plan (LDP). The purpose of the LDP is to inform the general public, statutory authorities, developers and other interested parties of the policy framework and land use proposals that will guide development decisions within the Council area.

The Plan Strategy follows the publication of the Preferred Options Paper (POP) in January 2017. In preparing it the Council has taken account of the representations received on the POP, further inputs from key consultees, stakeholders and, in particular, the elected Councillors through Member Workshops and Planning Committee meetings.

The LDP will provide a plan framework to support the economic, social and environmental needs of the Council area in line with regional strategies and policies, providing for the delivery of sustainable development. It is intended to provide a ‘plan-led’ framework for rational and consistent decision-making by the public, private and community sectors and those affected by development proposals; in particular, it will be the primary document against which the Council will assess and decide on planning applications.

### *Structure of the Plan Strategy*

The Plan Strategy is presented as one volume with 11 Chapters as follows:

1. Introduction
2. District Profile
3. Policy context
4. Vision, aims and objectives
5. Strategic policies
6. Spatial Development Strategy
7. Shaping a Liveable Place



8. Creating a vibrant economy
9. Building a smart connected and resilient place
10. Promoting a green and active place
11. Delivery

It contains six appendices that provide detail that informs the Plan Strategy.

The City has a population of approximately 339,579 people and a land area of approximately 138 square kilometres. It has shared boundaries with Antrim and Newtownabbey Borough Council, Lisburn and Castlereagh City Council and Ards and North Down Borough Council.

### Existing Plans and Local Policies Plan

Once both documents of the LDP are adopted, they will replace the Belfast Urban Area Plan, draft Belfast Metropolitan Area Plan (BMAP) 2015, insofar as it relates to Belfast city, and the Houses in Multiple Occupation (HMOs) Subject Plan for the Belfast City Council Area 2015 (the 'HMOs Subject Plan'). The LDP recognises the need for transitional arrangements during plan preparation and these are detailed in 1.4 of the Plan Strategy. This LDP Plan Strategy contains a number of policies which are based on a spatial designations. Appendix A shows relationship between existing designations in the draft BMAP and proposed designations in the Plan Strategy.

The LPP will set out the Council's local policies with site specific proposals for the development and use of land within the Council area and contain designations and zonings to deliver the vision and plan objectives. Another draft HRA will be prepared to assess the potential impacts of the draft LPP on international sites. The Planning (Local Development Plan) Regulations (Northern Ireland) 2015 state that the old Development Plans will cease to have effect on adoption of the new LDP at LPP stage.

### Requirement for HRA

The Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended), commonly referred to as the Habitats Regulations, implemented the requirements of the Habitats<sup>1</sup> and Birds Directives<sup>2</sup>. Regulation 43 of the Habitats Regulations requires an appropriate assessment to be undertaken of plans and projects which are likely to have a significant effect on an international site in Northern Ireland, either alone or in combination with other plans or projects. This is known as Habitats Regulations Assessment (HRA) and provides for assessment of the implications of a land use plan for international sites in view of their conservation objectives. Regulation 64B applies the assessment provisions to land use plans as defined in the Planning Act (Northern Ireland) 2011. International sites include Special Areas of Conservation (SACs), Special Protection Areas (SPAs) and Ramsar sites. This final HRA Report is prepared in support of the Plan Strategy, it records the assessment of the Plan Strategy and its potential impacts on international sites.

### Approach to HRA

The overall approach for this HRA has been developed in accordance with the Habitats Regulations. The HRA follows the guidance set out in the Habitats Regulations Assessment Handbook<sup>3</sup> (the HRA Handbook) and is also informed by the reference material in Appendix 1. Current subscribers to the Handbook include the Department of Agriculture, the Environment and Rural Affairs (DAERA) which represents the Statutory Nature Conservation Body for Northern Ireland. The approach is detailed in Appendix 2 of this report where case law relevant to HRA for plans is also referred to.

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<sup>1</sup> Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora

<sup>2</sup> Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds (codified version)

<sup>3</sup> Tyldesley, D., and Chapman, C., (2013) *The Habitats Regulations Assessment Handbook*, February 2019 edition UK: DTA Publications Ltd.

### *Step 1: Deciding whether a plan should be subject to HRA*

The European Commission (EC) Guidance (referenced in Appendix 1) does not specify the scope of a plan which should be subject to the Directive and related transposing legislation but it does state that the key consideration is whether it is likely to have a significant effect. The HRA Handbook F.3. recommends reviewing proposals against a number of questions. These may lead to plans being exempted, eliminated or excluded from the need for HRA. The Plan Strategy does not directly relate to the management of any international site therefore it cannot be exempted from the requirement of the Habitats Regulations. The Plan Strategy is part of the LDP and clearly represents a strategic and local development plan. The requirement for planning permission to be determined in light of the relevant land use plan, necessarily means that LDPs have considerable influence on development decisions and that, as such, they must be subject to HRA in their own right. The outcome of this step is that the Plan Strategy requires HRA as a strategic and local development plan.

The nature of the Plan Strategy is that it has the potential to have a significant effect on the selection features of some international sites therefore we are undertaking a HRA in our role as a competent authority. Shared Environmental Service (SES) based in Mid and East Antrim Borough Council provides support to Belfast City Council on HRAs for plans and projects. SES has therefore, in conjunction with the Council, prepared this HRA for the Plan Strategy to ensure the legal requirements of the Habitats Regulations are fully met.

In preparing this HRA opportunities to strengthen the Plan Strategy were identified and have already been incorporated in the policies and supporting text. Examples include adding text to the Policy or the Justification and amplification to highlight the potential for impacts on international sites.

This final HRA is being published following the independent examination and the receipt by the Council of a direction from the Department for Infrastructure under the Planning Act (Northern Ireland) 2011. This HRA assesses the Plan Strategy as directed to be modified in the direction from the Department for Infrastructure. It takes account of the views of the Planning Appeals Commission expressed in the independent examination report. It takes account of up to date information.

### Context for HRA

Appendix 2 explains that the requirement for planning permission to be determined in light of the relevant land use plan, necessarily means that LDPs have considerable influence on development decisions and that, as such, must be subject to HRA in their own right. Many policies represent a continuation of a previous policy, however each was considered on its own merits in the assessment. Many of the proposals affect multiple locations or locations which have not been defined at Plan Strategy.

### Previous Plans

Extant plans will continue to have effect until the next stage i.e. LPP. This is set out in the transitional arrangements in The Planning (Local Development Plan) Regulations (Northern Ireland) 2015<sup>4</sup>. LDP Appendix A of the Plan Strategy shows the relationship between existing designations in the Council area and proposed designations in the Plan Strategy. Under the transitional arrangements applications submitted following the adoption of the LDP Plan Strategy, will be assessed against that document and those designations retained from the extant statutory Plan for the area. This means that some spatial designations in the extant plans will continue to have effect until the next stage, LPP. In preparing the LPP proposed zonings will be reviewed and key site requirements identified where appropriate.

### Other Regulations

An assumption is made that existing regulations and legislation that are independent of planning are implemented and enforced by the relevant authority. Relevant examples are the Water (Northern

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<sup>4</sup> <http://www.legislation.gov.uk/nisr/2015/62/schedule/made>

Ireland) Order 1999, Water Abstraction and Impoundment (Licensing) Regulations (Northern Ireland 2006, Pollution Prevention and Control (Industrial Emissions) Regulations (NI) 2013 and the Drainage (Northern Ireland) Order 1973, all as amended.

### Consideration of Mitigation

A ruling of the Court of Justice of the European Union (CJEU) in 2018 known as *'People over Wind'* clarified how mitigation should be assessed through HRAs as detailed in Appendix 2. In light of this, measures envisaged to avoid or prevent what might otherwise have been adverse effects on the integrity of international sites are not taken into account in Stage 1 and instead will be assessed at Stage 2 appropriate assessment. Stage 1 Assessment does consider essential features and characteristics of the plan and takes account of regional and strategic context and other regulatory controls that will apply to development under the plan.

### HRA at other Stages of Plan Making and Development Management

The LPP will be subject to HRA, at which stage revised or new zonings and local policies will be assessed. The need for HRA will also be considered for individual projects at the development management stage and assessment carried out where required.

### Climate Change

It is acknowledged that increased levels of development that will arise from the plan have the potential to add to anthropogenic drivers of climate change. However the causes of climate change are global and much of the action required must take place at national and international levels as well as at the local level. The conservation objectives for SPAs do not refer to climate change. Those for SACs address climate change as follows: *'Northern Ireland faces changes to its climate over the next century. Indications are that we will face hotter, drier summers, warmer winters and more frequent extreme weather events.'* The action recommended is *'When developing SAC management plans, the likely future impacts of climate change should be considered and appropriate changes made.'* Therefore, while climate change is acknowledged, specific measures have not been addressed in the conservation objectives.

## 2 Identification of international sites potentially affected

### 'Long-list' of international sites

#### *Step 2a: 'Long-list' of international sites that should be considered in the HRA*

International sites that are connected with the Council area were firstly identified. These include sites within or immediately adjacent to the Council area; with an ecological connection such as a hydrological link; those within 10km; and those that are connected by infrastructure. Ecological connection includes pathways through rivers or marine waters and supporting habitat for site selection features. All sites within 10km of the Council area were included to consider potential impacts of aerial emissions. Infrastructural connectivity is related to the potential linkage of sites to the Council area by infrastructure services such as water abstraction or wastewater discharges which are discussed further in Section 3. The outcome is a 'long-list' of 20 sites that are in or potentially connected to the Council area. Appendix 4, Maps 1-3 illustrate these sites in relation to the Council area.

Table 1 Sites Connected with Council Area

European Site Name	Within or Adjacent	Ecological	By Infra-structure	Within 10km
Antrim Hills SPA			•	
Belfast Lough Open Water SPA	•	•	•	•
Belfast Lough Ramsar	•	•	•	•
Belfast Lough SPA	•	•	•	•
Copeland Islands SPA				
East Coast (NI) Marine pSPA	•	•	•	•
Eastern Mourne SAC			•	
Larne Lough SPA		•		
Larne Lough Ramsar				
Lough Neagh and Lough Beg Ramsar		•	•	
Lough Neagh and Lough Beg SPA		•	•	
North Channel SAC		•	•	
Outer Ards Ramsar		•	•	•
Outer Ards SPA		•	•	•
Rea's Wood and Farr's Bay SAC			•	
Skerries and Causeway SAC		•		
Strangford Lough Ramsar		•		•
Strangford Lough SAC		•		•
Strangford Lough SPA		•		•
The Maidens SAC		•		

### *Step 3: Gathering information about the international sites*

Information for each site identified at Step 2a was compiled on selection features, conservation objectives, conservation status, potential threats to site integrity from planning related development and location relative to the plan area and any plan designations. This is presented in Appendix 3 with the conservation objectives for each site provided as separate Annex A.

#### *'Short-list' of international sites*

### *Step 2b: 'Short-list' of sites that should be considered in the HRA*

Taking account of the information gathered in Step 3, and the 'long-list' of sites identified at Step 2a, a further scan was carried out to determine the effects that could potentially affect international sites as a result of the plan. This step is recorded in Appendix 3, Table A.1.3. No further sites were identified through the scan in A.3.1.

The information about the international sites in Appendix 3 was then examined to determine whether the connectivity with the plan area is such that there could be a realistic risk to their selection features. As a result of this step it was found that, while there are theoretical pathways to 20 international sites, it is not conceivable that the Plan Strategy could undermine the conservation objectives for 5 sites. These sites are therefore eliminated from further consideration due to separation distance and absence of a viable pathway for effects as detailed in Appendix 3, Table A.3.1. This results in a list of 15 sites to be further assessed.

The outcome is summarised in Table 2 which records the potential mechanisms through which impacts could affect the 15 international sites listed. The potential effects are as follows and are discussed in Section 3:

- Direct Impacts
- Aquatic Environment
- Marine Environment
- Coastal Processes
- Mobile Species
- Recreational Pressure
- Growth – Water Supply
- Growth – Wastewater
- Growth – Aerial Emissions
- Aerial Emissions (other)
- Disturbance (other)
- Introduced Species

### *Step 4: Discretionary discussions on the method and scope of the appraisal*

The Statutory Nature Conservation Body for sites in Northern Ireland is represented by the Northern Ireland Environment Agency (NIEA). NIEA has published Conservation Objectives for SACs and SPAs and further information that NIEA may hold about international sites which is not in the public domain was requested. NIEA provided a spreadsheet on Condition of Features in Areas of Special Scientific Interest (ASSIs) and international sites in 2017 and provided updates where available in October 2019. NIEA was invited to comment on the draft HRA during the Plan Strategy consultation period and its representations have informed this assessment.

Table 2 Potential Effects on International Sites

International Sites	Potential Impacts											
	Direct Impacts	Aquatic Environment	Marine Environment	Coastal Processes	Mobile Species	Recreational Pressure	Growth – Water Supply	Growth – Wastewater	Growth – Aerial Emissions	Aerial Emissions (other)	Disturbance (other)	Introduced Species
Belfast Lough Open Water SPA	●		●	●	●	●		●		●	●	●
Belfast Lough Ramsar	●		●	●	●	●		●		●	●	●
Belfast Lough SPA	●		●	●	●	●		●		●	●	●
Copeland Islands SPA			●		●						●	
East Coast (NI) Marine pSPA	●		●	●	●	●		●		●	●	●
Larne Lough SPA			●		●						●	
Larne Lough Ramsar			●		●						●	
North Channel SAC			●		●						●	
Outer Ards Ramsar			●	●	●	●		●		●	●	●
Outer Ards SPA			●	●	●	●		●		●	●	●
Skerries and Causeway SAC					●						●	
Strangford Lough Ramsar					●	●				●		
Strangford Lough SAC						●				●		
Strangford Lough SPA					●	●				●		
The Maidens SAC					●						●	

### 3 Potential Impacts of Development

The scanning and site selection table A.3.1, Appendix 3, has identified the potential mechanisms through which the Plan might exert an influence over international sites. These are summarised in Section 2, Table 2 which identifies the sites that could be affected by each impact. This section discusses the potential for each of these effects to arise from the Plan Strategy and informs Sections 4 and 5.

#### Direct Effects

All sites within the plan area are potentially vulnerable to direct impacts. These can lead to degradation or loss of habitat or direct effects on species. There are no international sites wholly within the LDP area. Those sites partially within the plan area and vulnerable to direct effects are Belfast Lough SPA and Ramsar site, which share the same boundary, Belfast Lough Open Water SPA and East Coast Marine SPA (Proposed) which will subsume Belfast Lough Open Water SPA.

Direct effects on international sites will be considered in screening the Plan Strategy in Section 4 and will also be considered at LPP when reviewing or allocating zoned land.

#### Effects upon the aquatic and marine environment

This covers direct impacts upon the aquatic or marine environment from contamination of surface water or changes in flow regime. Indirect impacts from water supply or disposal of wastewater are covered separately below. Such effects are generally limited to proposals in close proximity to an international site or functionally linked land. A number of marine sites are hydrologically linked to the plan area.

Water pollution causes deterioration of (or failure to improve) water quality, due to direct runoff of pollutants including fuel, chemicals and sediments from development during construction or operation. Development on brownfield sites may lead to risk of release of contaminants which needs to be assessed and, where necessary, remediation carried out.

Many of the main land uses in the LDP are already zoned and are committed, including Housing and Economic Development Land. The settlement boundaries, land use zonings and key site requirements contained in the draft Belfast Metropolitan Area Plan (BMAP) 2015, insofar as it relates to the Belfast City Plan Area, and the HMOs Subject Plan will be retained until the adoption of the LPP. It is the council's intention to review the existing settlement boundaries and land use zonings contained in the draft BMAP as part of the preparation of the draft Local Policies Plan.

The Council will strategically allocate and manage housing for 31,600 new homes for the LDP period. Policy HOU1 details how this is to be delivered with the vast majority in Belfast City. It is proposed that 3,500 additional dwellings will be located in the Belfast Harbour estate and the Housing Land Availability Monitor Map Viewer shows that this will be concentrated in and around the Titanic Quarter which is hydrologically connected to Belfast Lough approximately 2.5 km downstream. The site is within 1 km in a direct line of the closest part of Belfast Lough SPA and Ramsar site.

Policy EC2 details how economic development land is to be delivered and it is proposed that 550,000 sq.m of gross developable land for employment uses shall be provided over the plan period. As for housing there may be hydrological pathways from undeveloped Economic Land to the Belfast Lough directly and via the river Lagan. Approximately 15% of this is provided for in the Belfast Harbour estate and much of the BHA 06 Employment Area is adjacent to Belfast Lough SPA and Ramsar site.

The majority of settlement is within the Lagan/Belfast Lough catchment and there could be pathways from undeveloped housing land during construction and operation for pollutant release to this catchment. There is a small urban area to the East of Dundonald which drains to Strangford Lough via the Enler River however the Housing Land Availability Monitor does not indicate any new land for housing therefore there can be no effects on the aquatic environment.

Effects upon the aquatic and marine environment will be considered in screening the Plan Strategy in Section 4 and will also be considered at LPP when reviewing or allocating zoned land.

### Effects upon the coast

This includes direct impacts upon coastal processes. Such effects are generally limited to proposals in close proximity to an international site. The seaward boundary of the plan area is within Belfast Lough SPA and Ramsar Site. The whole of the designated sites within the plan area was designated as Belfast Metropolitan Area Coastal Area COU 2 to which policy LC4 applies. These designated coastal area boundaries as indicated in dBMAP will be used on an interim basis until these are reviewed in the Local Policies Plan. Potentially dredging could have a direct effect on designated sites and also affect coastal processes. No development is proposed however that is likely to increase the level of dredging required for existing operation of Belfast Harbour.

Effects upon the coast will be considered in screening the Plan Strategy in Section 4 and will also be considered at LPP when reviewing or allocating zoned land.

### Effects on mobile species

Most animal species range beyond the international sites for which they are selection features. Land which is outside the boundary of a designated site but provides functional support for those selection features is referred to as functionally linked land. Potentially development can affect such functionally linked land or the selection features utilising it.

Mobile species in sites directly connected to Belfast Lough include wintering great crested grebe, redshank, red-throated diver, golden plover and light bellied brent goose. Breeding species are sandwich tern, common tern, arctic tern, Manx shearwater, roseate tern and eider duck. In addition Strangford Lough qualifying features include bar-tailed godwit, shelduck, knot and further species which make up the assemblage of wintering waterfowl.

Habitat outside the SPA & Ramsar site boundary may provide high tide roosts and additional supporting habitat. Wildfowl tend to roost on 'open water, while waders' tend to use islands or isolated headlands. High water roost sites outside the international sites have not been identified. Flight paths for birds can potentially be disrupted by development such as wind turbines and overhead electricity lines however these are not anticipated due to other constraints on this type of development.

There are two international sites for protection of harbour porpoise, Skerries and Causeway SAC and North Channel cSAC. Harbour Porpoise are found all around the coast of Ireland including Belfast Harbour and Strangford Lough. They can occur close to shore and in tidal rivers and the Ulster Wildlife Trust lists Belfast Harbour as a location to view the species. DAERA advises that plans or projects within 100km of a site designated for Grey Seals and Harbour porpoise or 50km for Harbour seals should be assessed for impacts on the species. The Maidens SAC includes grey seal as a site selection feature and is approximately 32km north from the plan area via the coastline. There are no sites designated for Harbour seals within 50km of the plan area. Grey seal and harbour porpoise may range to Inner Belfast Lough from the sites for which they are designated and are potentially subject to direct disturbance.

Effects on mobile species will be considered in screening the Plan Strategy in Section 4. Functionally linked land or pathways that may be used by mobile species will also be a consideration at LPP when reviewing or allocating any zoned land.

### Effects of recreational pressure

This impact mechanism is directly related to general increases in housing development and associated increases in recreational pressure from new residents moving into an area. It may also arise where there are specific proposals to focus recreational development. Recreation has the potential to have a



significant effect if it is intensified to a degree that it causes erosion, habitat damage or persistent disturbance, or if the water sports season is extended to when wintering birds are present.

There may be opportunities for recreation within the International sites identified. Walking and cycling trails adjacent to Belfast Lough are on established paths and separated from the SPA & Ramsar site by the seawall. Other types of recreation include water based activities including but not limited to power and cruise boats.

Effects of recreational pressure on international sites will be considered in screening the Plan Strategy in Section 4 and will be a consideration at LPP when reviewing or allocating zoned land.

### Effects of development growth

This impact mechanism is directly related to general increases in housing and economic development and associated increases in demand for water and treatment of wastewater from new residents or businesses moving into an area or expansion of existing businesses. The Plan Strategy is to provide enough land to accommodate and facilitate the provision of approximately 31,600 additional homes and to make allocations of circa 550,000m<sup>2</sup> hectares of employment floor space within the Council area in support of business and industry which will facilitate 46,000 new jobs.

### Water Supply

It is the responsibility of NI Water to ensure that a safe supply of drinking water for the population is maintained. There are five water supply zones wholly or partially within the Council area at Belfast Purdysburn, Dorisland Whiteabbey, Dunore Point Hydebank, Drumaroad Ards West, Drumaroad Lisburn, Forked Bridge Dunmurry and Forked Bridge Stoneyford. NI Water has indicated in correspondence sought for the Sustainability Appraisal Scoping Report that it does not envisage any substantive water supply issues that will impinge upon new development across the Council area.

NI Water published a draft Water Resource & Supply Resilience Plan (WR&SR Plan) for public consultation until September 2019. This draft Plan shows how the company will manage and develop water resources to make sure there is enough water to meet future supply needs. The draft WR & SR Plan takes into account changes in population, housing, water usage and incorporates any predicted changes to our climate. This includes how water supplies would be maintained during critical periods such as severe winters, drought and also includes a drought plan. The WR & SR Plan acknowledges the need to take account of adopted and emerging Local Development Plans to ensure it complies with the area's aims, objectives and long term vision in terms of growth, constraints and opportunities.

A Habitats Regulations Assessment has been carried out to consider the potential of the options contained within the WR & SR Plan and the Drought Plan to significantly affect internationally important nature conservation sites (SACs, SPAs and Ramsar sites), either alone or in combination with other plans and projects.

This concludes:

*'Three water resource options and five resilience options have been assessed in this HRA screening report. For four options it was determined there were no, or very weak pathways to European sites and no further assessment within the HRA process was required. However, four options included in the draft WR & SR Plan were identified as requiring HRA Stage 2 AA [appropriate assessment]. For these options, LSEs [likely significant effects] could be mitigated through the implementation of standard mitigation such as adherence to noise and vibration management plans, species protection plans and pollution management plans. No in-combination effects were identified for the options included in the draft WR & SR Plan. However, project-level HRA should revisit the potential for in-combination effects, once an appropriate level of detail about the timing and design of projects is available.'*

In light of the sufficiency of the water supply to the Council area over the plan period and the HRA of the WR&SR Plan effects that might undermine the conservation objectives can be excluded.

#### *Waste Water Treatment*

Wastewater Treatment Works discharge to a number of designated areas. This is reflected in those sites for which there are hydrological connections. All planning applications that indicate mains sewage treatment are referred to NI Water to confirm whether capacity exists. Section 3.5 of Part 2 of the Plan Strategy acknowledges the need for ‘sufficient infrastructure to support the development (e.g. water and sewerage)’ in selecting sites for new housing.

NIW (March 2022) identified that the following Wastewater Treatment Works are at or near their capacity in the plan area:

- Belfast
- Edenderry (Co. Antrim)

In addition it advised that wastewater network capacity issues are emerging in the following network catchments:

- Belfast
- Newtownbreda
- Kinnegar
- Whitehouse
- Dunmurry
- Edenderry (Co. Antrim)

Where a potential development cannot connect to the mains sewerage network, or where NI Water has indicated that consented capacity at the receiving works is limited or restricted, or there are network constraints, then a project will not be able to proceed unless it satisfies policy SP1A. This states:

*“The allocation of land and development to deliver the Council's growth strategy should be supported by the appropriate infrastructure. In advance of the Local Policies Plan the first phase will comprise existing allocations or commitments. Additional development may be permitted in this first phase where it can be demonstrated that the necessary supporting infrastructure requirements can be met, having due regard to the views of the relevant statutory consultees.*

*The Local Policies Plan will review the existing first phase development commitments and assess projected requirements beyond this first phase. Any new zonings or development capacity identified will be managed and released in accordance with provisions to be set out within the Local Policies Plan. Development will therefore be phased in a manner that ensures the necessary supporting infrastructural needs are addressed.”*

The Water Utility Regulation Group of DAERA regulates sewage discharges and is a competent authority under the Habitats Regulations. Every consent granted outlines the required quality and quantity of the discharge into the water environment and takes into account the requirements of relevant European directives.

In light of the NIW capacity constraints in the District, it is considered that the demand for wastewater treatment arising as a result of the level of growth enabled by the Plan Strategy could result in such pressures that could undermine conservation objectives of international sites. Potential impacts of waste water will also be a consideration at LPP when reviewing or allocating any zoned land.

### *Aerial emissions (traffic)*

Housing and economic development tends to be linked with increased traffic and emissions from traffic have been shown to be linked to impacts on vegetation within 200m of the road edge. Beyond 200m significant vegetation level effects associated with traffic emissions (including deposition) have not been observed in scientific studies. The York Street Interchange is proposed to be constructed in proximity of Belfast Lough and associated designations and Belfast Transport Hub is proposed within the City Centre. These projects are not proposed by the Plan Strategy and have been subject to HRA which have not to date identified any impacts from aerial emissions on international sites.

Effects of aerial emissions from traffic on international sites will be considered in screening the Plan Strategy in Section 4 and will also be a consideration at LPP when reviewing or allocating any zoned land.

### *Aerial Emissions (Other)*

Deposition of aerial pollutants can damage habitats and species through toxic effects and nutrient enrichment. Nitrogen deposition is identified as a threat for many international sites. Livestock production is a significant source of nitrogen deposition, particularly in the form of ammonia. For the purposes of screening for this HRA sites within 10km have been considered. The current advice from DAERA is that all livestock developments within 7.5km of an international site should be modelled for ammonia distribution. Air pollutants can also be produced from other emission sources, including but not limited to industry/energy processes e.g. combustion plants, generators, boilers etc.

Potential effects of aerial emissions (other) on international sites will be considered in screening the Plan Strategy in Section 4 and will also be a consideration at LPP when reviewing or allocating any zoned land.

### *Disturbance (Other)*

Noise or activity during construction and operation can have adverse impacts on sensitive species and mammals and birds in particular. Such disturbance from construction or additional built development can occur within or adjacent to international sites and in functionally linked land. It may create barrier effects to species; result in changes in species breeding, roosting, commuting and foraging behaviour; or increase predation. Construction can be planned to avoid causing disturbance at critical times and development can be designed or located to avoid disturbance to sensitive species during operation. Housing to be developed in the Belfast Harbour estate is just under 1 km from and economic development land immediately adjacent to Belfast Lough SPA and Ramsar site. There is the potential for disturbance during construction from piling and vibration and from operation in the economic development area. The following documents provide further guidance on disturbance to marine mammals:

*Guidance for assessing the significance of noise disturbance against Conservation Objectives of harbour porpoise SACs (England, Wales & Northern Ireland)*  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/889842/SACNoiseGuidanceJune2020.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/889842/SACNoiseGuidanceJune2020.pdf)

*Statutory nature conservation agency protocol for minimising the risk of injury to marine mammals from piling noise* <https://data.jncc.gov.uk/data/31662b6a-19ed-4918-9fab8fbcff752046/JNCC-CNCB-Piling-protocol-August2010-Web.pdf>

Potential effects of disturbance on international sites will be considered in screening the Plan Strategy in Section 4 and will also be a consideration at LPP when reviewing or allocating any zoned land.

### *Introduced Species*

New development has the potential to introduce invasive or non-native species or cause their spread to other sites. The introduction of invasive species, non-native, competitive or predatory species can

adversely affect habitats and species. This is identified as a potential threat for Belfast Lough SPAs which, while not evident, could be an issue through commercial shipping and aquaculture. The plan does not specifically drive an increase in commercial shipping but this could be an outcome of increased economic activity. Biosecurity measures (<https://invasivespeciesni.co.uk/biosecurity/>) should be in place for all development and Marine Non-Native Species standing advice should be adhered to at all times.

Potential effects of introduced species on international sites will be considered in screening the Plan Strategy in Section 4 and will also be a consideration at LPP when reviewing or allocating any zoned land.

## 4 Screening Plan Strategy for Likely Significant Effects

### Overview of screening

#### *Step 5: Screening the proposed plan for likely significant effects*

The approach to screening the proposals is detailed in Appendix 2. All of the Plan Strategy proposals were reviewed, from the Overall Strategy containing the Vision and Plan Objectives, Growth and Spatial Strategy and General Development Principles and Policies, through the strategies and operational policies for Economy, Social Development and Environment, to the Place-Making and Design Vision Chapters and appendices. Appendix 5 presents the full review of the Plan Strategy. The outcome of the screening of proposals and policies is summarised below and informed by the findings of Section 3 above.

### Screening Contextual Chapters

These chapters, 1. Introduction, 2. District Profile and 3. Policy Context, introduce the plan and present the profile of Council area and the regional and local policy context. They are administrative text and do not direct development therefore they are not subject to further assessment.

### 4. Vision, aims and objectives

#### *The Vision*

The Vision is an overall aspiration for the Plan Area. Delivery of the Vision is supported through a series of strategic aims and objectives for shaping a liveable place, creating a vibrant economy, promoting a green and active place and building a smart connected and resilient place.

#### *Strategic Aims and Objectives*

The Strategic aims and objectives all represent general policy statements, which state a direction without details of how they will be delivered. For all these objectives the implications can be assessed under related policies. The assessment is therefore undertaken through the consideration of related policies.

### 5. Strategic policies

The growth strategy aims to deliver 31,600 additional homes, 66,000 additional people, 46,000 additional jobs and 550,000m<sup>2</sup> of employment floor space by 2035.

All the strategic policies enable development and have potential to generate pathways for effects on international sites. No further screening is required.

### 6. Spatial Development Strategy

These policies define the settlement hierarchy, settlement areas and city centre districts identifying functions and development opportunities to facilitate population and economic growth.

Policies SD1, SD2 and SD3 enable development and have potential to generate pathways for effects on international sites. These policies have all been screened-in for further assessment.

### 7. Shaping a Liveable Place

#### *Housing*

This grouping of policies does not constrain development, as such development has potential to generate pathways for effects and these policies may have a likely significant effect on an international site. These policies are all screened-in for further assessment.

#### *Urban Design*

This grouping of policies does not constrain development, as such development has potential to generate pathways for effects and these policies may have a likely significant effect on an international site. These policies are all screened-in for further assessment.

### *Residential Design*

This grouping of policies does not constrain development, as such development has potential to generate pathways for effects and these policies may have a likely significant effect on an international site. These policies are all screened-in for further assessment.

### *Built Heritage*

Policy BH6 is aimed at protecting and enhancing parks, gardens and demesnes in an appropriate manner and so unlikely to lead to any significant effects on European sites. Given the constraints on development this policy cannot undermine the conservation objectives of any international sites and further assessment is not required.

Policies BH1, BH2, BH3, BH4 and BH5 all enable development and have potential to generate pathways for effects on International sites. These policies have been screened-in for further assessment.

### *Community Cohesion & Good Relations*

CGR1 and CGR2 listing general criteria for testing the acceptability of proposals. These policies cannot have any conceivable effect on any international site and further assessment is not required.

### *Promoting Healthy Communities*

HC1 is a general statement of overarching policy to support health and wellbeing and will not increase the level of development. This policy cannot have any conceivable effect on any international site and further assessment is not required.

### *Community Infrastructure*

C11 is an overarching policy that focuses community infrastructure in the urban environment, however the policy enables a community use outside of settlement limits and new development. The policy has potential to generate pathways for effects and may have a likely significant effect on an international site. This policy is screened-in for further assessment.

C12 refers to protecting existing cemeteries and crematoria sites. The policy cannot have any conceivable effect on any international site and further assessment is not required.

## 8. Creating a vibrant economy

### *Economic Growth*

EC1 is aspirational and more of a guide for developers and decision makers. The policy cannot have any conceivable effect on any international site and further assessment is not required.

All the other policies in this grouping enable development and are screened in for further assessment.

### *Retail*

RET1 ensures a city centre approach is taken with balanced sustainable development of equitable growth across the district. Location of centres will be within existing urban areas therefore policy in itself will not have effects. RET2 sets out the criteria for out of city centre development. These policies cannot have any conceivable effect on any international site and further assessment is not required.

RET3, RET4, RET5 and RET6 all enable development and have potential to generate pathways for effects on International sites. These policies have been screened-in for further assessment.

### *City Centre*

CC1 refers to key locations within the urban environment, assessment and review may be required to ensure no significant effects on International sites that are located nearby. The policy has been screened-in for further assessment.

### *Supporting Tourism, Leisure and Cultural Development*

TLC2 refers to the protection of sites and in itself is not likely to have a significant effect on European sites and further assessment is not required.

TLC1, TLC2 and TLC3 support tourism, leisure and evening/night economy. The policies enable development and may also have impacts from lighting and noise on mobile features. The policies have potential to generate pathways for effects on International sites and have been screened-in for further assessment.

## 9. Building a smart connected and resilient place

### *Infrastructure, Telecommunications and Utilities*

This policy group provides for telecommunications, water/ sewerage and electric/gas infrastructure and renewable energy generating facilities. The policies all enable development and have potential to generate pathways for effects on International sites. These policies have been screened-in for further assessment.

### *Waste Infrastructure*

These policies list criteria for waste management, treatment and disposal facilities and also includes criteria for planning permission within the vicinity of such facilities. The policies have potential to generate pathways for effects on International sites and have been screened-in for further assessment.

### *Minerals*

M1 refers to the appropriate use of minerals and environmental conditions are considered within the policy, however mineral sites may be in the vicinity of International sites. The policy has potential to generate pathways for effects on International sites and has been screened-in for further assessment.

### *Transportation*

The Plan Strategy seeks to support proposals for transportation which improve travel times, alleviate congestion and improve safety as well as providing more sustainable modes of transport including buses, walking and cycling.

TRAN1, TRAN2, TRAN3, TRAN4, TRAN9 and TRAN10 are general statements of policy or listing acceptable criteria and cannot have any effect on an international site. These policies are screened out from further assessment.

TRAN5, TRAN6 TRAN7, TRAN8, TRAN11 and TRAN12 all enable development and have potential to generate pathways of effects on International sites. These policies have been screened-in for further assessment.

### *Environmental Resilience*

ENV1 is a general plan-wide environmental protection policy which applies to all development. The policy specifies that development must not result in an unacceptable adverse impact on the environment, including Ground contamination; Air quality; Water quality; Noise; and Light pollution, J&A expands on each of these.

ENV2, ENV3 and ENV4 list criteria and are generally providing guidance to developers. Application of the polices would not lead to significant effects on European sites and further assessment is not required.

ENV5 refers to guidance for inclusion of SuDS in the built environment with inclusion of treatment to improve water quality. The policy has potential to generate pathways for effects and may have a likely significant effect on an international site. This policy is screened-in for further assessment.

## 10. Promoting a green and active place

### *Open Space*

OS1 is a general plan-wide environmental / site safeguarding policy. It also constrains change of use therefore, in itself, it cannot lead to development or other change and further assessment is not required.

GB1, OS2, OS3, OS4, OS5, OS6 and OS7 all enable development. The policies have potential to generate pathways for effects on International sites and have been screened-in for further assessment.

#### *Natural Heritage*

NH1 aims to protect all designated sites and priority habitats and species from damaging or inappropriate development. The policy is intended to avoid or reduce harmful effects on international sites and will be screened in for considered further through appropriate assessment.

#### *Trees*

TRE1 is a general plan-wide environmental protection policy. The policy cannot have any conceivable effect on any international site and further assessment is not required.

#### *Landscape and Coast*

LC1, LC1A, LC1B, LC1C and LC1D, LC2, LC3 and LC4 support protection of the visual amenity of landscape, designation areas and coastal area by aiming to manage new development that can restore or improve the quality and visual amenity of the landscape and areas. As the policies enable new development they have potential to generate pathways for effects on International sites and have been screened-in for further assessment.

#### *Development in the Countryside*

This group of policies is for the management of sustainable development in the countryside. Development in the countryside may be in close proximity to International sites or supporting habitat. Such development may not have access to mains sewage disposal and therefore generally requires on site treatment.

DC11 enables agricultural development while DC12 enables limited re-use/adaptation for farm diversification. Policies of this nature could include development that increases ammonia emissions that may have an adverse effect on European sites and further assessment is required.

As all this grouping of policies enable development there is potential to generate pathways of effects on International sites and they have all been screened-in for further assessment.

## 11. Delivery

Chapter 11 contains administrative text setting out implementation, monitoring and review arrangements. These Chapters do not direct development and further assessment is not required.

### *Screening Appendices*

Appendices A-F do not direct development and further assessment is not required.

### *Outcome of screening*

All policies which have been screened-out at this stage are assigned to a screening category which allows them to be recognised as unlikely to have a significant effect, either alone or in combination.

Those policies and the appendix screened-in as identified in Table 3 are all included on the basis of their effects 'alone' in the absence of mitigation, Category I, and are brought forward to appropriate assessment.



Table 3 Policies screened-in as having a likely significant effect and requiring further assessment

<b>5. STRATEGIC POLICIES</b>
SP1 - Growth strategy
SP1A – Managing growth and supporting infrastructure delivery
SP2 – Sustainable development
SP3 – Improving health and wellbeing
SP4 – Community cohesion and good relations
SP5 – Positive placemaking
SP6 - Environmental resilience
SP7 – Connectivity
SP8 – Green and blue infrastructure
<b>6. SPATIAL DEVELOPMENT STRATEGY</b>
SD1 – Settlement hierarchy
SD2 – Settlement areas
SD3 - City centre
<b>7. SHAPING A LIVEABLE PLACE POLICIES</b>
HOU1 – Accommodating new homes
HOU2 – Windfall housing
HOU3 – Protection of existing residential accommodation
HOU4 - Density of residential development
HOU5 - Affordable Housing
HOU6 - Housing mix
HOU7 - Adaptable and accessible accommodation
HOU8 - Special residential accommodation
HOU9 - Traveller accommodation
HOU10 - Housing Management Areas
HOU11 - Intensive housing needs
HOU12 - Large scale purpose built managed student accommodation (PBMSA)
HOU13 - Short term let accommodation
DES1 - Principles of Urban Design
DES2 - Master Planning for major development
DES3 - Tall Buildings
DES4 - Advertising and signage
RD1 - New residential Design
RD2 - Residential extensions and alterations
RD3 - Conversion or subdivision of existing buildings for residential use
BH1 - Listed buildings
BH2 - Conservation areas
BH3 - Areas of townscape character
BH4 - Works to grounds affecting built heritage
BH5 - Archaeology
CI1 - Community Infrastructure
<b>8. CREATING A VIBRANT ECONOMY POLICIES</b>
EC2 – Employment Land Supply

EC3 – Major Employment and Strategic Employment Locations
EC4 – Loss of zoned employment land
EC5 – Industry, Storage & Distribution Uses
EC6 – Office Development
EC7 - Higher education institutions
RET3 – District Centre, Local Centre & City Corridors
RET4 – Retail warehousing
RET5 – Primary Retail Area
RET6 - Temporary and meanwhile uses
CC1 - Development opportunity sites
TLC1 - Supporting tourism, leisure and cultural facilities and assets
TLC3 - Overnight visitor accommodation
TLC4 - Evening and night-time economy
<b>9. BUILDING A SMART CONNECTED AND RESILIENT PLACE POLICIES</b>
ITU1 - Telecommunications development
ITU2 – Water and sewerage Infrastructure
ITU3 - Electricity and gas infrastructure
ITU4 - Renewable energy development
W1 - Environmental impact of a waste management facility
W2 - Waste collection and treatment facility
W3 - Waste disposal
W4 - Land improvement
W5 - Development in the vicinity of waste management facilities
M1 - Minerals
TRAN5 - New transport schemes
TRAN6 - Access to public roads
TRAN7 - Access to protected routes
TRAN8 - Car parking and servicing arrangements
TRAN11 - Provision of public and private car parks
TRAN12 - Temporary car parks
ENV5 - Sustainable Drainage Systems (SuDS)
<b>10. PROMOTING A GREEN AND ACTIVE PLACE POLICIES</b>
GB1 - Green and Blue Infrastructure
OS2 - New open space within settlements
OS3 - Ancillary open space
OS4 - New open space outside settlements
OS5 - Intensive sports facilities
OS6 - Facilities ancillary to water sports
OS7 - Floodlighting
NH 1 - Protection of Natural Heritage Resources
LC1 - Landscape
LC1A - AONBs
LC1B - AHSVs
LC1C - LLPAs

LC1D - Landscape Wedges
LC2 - Lagan Valley Regional Park (LVRP)
LC3 - Belfast Hills
LC4 - Coastal Area
DC1 - All countryside development general policy principles
DC2 - Housing in the countryside
DC3 - Replacement dwellings
DC4 - The conversion and reuse of existing buildings
DC5 - New dwellings - Personal and domestic circumstances
DC6 - Dwellings for non-agricultural business enterprises
DC7 - Ribbon development
DC8 - New dwellings in existing clusters
DC9 - Residential caravans and mobile homes
DC10 - New dwellings on farms
DC11 - Agriculture
DC12 - Farm diversification
DC13 - Other proposed development in the countryside

### Consideration of in combination assessment with other plans and projects in screening

Consideration must be given to any cumulative effects of proposals during plan preparation. These include potential cumulative effects from the plan with in combination effects with other relevant plans and projects.

The plans and projects identified below are likely to give rise to developments causing effects that could combine or interact with those of the plan strategy and will be considered further as part of the appropriate assessment in Section 5.

- Regional Development Strategy 2035
- Strategic Planning Policy Statement
- Antrim and Newtownabbey Borough Council Local Development Plan draft Plan Strategy
- Ards and North Down Borough Council Local Development Plan draft Plan Strategy
- Lisburn and Castlereagh City Council Local Development Plan draft Plan Strategy
- York Street Interchange
- Belfast Transport Hub

## 5 Appropriate Assessment

### *Step 6: The Appropriate Assessment*

Following the screening of plan proposals, as summarised in Table 3, it has been found that there is potential for likely significant effects to arise from 98 policies as identified in Table 3. In combination effects are also assessed.

### *Protective Measures in the Plan Strategy*

The Council, in its assessment of each development proposal, will determine which policies and criteria apply to that proposal, *each policy will apply to relevant proposals*. Paragraph 1.5.1.4 states *'These policies will form the basis for making decisions on planning applications, and unless otherwise stated, all criteria used in each policy will apply to relevant proposals and should be considered holistically.'*

ENV1 is a general environmental / safeguarding protection policy which will apply to all development. Planning permission will be granted for development that will maintain and, and where possible, enhance environmental quality. The policy states 'Development must not result in an unacceptable adverse impact on the environment, including the following considerations: Ground contamination; Air quality; Water quality; Noise; and Light pollution.

Policy NH1 consolidates all natural heritage policy tests in a single and simplified policy to avoid undue repetition of the SPPS as follows:

#### *Policy NH1 – Protection of natural heritage resources*

*"The council will adopt the precautionary principle when considering the impacts of a proposed development on local, national or international natural heritage resources, including designated sites, protected species and the other important interests of biodiversity and geodiversity.*

*In assessing new development proposals, the council will seek to ensure the protection of the district's natural heritage and biodiversity. New development will not have an unacceptable effect, either directly, indirectly, or cumulatively, on sites, habitats, species or ecosystems and networks that are important for their nature conservation, biodiversity or geodiversity value. This includes designated sites, habitats and species protected by law, priority habitats & species and other important nature conservation and biodiversity interests and ecological networks.*

*The council will have due regard to the relative importance and levels of protection afforded to the hierarchy of international, national and local designated sites and to habitats and species in considering development proposals. In this regard, proposals that have, or could have, a significant effect on an international site will not be supported by the council. Proposals that have an adverse effect on a national site or a significant adverse effect on a local site will not be supported.*

*The council will require developers to undertake appropriate site surveys and assessments for consideration prior to planning applications being determined.*

*Where potential adverse impacts cannot be avoided, and having regard to the relative importance and level of protection of the site, suitable mitigation measures must be provided. In such exceptional circumstances, and subject to the relevant legislative provisions, the development may be considered where it is clearly shown that it will bring substantial community or other benefits that outweigh any potential nature conservation or biodiversity impacts and that adequate mitigation and/or compensation measures will be put in place.*

*Proposals adjacent to rivers and other water bodies shall give due regard to the protection and enhancement of biodiversity, water quality, access and amenity, including through the adoption of sensitive design, avoidance of instream works or culverting (see also SPPS), appropriate landscaping and access arrangements (including public access and for maintenance purposes). The provision of adequate development setback, from watercourses and waterbodies will be required and in all cases the applicant shall demonstrate that no adverse impact will be caused."*

Although policy NH1 does specifically provide for the hierarchy of protection for natural heritage resources, it does not specifically re-state the provisions of the SPPS because it is not necessary to do so. Paragraph 10.2.8 states *"The SPPS sets out the planning policies that apply to international, national and local designations, protected species and other important natural heritage assets and the council will take full account of these in assessing development proposals."* Paragraph 10.2.9, in the J&A text accompanying NH1 again refers specifically to the plan strategy's support for the policies set out in the SPPS. It goes on to state: *"Designated sites, habitats and species are provided with protection generally according to a hierarchy of importance, from a local to an international perspective. The plan strategy acknowledges this and confirms that careful design of new development should ensure that there is no damage to nature conservation interests."*

For all policies, the fact that *'each policy will apply to relevant proposals'*, including NH1, is sufficient to ensure that site selection features are a consideration and reduces the potential for tensions between NH1 and other development management policies.

### Mitigation measures

The consideration of measures intended to avoid or reduce the harmful effects of a plan on an international site has been progressed to Stage 2 appropriate assessment. The first step in this appropriate assessment is to assess or incorporate mitigation measures which might be relied upon to avoid any adverse effects to the integrity of the international sites potentially affected. For this plan it was found that case-specific policy caveats which have been incorporated will provide sufficient mitigation to ensure policies cannot undermine the conservation objectives of any international site.

This section therefore considers the policies identified in Table 3 above in light of potential mitigation measures which have been incorporated into the plan. With the approach in Appendix 2, Step 6 in mind the policies as grouped within their relevant chapter which were identified as having a likely significant effect were considered further below.

### 5. Strategic policies

The strategic policies detail the overarching Plan Strategy that embodies the broad principles upon which the plan strategy is built. Sustainable and inclusive development is at the heart of the plan strategy and the council will take a positive approach that reflects the presumption in favour of sustainable development to improve and enhance the balance between economic, social and environmental conditions to deliver economic success, and a better quality of life for people living in Belfast. As such these policies are possible driver of potential effects.

Development has the potential to impact upon the site selection features of International sites through disturbance, pollution, changes in nutrient levels arising from sewage and run-off, sediment disturbance and habitat loss. Potential impacts upon qualifying features may occur both during the construction and operational phases of development. If infrastructure provisions are inadequate in relation to sewage network constraints there could be potential for adverse impacts on water quality.

Policy SP1A sets out how housing and economic growth will be managed and phased to align with infrastructure and investment over the plan period. The policy states *'Additional development may be*

*permitted in this first phase where it can be demonstrated that the necessary supporting infrastructure requirements can be met, having due regard to the views of the relevant statutory consultees.’ Within the J&A it is noted that ‘There is no automatic assumption that these existing commitments will be delivered, particularly where detailed analysis identifies constraints affecting the availability and deliverability of sites and as such regard will be had to existing commitments when assessing applications and their infrastructure needs. This will take account of the requirement that all uncommitted land to be developed during the plan period will be subject to the availability of adequate infrastructure, which would include but not be limited to that supporting transport, waste, water, energy and digital services provision.’*

In view of policy constraints, policy caveats and as each policy will apply to relevant proposals, including policy NH1 these policies cannot undermine the conservation objectives of any International sites. No further policy amendments are required to the Strategic policies.

## 6. Spatial development strategy

This grouping of policies identifies the settlement hierarchy and functions within them so that development is directed to the most suitable and sustainable locations. The majority of growth is to be met within the main settlement areas in Belfast city centre. Paragraph 6.0.4 states *‘This is in accordance with the council’s vision to achieve a sustainable pattern of development without compromising the quality of the natural, built and historic environment’.*

In view of the policy caveat and as each policy will apply to relevant proposals, including policy NH1 these policies cannot undermine the conservation objectives of any International sites. No further policy amendments are required to the Spatial development strategy policies.

## 7. Shaping a liveable place

The HOU, DES, RD, BH and CI policies identified in Table 3 all have potential to generate pathways for effects.

As each policy will apply to relevant proposals, including policy NH1 these policies cannot undermine the conservation objectives of any International sites. No further policy amendments are required to the Shaping a liveable place policies.

## 8. Creating a vibrant economy

Policies EC, RET, CC1 and TLC policies identified in Table 3 seeks to proactively drive forward the sustainable economic growth of Belfast over the plan period and all have potential to generate pathways for effects. Aims within this grouping of policies include to *‘Promote sustainable economic development in an environmentally sensitive manner’* and to *‘Maintain the existing tourism, leisure and cultural facilities that recognises the importance of the City’s culture, built heritage and natural environment’.*

Some of these policies include caveats protective of the environment inclusive of EC1 which states *‘that development gains are not to the detriment of the residents or adversely impact upon the environment’*, EC5 states *‘the overarching principle is to facilitate economic development in ways consistent with the protection of the environment’* and RET6 states *‘subject to proposals meeting all other policy requirements, particularly those relating to residential amenity and wider environmental quality’.*

In view of the policy caveat and as each policy will apply to relevant proposals, including policy NH1 these policies cannot undermine the conservation objectives of any International sites. No further policy amendments are required to the Creating a vibrant economy policies.

## 9. Building a smart connected and resilient place

The ITU, W, M, TRAN and ENV policies are integral to the day to day operation and socio-economic sustainability of the council area. Both the policy aims and the J&A’s of some policies where appropriate include constraints and caveats protective of the environment.

ITU1 in relation to telecommunications development should *'Not result in unacceptable damage to visual amenity or harm to environmentally sensitive features or locations'* and *'should avoid sensitive features and locations of archaeological, built or natural heritage value'*.

Renewable energy development will be permitted under ITU4 where it does not result in an unacceptable adverse impact on *'c. Biodiversity, nature conservation or built heritage interests; d. Local natural resources, such as air quality or water quality'*.

Waste Management facilities could give risk to an elevated risk of significant effects and will be guided by the precautionary principles. Paragraph 9.2.8 states *'Many waste management facilities by reason of their size, nature or location have the potential to cause significant damage to the environment in terms of visual intrusion, habitat or heritage destruction and pollution. In assessing all proposals for waste management facilities the council will be guided by the precautionary principle that, where there are significant risks of damage to the environment, its protection will generally be paramount, unless there are imperative reasons of overriding public interest'*.

M1 enables minerals development with a caveat that *'the proposal will not have a detrimental impact on landscape quality and natural heritage, including lands and species designated or protected for landscape quality importance, natural heritage or scientific interest.'*

In view of policy constraints, policy caveats and as each policy will apply to relevant proposals, including policy NH1 these policies cannot undermine the conservation objectives of any International sites. No further policy amendments are required to the Building a smart connected and resilient place policies.

## 10. Promoting a green and active place

Some of the GB, OS, NH, LC and DC policies could be considered as environmental/site safeguarding policies and due to their nature and constraints are considered relatively low risk, however they do enable development and therefore have potential to generate pathways for effects on International sites.

Policy DC11 enables agricultural development which could include development that increases ammonia emissions that may have an adverse effect on International sites. There is potential for impacts on any site within 7.5 km of a project or landspreading locations for litter, slurry or manure from such locations and sites beyond the plan area in other NI Council areas and in Ireland have been screened in on this basis.

Deposition of aerial pollutants can damage habitats and species through toxic effects and nutrient enrichment. Nitrogen deposition is identified as a threat for many international sites. Habitats such as peatlands, wetlands and woodlands containing lichens and bryophytes are particularly sensitive to the effects of ammonia. The majority of Northern Ireland's designated sites are exceeding their critical levels, the concentration at which environmental damage occurs, for ammonia. Livestock production and associated landspreading of manure, slurry or litter, is a significant source of nitrogen deposition, particularly in the form of ammonia. Increased or more intensive agricultural activities may further exacerbate this pressure.

It is specified that *'The policy seeks to give favourable consideration to proposals for agricultural and forestry development (where planning permission is required), subject to a number of environmental considerations. This is intended to secure a balance between development proposals for the rural economy and environmental protection'*. This ensures the need for environmental consideration from such proposals that have potential to generate ammonia emissions.



In view of policy constraints, policy caveats and as each policy will apply to relevant proposals, including policy NH1 these policies cannot undermine the conservation objectives of any International sites. No further policy amendments are required to the Promoting a green and active place policies.

#### *Step 7: Amending the plan until there would be no adverse effects on site integrity*

#### **Integrity test taking account of mitigation measures**

Having identified potential case specific policy restrictions and caveats in respect of aspects of the Plan which were identified as having a likely significant effect, it is now necessary to apply the integrity test, taking account of these mitigation measures. Following incorporation of the mitigation measures identified above the re-screening of the elements of the Plan which are affected by the mitigation measures is set out in Table 4 below.

**Table 4 Applying the integrity test following incorporation of mitigation measures**

POLICY	RECOMMENDED MITIGATION MEASURES	INTEGRITY TEST CONCLUSION
<b>5. STRATEGIC POLICIES</b>		
SP1 - Growth strategy SP1A – Managing growth and supporting infrastructure delivery SP2 – Sustainable development SP3 – Improving health and wellbeing SP4 – Community cohesion and good relations SP5 – Positive placemaking SP6 - Environmental resilience SP7 – Connectivity SP8 – Green and blue infrastructure	No further policy amendments are required.	All relevant parts of the plan must be considered and in view of constraints on development, policy caveats and policy NH1 these policies cannot undermine the conservation objectives of any international sites.
<b>6. SPATIAL DEVELOPMENT STRATEGY</b>		
SD1 – Settlement hierarchy SD2 – Settlement areas SD3 - City centre	No further policy amendments are required.	All relevant parts of the plan must be considered and in view of constraints on development, policy caveats and policy NH1 these policies cannot undermine the conservation objectives of any international sites.
<b>7. SHAPING A LIVEABLE PLACE POLICIES</b>		
HOU1 – Accommodating new homes HOU2 – Windfall housing HOU3 – Protection of existing residential accommodation HOU4 - Density of residential development HOU5 - Affordable Housing HOU6 - Housing mix HOU7 - Adaptable and accessible accommodation HOU8 - Special residential accommodation HOU9 - Traveller accommodation HOU10 - Housing Management Areas	No further policy amendments are required.	All relevant parts of the plan must be considered and in view of constraints on development, policy caveats and policy NH1 these policies cannot undermine the conservation objectives of any international sites.

<p>HOU11 - Intensive housing needs                  HOU12 - Large scale purpose built managed student accommodation (PBMSA)                  HOU13 - Short term let accommodation                  DES1 - Principles of Urban Design                  DES2 - Master Planning for major development                  DES3 - Tall Buildings                  DES4 - Advertising and signage                  RD1 - New residential Design                  RD2 - Residential extensions and alterations                  RD3 - Conversion or subdivision of existing buildings for residential use                  BH1 - Listed buildings                  BH2 - Conservation areas                  BH3 - Areas of townscape character                  BH4 - Works to grounds affecting built heritage                  BH5 - Archaeology                  CI1 - Community Infrastructure</p>		
<b>8. CREATING A VIBRANT ECONOMY POLICIES</b>		
<p>EC2 – Employment Land Supply                  EC3 – Major Employment and Strategic Employment Locations                  EC4 – Loss of zoned employment land                  EC5 – Industry, Storage &amp; Distribution Uses                  EC6 – Office Development                  EC7 - Higher education institutions                  RET3 – District Centre, Local Centre &amp; City Corridors                  RET4 – Retail warehousing                  RET5 – Primary Retail Area                  RET6 - Temporary and meanwhile uses                  CC1 - Development opportunity sites                  TLC1 - Supporting tourism, leisure and cultural facilities and assets                  TLC3 - Overnight visitor accommodation                  TLC4 - Evening and night-time economy</p>	<p>No further policy amendments are required.</p>	<p>All relevant parts of the plan must be considered and in view of constraints on development, policy caveats and policy NH1 these policies cannot undermine the conservation objectives of any international sites.</p>
<b>9. BUILDING A SMART CONNECTED AND RESILIENT PLACE POLICIES</b>		
<p>ITU1 - Telecommunications development                  ITU2 – Water and sewerage Infrastructure                  ITU3 - Electricity and gas infrastructure                  ITU4 - Renewable energy development                  W1 - Environmental impact of a waste management facility                  W2 - Waste collection and treatment facility                  W3 - Waste disposal                  W4 - Land improvement                  W5 - Development in the vicinity of waste management facilities                  M1 - Minerals</p>	<p>No further policy amendments are required.</p>	<p>All relevant parts of the plan must be considered and in view of constraints on development, policy caveats and policy NH1 these policies cannot undermine the conservation objectives of any international sites.</p>

<p>TRAN5 - New transport schemes  TRAN6 - Access to public roads  TRAN7 - Access to protected routes  TRAN8 - Car parking and servicing arrangements  TRAN11 - Provision of public and private car parks  TRAN12 - Temporary car parks  ENV5 - Sustainable Drainage Systems (SuDS)</p>		
<b>10. PROMOTING A GREEN AND ACTIVE PLACE POLICIES</b>		
<p>GB1 - Green and Blue Infrastructure  OS2 - New open space within settlements  OS3 - Ancillary open space  OS4 - New open space outside settlements  OS5 - Intensive sports facilities  OS6 - Facilities ancillary to water sports  OS7 - Floodlighting  NH 1 - Protection of Natural Heritage Resources  LC1 - Landscape  LC1A - AONBs  LC1B - AHSVs  LC1C - LLPAs  LC1D - Landscape Wedges  LC2 - Lagan Valley Regional Park (LVRP)  LC3 - Belfast Hills  LC4 - Coastal Area  DC1 - All countryside development general policy principles  DC2 - Housing in the countryside  DC3 - Replacement dwellings  DC4 - The conversion and reuse of existing buildings  DC5 - New dwellings - Personal and domestic circumstances  DC6 - Dwellings for non-agricultural business enterprises  DC7 - Ribbon development  DC8 - New dwellings in existing clusters  DC9 - Residential caravans and mobile homes  DC10 - New dwellings on farms  DC11 - Agriculture  DC12 - Farm diversification  DC13 - Other proposed development in the countryside</p>	<p>No further policy amendments are required.</p>	<p>All relevant parts of the plan must be considered and in view of constraints on development, policy caveats and policy NH1 these policies cannot undermine the conservation objectives of any international sites.</p>

### Consideration of in combination effects

It was found that there are protective measures and overarching policies in the Plan Strategy that will ensure that development causing an adverse effect on site integrity cannot be approved. It will be important that HRAs for individual developments also consider in combination effects before planning permission is granted.

The Policy Clarification for NH1 is explicit that a development proposal will be subject to appropriate assessment where it is 'likely to have a significant effect on a SAC, SPA or Ramsar site (either alone or in combination with effects from other plans or projects)'. Policy NH1 therefore ensures that any development approved under the plan will have to demonstrate compliance with the 'in combination' provisions of the Habitats Regulations. There is therefore no risk of a residual effect at this Plan Strategy HRA stage, which might act in combination with other plans and projects as identified in Table 5.

On the basis of the underlying reasoning supporting Principle 6 of Section C.8.1 of the HRA Handbook, reliance on Policy NE01 provides the basis upon which effects which might act in combination with other plans and projects including those considered below can be ruled out.

**Table 5 Plan or Project Identified for consideration of in combination effects**

Plan or Project	Possible significant effects from plan or project	Is there a risk of in combination effects	Possible significant effects in combination
Regional Regional Development Strategy 2035	Potential in-combination effects may arise where there is a requirement to provide for new infrastructure or where new development occurs, such effects may include: • Disturbance to habitats/species; • Species mortality; • Alterations to water quality and/or water movement; • Release of contaminated material (soils, runoff); and • Introduction or spread of invasive species.	The RDS has been subject to AA and mitigation measures recommended. It is not considered that there is potential for in-combination effects to arise, however in the absence of mitigation or appropriate consideration of potential adverse effects upon European Sites, adverse in-combination effects may occur and cannot be excluded.	No, The mitigation measures contained within individual plans prioritise the avoidance of effects where possible and provide measures to minimise effects. In combination effects from projects which arise from implementation of the RDS will not be significant, especially when viewed in light of the mitigation in the Plan Strategy against policy NH1 which will require Appropriate Assessment.
Strategic Planning Policy Statement	Potential in-combination effects may arise where there is a requirement to provide for new infrastructure or where new development occurs, such effects may include: • Disturbance to habitats/species; • Species mortality; • Alterations to water quality and/or water movement; • Release of contaminated material (soils, runoff); and • Introduction or spread of invasive species.	The SPPS has been subject to SEA. No significant adverse environmental effects were identified and mitigation was not required, therefore it is not considered that there is potential for in-combination effects to arise.	No. No significant adverse effects were identified from the SPPS in the absence of mitigation measures. In combination effects from projects which arise from implementation of the SPPS will not be significant, especially when viewed in light of the mitigation in the Plan Strategy against policy NH1 which will require Appropriate Assessment.
Antrim and Newtownabbey Borough Council Local Development Plan draft Plan Strategy	Potential in-combination effects may arise where there is a requirement to provide for new infrastructure or where new development occurs, such effects may include: • Disturbance to habitats/species; • Species mortality; • Alterations to water quality and/or water movement; • Release of contaminated material (soils, runoff); and • Introduction or spread of invasive species.	These Neighbouring Council Plans have been subject to SA and AA which incorporates robust mitigation measures into the plan itself to avoid effects. In the absence of mitigation or appropriate consideration of potential adverse effects upon European Sites, adverse in-combination effects may occur and cannot be excluded.	No. The mitigation measures contained within the projects prioritise the avoidance of effects and provide measures to minimise effects. In combination effects from projects which arise from the implementation of these plans will not be significant, especially when viewed in light of the mitigation in the Plan Strategy against policy NH1 which will require Appropriate Assessment.

Plan or Project	Possible significant effects from plan or project	Is there a risk of in combination effects	Possible significant effects in combination
Ards and North Down Borough Council Local Development Plan draft Plan Strategy	Potential in-combination effects may arise where there is a requirement to provide for new infrastructure or where new development occurs, such effects may include: • Disturbance to habitats/species; • Species mortality; • Alterations to water quality and/or water movement; • Release of contaminated material (soils, runoff); and • Introduction or spread of invasive species.	These Neighbouring Council Plans have been subject to SA and AA which incorporates robust mitigation measures into the plan itself to avoid effects. In the absence of mitigation or appropriate consideration of potential adverse effects upon European Sites, adverse in-combination effects may occur and cannot be excluded.	No. The mitigation measures contained within the projects prioritise the avoidance of effects and provide measures to minimise effects. In combination effects from projects which arise from the implementation of these plans will not be significant, especially when viewed in light of the mitigation in the Plan Strategy against policy NH1 which will require Appropriate Assessment.
Lisburn and Castlereagh Local Development Plan draft Plan Strategy	Potential in-combination effects may arise where there is a requirement to provide for new infrastructure or where new development occurs, such effects may include: • Disturbance to habitats/species; • Species mortality; • Alterations to water quality and/or water movement; • Release of contaminated material (soils, runoff); and • Introduction or spread of invasive species.	These Neighbouring Council Plans have been subject to SA and AA which incorporates robust mitigation measures into the plan itself to avoid effects. In the absence of mitigation or appropriate consideration of potential adverse effects upon European Sites, adverse in-combination effects may occur and cannot be excluded.	No. The mitigation measures contained within the projects prioritise the avoidance of effects and provide measures to minimise effects. In combination effects from projects which arise from the implementation of these plans will not be significant, especially when viewed in light of the mitigation in the Plan Strategy against policy NH1 which will require Appropriate Assessment.
<b>Local</b>	Potential in-combination effects may arise from this project on International sites associated with Belfast Lough within the Council area, such effects may include: deterioration on water quality and on habitat from airborne pollutants and alterations to the hydrological regime.	This project was subject to a public inquiry and had an AA undertaken which recommended robust mitigation measures for the project to minimise effects. In the absence of mitigation or appropriate consideration of potential adverse effects upon European Sites, adverse in-combination effects may occur and cannot be excluded.  Current status – Not commenced, ongoing design review.	No. This project is subject to HRA and should a robust AA conclude no adverse effects and that the decision-maker is subject to the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995, then there can be no in combination effects with the Plan Strategy, especially when viewed in light of the mitigation in the Plan Strategy against policy NH1 which will require Appropriate Assessment.
York Street Interchange			
Belfast Transport Hub	Potential in-combination effects may arise from this project on International sites associated with Belfast Lough within the Council area, such effects may include: deterioration on water quality and on habitat from airborne pollutants and alterations to the hydrological regime.	This project had an AA undertaken which recommended robust mitigation measures for the project to minimise effects. In the absence of mitigation or appropriate consideration of potential adverse effects upon European Sites, adverse in-combination effects may occur and cannot be excluded.  Current status – Under construction.	No. This project is subject to HRA and should a robust AA conclude no adverse effects and that the decision-maker is subject to the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995, then there can be no in combination effects with the Plan Strategy, especially when viewed in light of the mitigation in the Plan Strategy against policy NH1 which will require Appropriate Assessment.

## 6 Conclusions

### Outcome of HRA

#### *Step 8: Preparing of the HRA Record*

The Plan Strategy has been subject to screening under the Habitats Regulations. All proposals and policies have been considered in respect of the potential for likely significant effects upon any international site, either alone or in combination with other plans and projects. For all these objectives the implications can be assessed under related policies. The assessment is therefore undertaken through the consideration of related policies.

Following the initial screening exercise, 98 policies were identified as having a likely significant effect in the absence of mitigation. Mitigation measures, in the form of suggested case-specific policy caveats, were incorporated in respect of these policies and reviewed as part of an appropriate assessment. The rationale for these is set out in Section 5 and they are summarised in Table 4.

On the basis of the analysis set out above, the Council can conclude that the Plan Strategy (with the modifications set out in the direction made by the Department for Infrastructure) will not adversely affect the integrity of any international sites, either alone or in combination with other plans and projects.

The Local Policies Plan (LPP) is the second stage of the LDP and will identify settlement limits, zonings and detailed boundaries of environmental designations and, where appropriate, introduce local policies or key site requirements for these zonings and designations. Another draft HRA will be prepared to assess the potential impacts of the draft LPP on international sites. The information about international sites in Appendix 3, which will be updated, will be important as a starting point for the HRA at LPP. Following independent examination of the draft LPP that HRA will be finalised and adopted by the Council and published alongside the adopted LPP.

## Glossary

Adverse effect on site integrity	An effect on the qualifying features of an international site which would undermine the achievement of the conservation objectives for that site and which would have a negative effect on the coherence of its ecological structure and function, across its whole area, that enables it to sustain the habitats, complex of habitats and / or the levels of populations of the species for which the site is or will be designated.
Competent Authority	For the purposes of the Habitats Regulations the expression ‘competent authority’ includes government departments, district councils and statutory undertakers, and any trustees, commissioners, board or other persons who, as a public body and not for their own profit, act under any statutory provision for the improvement of any place or the production or supply of any commodity or service.
Cumulative Impact	A number of developments in a locality or a continuous activity over time that together may have an increased impact on the environment.
De Minimis	Having no appreciable effect.
European sites	Refers to SAC and SPA sites already designated at the time of EU exit as well as any new SAC and SPA sites brought forward under the appropriate regulations after the end of the transition period.
Global Status	The global status is an expert judgement of the overall value of the international site for the conservation of the relevant Annex I habitat. Sites have been graded A, B or C.
International sites	Collective term that includes European SACs, SPAs, SACs, pSPAs, SCIs and Ramsar sites (the latter is a wider international designation).
Habitats Regulations	The Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended). The most recent amendment to the Habitats Regulations is the enactment of the Conservation (Natural Habitats, etc.) (Amendment) (Northern Ireland) (EU Exit) Regulations 2019.
Habitats Regulations	The Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended).
In combination effect	Refers to effects that may be likely significant effects when considered in combination with effects from other plans or projects.
Likely significant effect	An effect that cannot be ruled out on the basis of objective information. Likely in this context means there is a risk or possibility that an effect will be significant. An effect is significant if it would undermine an international site’s conservation objectives.
Mitigation measures	Measures to avoid, cancel or reduce the effects of a plan or project on an international site.
National Site Network	Sites designated to protect special habitats or species of international importance, as listed in The Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended), to ensure ‘the conservation of a wide range of rare, threatened or endemic animal and plant species.’
Natura 2000 (N2K)	The European network of special areas of conservation and special protection areas under the Wild Birds Directive, provided for by Article 3(1) of the Habitats Directive. The European network of special areas of conservation and special protection areas under the Wild Birds Directive, provided for by Article 3(1) of the Habitats Directive. Sites in the UK are no longer part of the Natura 2000 network. Sites in Ireland are part of the Natura 2000 network.
Ramsar site	Site listed under the Convention on Wetlands of International Importance adopted at Ramsar, Iran in 1971. As a matter of policy these sites are treated in the same way as international sites.
Special Areas of Conservation (SACs)	Refers to sites already designated at the time of EU exit and new sites designated under the amended Regulations.
Special Protection Area (SPA)	Refers to sites already classified at the time of EU exit and new sites classified under the amended Regulations.

### The Directives

Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora and Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds (codified version). These Directives are referred to as the Habitats Directive and the Birds Directive respectively and together are called 'The Directives' for the purposes of this report.



## Appendix 1: References & Evidence Sources

In the absence of specific Northern Ireland guidance on carrying out Habitats Regulations Assessment for plans and programmes reference has been made to other sources of guidance and relevant documents including those listed below. Site specific references and sources of evidence are detailed in Appendix 3.

Assessment of plans and projects significantly affecting Natura 2000 sites, Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC (2001), European Commission Environment DG (Accessed January 2022)

*Belfast Metropolitan Plan 2015 Habitats Regulations Assessment*, (2013), Department of the Environment Northern Ireland  
[www.planningni.gov.uk/index/policy/development\\_plans/devplans\\_az/bmap\\_2015.htm](http://www.planningni.gov.uk/index/policy/development_plans/devplans_az/bmap_2015.htm) (Accessed January 2022)

DAERA (2019) Data Layers for designated and proposed European and Ramsar sites *Available at* <https://www.daera-ni.gov.uk/articles/download-digital-datasets> (Accessed January 2022)

DAERA (Dates vary) Conservation Objectives [www.daera-ni.gov.uk/topics/biodiversity-land-and-landscapes/protected-areas](http://www.daera-ni.gov.uk/topics/biodiversity-land-and-landscapes/protected-areas) (Accessed January 2022)

*Habitats Regulations Appraisal of Plans Guidance for Plan-Making Bodies in Scotland* Version 3.0, (2015) Scottish Natural Heritage (Initially Prepared by David Tyldesley and Associates) (Accessed January 2022)

JNCC (Dates vary) Standard data forms generated from the Natura 2000 Database submitted to the European Commission. *(Online) Available at* <http://jncc.defra.gov.uk/page-161> (Accessed January 2022)

Joint Nature Conservation Committee (JNCC) (Dates vary) Information Sheet on Ramsar Wetlands (RIS). *(Online) Available at* <http://jncc.defra.gov.uk/page-1393> (Accessed January 2022)

NI Water (2020) Water Resource and Supply Resilience Plan [waterresourcesupplyresilienceplan-mainreport](http://waterresourcesupplyresilienceplan-mainreport) (Accessed January 2022)

Spatial NI (2017) Data Layers for Local Government boundaries *(Online) Available at* <https://www.spatialni.gov.uk/> (Accessed November 2019)

Tyldesley, D., and Chapman, C., (2013) *The Habitats Regulations Assessment Handbook*, January 2022 edition UK: DTA Publications Ltd (Accessed January 2022)

## Appendix 2: The Approach to Habitats Regulations Assessment for Plans

### Introduction

This appendix sets out the approach to carrying out Habitats Regulations Assessments for Local Development Plans (LDPs) in Northern Ireland in the context of the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended). It is informed by Tyldesley, D., and Chapman, C., (2013) the Habitats Regulations Assessment Handbook (HRA Handbook) which is regularly updated to reflect case law and has been amended in the light of EU Exit. The HRA Handbook is aimed at statutory bodies, local authorities, and other ‘competent authorities’. It is a definitive source of detailed guidance that is regularly updated for good practice and monitored by a barrister specialising in environmental law and the Habitats Regulations in particular. In places reference is made to relevant sections of the HRA Handbook where more detail can be found and, at times, extracts of the HRA Handbook are quoted.

The context for HRA is set out firstly. This is followed by an overview of how HRA applies to plans and the consideration of mitigation. Finally the stages and steps for the HRA process, as applied to Local Development Plans in Northern Ireland, are detailed. HRA is an iterative process carried out in parallel with plan preparation. The HRA has been modified in light of the independent examination and any amendments to the Plan Strategy. The record of the HRA will be completed and published with the adopted plan (Plan Strategy or Local Policies Plan).

### The Habitats Regulations

The Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended), commonly referred to as the Habitats Regulations, implemented the requirements of the Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora and Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds (codified version). These Directives are referred to as the Habitats Directive and the Birds Directive respectively and together are called the Directives for the purposes of this report.

The overall aim of the Directives is to maintain or restore the favourable conservation status of habitats and species of community interest. Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) are designated to afford protection to habitats and species listed in the Habitats and Birds Directives. These designations form a suite of sites that, in Europe, form a network of ecologically important sites called ‘Natura 2000 Sites’. Since the UK’s exit from the European Union SACs and SPAs in Northern Ireland no longer form part of the Natura 2000 network. They are still referred to as European sites however they are now collectively referred to as the National Site Network (NNS) (Department for Agriculture, Environment and Rural Affairs (DAERA), 2020).

The most recent amendment to the Habitats Regulations is the enactment of the Conservation (Natural Habitats, etc.) (Amendment) (Northern Ireland) (EU Exit) Regulations 2019 following the UK’s departure from the European Union. These Regulations simply amended the existing Habitats Regulations to make them operable a UK context at the end of the transition period in. The requirement to undertake Habitat Regulations Assessments (HRAs) for assessing the impact of plans on European Sites remains the same.

For the purposes of the Habitats Regulations the expression ‘competent authority’ is construed in accordance with Regulation 5. Competent authorities include government departments, district councils and statutory undertakers, and any trustees, commissioners, board or other persons who, as a public body and not for their own profit, act under any statutory provision for the improvement of any place or the production or supply of any commodity or service. Councils as planning authorities are competent authorities. Regulation 43 (1) of the Habitats Regulations requires competent

authorities to make an appropriate assessment of plans and projects which are likely to have a significant effect on an international site in Northern Ireland, either alone or in combination with other plans or projects. For this report international sites include Special Areas of Conservation (SACs), Special Protection Areas (SPAs), proposed SPAs and Ramsar sites.

### Applying HRA to Local Development Plans

LDPs are prepared under the provisions of the Planning Act (Northern Ireland) 2011 (the Planning Act) and the Planning (Local Development Plan) Regulations (NI) 2015. The Planning Act requires the LDP to be produced in two stages – the first being the Plan Strategy, followed upon adoption, by the Local Policies Plan.

The approach to HRA for a plan differs to that for a project. In the case of projects the precise location of development is known and more detailed information is generally available, or can be obtained about construction, operation and other stages of the development thus enabling full assessment.

By comparison, a Plan Strategy is a strategic level plan setting out a framework for development but generally lacking detail of where and when developers will bring forward development. This will not be known until after the plan has been published. Therefore the approach to HRA for LDPs differs to that for projects. The plan does however steer how and where projects may be brought forward.

The assessment of strategic plans can present a challenge in terms of deciding what effects may come about as a result of the plan and which cannot occur due to other strategic and regulatory requirements with which the LDP and development management decisions must comply. The view could be taken that, given that a policy is included to meet the requirements of the Strategic Planning Policy Statement (SPPS), and that all planning applications must comply with the Habitats Regulations, then the Plan Strategy cannot result in an adverse effect on the integrity of any international site. However, this argument has been rejected by the Courts who have ruled<sup>5</sup> that the requirement for planning permission to be determined in light of the relevant land use plan, necessarily means that those plans have considerable influence on development decisions and that, as such, land use plans must be subject to HRA in their own right. As a result, to terminate the HRA on this basis would not only be contrary to case law but it would also miss the opportunity to draw attention to the extent of international sites in, or connected to, the Council area and to inform land use planning in such a way as to minimise the regulatory burden of compliance with the Regulations at the later project HRA stage.

There are a number of pieces of case law that clarify how the Directives, and therefore the Habitats Regulations, should be interpreted as applying to plans. UK courts will take into account rulings from the European Court of Justice made up to the point of the UK's exit from the EU. The key points are summarised here, these are detailed in the Habitats Regulations Handbook and the relevant section of Handbook content is referenced accordingly (e.g. F.x.x or C.x etc.).

EC v UK<sup>6</sup> detailed in F.10.1.5.

- A. Land use plans can potentially have significant effects on European sites, despite the subsequent need for planning permission at 'project' level stage.
- B. Assessment of land use plans must therefore be secured under the provisions of the Habitats Directive.
- C. The assessment of plans has to be tailored to the stage of plan making.
- D. The assessment should be 'to the extent possible based on the basis of the precision of the plan'.

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<sup>5</sup> Refer para 55 in EC v UK Case C-6/04 (2005)

<sup>6</sup> Case C-6/04: Commission of the European Communities v United Kingdom of Great Britain and Northern Ireland judgment of the Court 20 October 2005.

Feeney<sup>7</sup> (UK High Court) F.10.1. reinforced this.

- ‘Each appropriate assessment must be commensurate to the relative precision of the plans at any particular stage and no more. There does have to be an appropriate assessment at the Core Strategy stage, but such an assessment cannot do more than the level of detail of the strategy at that stage permits.’

Boggis<sup>8</sup> Court of Appeal & EC v UK C.7.5.2.

The implications for HRA of plans are that the HRA should be proportionate to the level of detail. There should be “*credible evidence that there was a real, rather than a hypothetical, risk*”

- The plan has weight as planning applications must be determined in accordance with the development plan (unless material considerations indicate otherwise).
- HRA should concentrate on aspects of the plan that could, realistically, be likely to have a significant effect.
- A likely significant effect should not be assumed for:
  - policies and proposals that are no more than general policy statements or which express a general aspiration or intent;
  - policies which generate no more than theoretical risks, or vague or hypothetical effects; or
  - policies or proposals for which meaningful assessment can be made at this stage, where no particular significant effect on any particular international site can actually be identified.
- Reliance should not simply be placed on a general international site protection policy as this does not address potential tensions or conflicts in the plan between site protection and policies or proposals which could significantly affect international sites.
- Tensions in the plan must be resolved in favour of protecting the international sites from harm.
- Policies or proposals with a high potential for significant adverse effects on international sites should be removed or subject to mitigation measures.

### Assessing and applying mitigation measures

CJEU Case C323/17 (People over Wind & Sweetman)<sup>9</sup> C.5, F7.1

On 12 April 2018, the Court of Justice of the European Union (CJEU) issued a judgment, *Case C323/17 (People over Wind & Sweetman)*, which ruled that Article 6(3) of the Habitats Directive must be interpreted as meaning that mitigation measures, referred to in the judgment as measures which are intended to avoid or reduce effects, should be assessed within the framework of an appropriate assessment. It is therefore no longer permissible to take account of measures intended to avoid or reduce the harmful effects of a plan or project on an international site at the Stage 1 test of likely significance.

In light of this Stage 1 Assessment does consider essential features and characteristics of the plan; it also takes account of regional and strategic context and other regulatory controls that will apply to development under the plan. However measures envisaged to avoid or prevent what might otherwise have been adverse effects on the integrity of international sites are not taken into account in Stage 1 and instead are assessed at Stage 2 appropriate assessment.

<sup>7</sup> Sean Feeney v Oxford City Council and the Secretary of State CLG para 92 of the judgment dated 24 October 2011 Case No CO/3797/2011, Neutral Citation [2011] EWHC 2699 Admin

<sup>8</sup> Peter Charles Boggis and Easton Bavants Conservation v Natural England and Waveney District Council, High Court of Justice Court of Appeal case C1/2009/0041/QBACF Citation No [2009] EWCA Civ. 1061 20th October 2009

<sup>9</sup> Case C-323/17 Request for a preliminary ruling, *People Over Wind* and Peter Sweetman v Coillte Teoranta, 12th April 2018

The consideration of mitigation differs between projects and plans, although for both cases it is not appropriate to take account of mitigation measures which might be incorporated into the plan at the screening stage. The first step in appropriate assessment is therefore to seek to incorporate mitigation measures which might be relied upon to avoid any adverse effects to the integrity of the international site.

#### Feeney v Oxford City Council<sup>10</sup> F10.1.

Case law has established that it is acceptable in principle to include policies within a Local Plan which are conditional upon certain conditions being met.

#### Abbotskerswell v Teignbridge (2014)<sup>11</sup> F10.1.

In this case the High Court specifically endorsed an approach which potentially relies upon matters being finalised after the adoption of the plan. The competent authority must however be satisfied that the measures can be delivered in practice.

This is captured in the HRA Handbook F.10.1 (emphasis added):

*'Because the integrity test incorporates the application of the precautionary principle as a matter of law, and because plan assessments are, by their nature, less precise than project assessments, it is important for the assessment process to eliminate the prospect of adverse effects on site integrity in so far as that is possible at the level of specificity inherent in the nature and purpose of the particular plan.'*

F.10.1.2 of the Handbook refers to mitigation measures which might be relied upon to show that there would be no adverse effects on site integrity. Examples are provided as follows:

*'mitigation measures that may be introduced during or after the 'appropriate assessment' stage may be:*

- a) Case-specific policy restrictions;*
- b) Case-specific policy caveats;*
- c) Prescribing how adverse effects on site integrity will be avoided by mitigation measures in a lower level or more detailed plan, to be confirmed by a more detailed Habitats Regulations Assessment at that level;*
- d) Deleting aspects of the plan that will probably fail the tests of the Directive at project application stage;*
- e) Ensuring that there are no proposals that could adversely affect the integrity of a European site that if retained in the plan may lead to a case for the proposal to be permitted, using the incorporation in the plan as the imperative reason of overriding public interest in its favour, because the plan relies on it being, or assumes that it will be, implemented;*

*To be an appropriate restriction or caveat (in (a) or (b) above), enabling the plan-making body to ascertain no adverse effect on the integrity of a European site, the restriction must be:*

- case-specific;*
- explicit; and*
- added to the policy and not merely added to the explanatory text or commentary, or not merely inserted into the implementation or monitoring chapters.'*

### Co-ordination with other Habitats Regulations Assessments

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<sup>10</sup> Sean Feeney v Oxford City Council and the Secretary of State CLG para 92 of the judgment dated 24 October 2011 Case No CO/3797/2011, Neutral Citation [2011] EWHC 2699 Admin

<sup>11</sup> Abbotskerswell Parish Council v Teignbridge District Council [2014] EWHC 4166 (Admin)

The Habitats Regulations provides for co-ordination between competent authorities at Regulation 47. While Regulation 47 does not strictly apply to HRA for Local Development Plans it does establish the principle that a competent authority can place weight on a HRA carried out by another competent authority. This is subject to the proviso that the competent authority should be satisfied that the earlier HRA was robust and has not become outdated by further information or developments. No guidance has been issued by DAERA as allowed for under 47(3). The Department for Environment, Food and Rural Affairs (DEFRA) published guidance in 2012 to meet the equivalent regulation for England however that was withdrawn in March 2021 and the guidance is now incorporated in Habitats regulations assessments: protecting a European site. Department for Environment, Food & Rural Affairs, Natural England, Welsh Government, and Natural Resources Wales. Published 24 February 2021.

The application and implications of the former DEFRA and updated guidance has been considered in detail within Part C.12 of the HRA Handbook. Therefore it is accepted as good practice that consideration may be given to HRAs carried out by other competent authorities where they are applicable to development to be brought forward under the LDP.

### HRA the Stages and Steps - Overview

HRA is normally described in four stages:

- Stage 1: Screening for likely significant effects;
- Stage 2: Appropriate Assessment and the Integrity Test;
- Stage 3: Alternative Solutions; and
- Stage 4: Imperative reasons of overriding public interest and compensatory measures.

The approach to HRA for LDPs in Northern Ireland is described through 11 Steps across Stages 1 and 2. These steps are not named as such in the HRA Handbook however the section which applies to each step is referenced and Figure A.1.1 illustrates each step in the HRA process.

Stage 1 involves firstly deciding whether a plan or project should be subject to HRA (Step 1). Steps 2, identifying international sites, and 3, gathering information about those sites, help to identify the international sites which the plan may affect and compiles information about those sites. Step 4 allows for discretionary discussion with the Statutory Nature Conservation Body and other stakeholders. The final step of Stage 1 is the preliminary screening of the plan to determine which elements of it are likely to have a significant effect on an international site and identify the sites that may be affected.

Stage 2 is referred to as ‘appropriate assessment’ and assesses the implications of the plan or project for international sites in view of the sites’ conservation objectives. A plan can only proceed if it can be ascertained that it will not adversely affect the integrity of an international site, either alone or in combination with other projects or plans.

If Stage 2 Appropriate Assessment finds that there would be an adverse effect on site integrity then alternative solutions which are financially, legally and technically feasible need to be considered further in Stage 3. Alternative solutions are already considered in preparation of many plans, for example through the Preferred Options Paper for Local Development Plans and in carrying out Strategic Environmental Assessment which requires consideration of reasonable alternatives. Compliance with regional policies and strategies also means that environmental effects will have been taken into account. It is therefore rare for HRAs for LDPs to progress beyond Stage 2.

Stage 4 applies in the event that there is an imperative reason of public interest which overrides the risk and harm to sites, and priority features where appropriate. It provides for compensatory measures to protect the overall coherence of the National Site Network / Natura 2000 network to be identified, delivery detailed and the government notified. As already noted it is rare for HRAs for LDPs to progress beyond Stage 2. Stage 3 and 4 are not therefore detailed further in this approach.

## Stage 1: Screening Plan for Likely Significant Effects

### *Step 1: Deciding whether a plan should be subject to Habitats Regulations Assessment*

This involves considering the nature of the plan and its individual proposals to determine whether there is a requirement to carry out a Habitats Regulations Assessment (HRA) and is further detailed in HRA Handbook F.2. and F.3.

The following questions help determine whether the document being reviewed is a plan in the context of the Regulations.

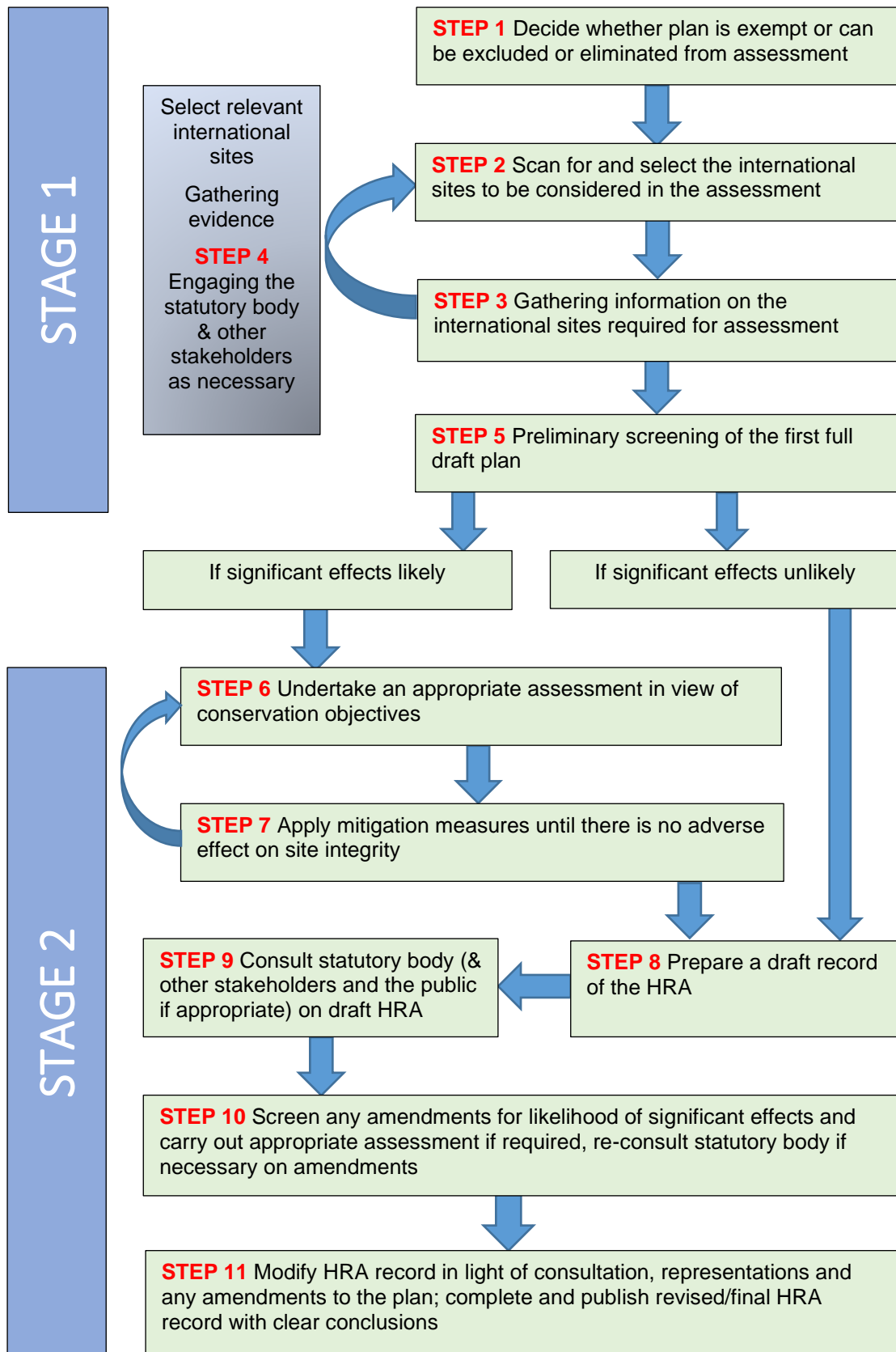
- Is the whole of the plan directly connected with or necessary to the management of an international site for nature conservation purposes?
- Is the plan a strategic development plan, local development plan, supplementary guidance?
- Is the plan a general statement of policy showing only the general political will or intention of the plan making body, and no effect on any particular international site can reasonably be predicted?
- Does the plan contain a programme, or policies, or proposals which could affect one or more particular international sites?

Step 1 is recorded in Section 1 of this report. If it is found that the plan is not subject to HRA then the outcome is recorded and it is not necessary to progress beyond this step. In practice an LDP is a plan in the context of the Regulations and subject to HRA.

### *Step 2: Scanning and selecting international sites potentially affected*

This step follows the scan-collate-consider-select procedure set out in the HRA Handbook Figure F.4.3 and is carried out in parallel with Step 3. Step 2a is the scanning stage; Step 3 collates information; Step 2b involves considering the information and selecting the relevant sites that may be affected.

Figure A.1.1 Steps in the Habitats Regulations Assessment Process





*Step 2a: 'Long-list' of sites with potential connection to plan area*

International sites that are within the plan area, within a zone of influence beyond the plan area or connected to the plan area through ecology or infrastructure are identified. This is detailed in the HRA Handbook F.4 and presented in Section 2. Information is collected about this 'long-list' of sites in Step 3 and presented in Appendix 3.

*Step 2b: 'Short-list' of sites that should be considered in the HRA*

Taking account of the information gathered in Step 3 and the 'long-list' of sites identified at Step 2a a further scan is carried out to determine the effects that could potentially affect international sites as a result of the plan. This is carried out using the Scanning and Site Selection List in Figure F.4.4. of the HRA Handbook. As this takes account of the site selection features, pathways to sites and conservation objectives this is likely to find that some of the sites on the long-list can be eliminated from further assessment as there is no conceivable effect or their conservation objective could not be undermined. This step could potentially identify some sites that were overlooked at Step 2a.

This step is recorded in Appendix 3, Table A.3.1. Any sites that are eliminated as a result of this step are listed in Table A.3.2. The outcome is summarised in Section 2, Table 2.

*Step 3: Gathering information about the international sites*

This step is carried out in parallel with and informs Step 2. Information for each site on the long-list identified at Step 2a is compiled to include selection features, conservation objectives, conservation status, potential threats to site integrity from planning related development and location relative to the plan area and any plan designations. This is detailed in the HRA Handbook F.4 and presented in Appendix 3.

*Step 4: Discretionary discussions on the method and scope of the appraisal*

The Statutory Nature Conservation Body, represented by the Department of Agriculture, the Environment and Rural Affairs (DAERA), may be consulted informally to ensure that the information at Step 3 is up to date and reflects known issues for the international sites. This provides the opportunity to invite comment on the scope of the HRA and potential in combination considerations.

*Step 5: Screening the proposed plan for likely significant effects*

This step is detailed in the HRA Handbook F.6 Part A and F.7 advises how the outcome should be recorded. The screening of the whole plan is presented in Appendix 5 and the outcome summarised in Section 4 of the HRA. The HRA Handbook also presents principles, with reference to case law and government guidance, which inform screening and the interpretation of terms used; some relevant extracts are:

*'As a result of European case law in Waddenzee, irrespective of the normal English meaning of 'likely', in this statutory context a 'likely significant effect' is a possible significant effect; one whose occurrence cannot be excluded on the basis of objective information. In this context it is permissible to ask whether a plan or project 'may have a significant effect'...(principle 3)'*

*'A significant effect is any effect that would undermine the conservation objectives for a European site... (principle 4)'*

*'An effect which would not be significant can properly be described as : as 'insignificant effect'; or a 'de Minimis effect'; or a 'trivial effect'; or as having 'no appreciable effect'; but it is important to bear in mind that, in this context, all the terms are synonymous and are being used to describe effects which would not undermine the conservation objectives'....(principle 8)'*

*'Objective', in this context, means clear verifiable fact rather than subjective opinion. It will not normally be sufficient for an applicant merely to assert that the plan or project will not have an adverse effect on a site, nor will it be appropriate for a competent authority to rely on reassurances based on supposition or speculation. On the other hand, there should be credible*

*evidence to show that there is a real rather than a hypothetical risk of effects that could undermine the site's conservation objectives. Any serious possibility of a risk that the conservation objectives might be undermined should trigger an 'appropriate assessment' (principle 11).'*

Plan Strategies are set in the context of a vision and objectives which indicate the outcomes intended to be achieved through the plan. How these should be considered is set out in Sections F.6.2.2 and F.6.2.3 of the HRA Handbook as follows:

*'...it is possible that the goals and objectives are the drivers for the possibility of a significant effect on a European site, but in most cases, it will be subsequent, more detailed policies or proposals that would have such implications, rather than the general goals or objectives. In most cases the general goals and objectives will be screened out, either because they will have no effect at all, or because they are general statements which are too vague to have a significant effect on a particular site. Even if they are the driver of the potential effect, it is likely that the plan will contain a more specific policy or proposal that would be the better target for assessment.'*

The 'screening categories' in Part F of the HRA Handbook are used to provide a consistent and transparent approach to the screening process. The following categories are used to assess whether an overall plan and its individual proposals require HRA. They are explained in detail in the section of the HRA Handbook referenced.

- A. General statement of policy / general aspiration (screened out). F.6.3.1
- B. Policy listing general criteria for testing the acceptability / sustainability of proposals (screened out). F.6.3.2
- C. Proposal referred to but not proposed by the plan (screened out). F.6.3.3
- D. General plan-wide environmental protection / site safeguarding / threshold policies (screened out). F.6.3.4
- E. Policies or proposals which steer change in such a way as to protect international sites from adverse effects (screened out). F.6.3.5
- F. Policy that cannot lead to development or other change (screened out). F.6.3.6
- G. Policy or proposal that could not have any conceivable effect on a site (screened out). F.6.3.7
- H. Policy or proposal the (actual or theoretical) effects of which cannot undermine the conservation objectives (either alone or in combination with other aspects of this or other plans or projects) (screened out). F.6.3.8
- I. Policy or proposal which may have a likely significant effect on a site alone (screened in) F.6.3.9
- J. Policy or proposal with an effect on a site but unlikely to be significant alone, so need to check for likely significant effects in combination F.6.3.10
- K. Policy or proposal unlikely to have a significant effect either alone or in combination (screened out after the in combination test). F.6.3.11
- L. Policy or proposal which might be likely to have a significant effect in combination (screened in after the in combination test). F.6.3.11
- M. Bespoke area, site or case-specific policies or proposals intended to avoid or reduce harmful effects on an international site (screened in) F.6.3.12

In some cases more than one category may apply. Where it is the case that part of a policy is in one category e.g. B. 'policy listing general criteria', whereas another part is in another category e.g. H. 'cannot undermine the conservation objectives' then both categories are listed e.g. B/H. Where part of a policy is screened in then this part will be further assessed.

Consideration must be given to any cumulative effects of proposals during plan preparation as detailed in HRA Handbook F.6.3.11. These include potential cumulative effects within the plan and in combination effects with other relevant plans and projects. For those proposals falling under

categories A to H there is no likely significant effect alone and cannot be any effect in combination. Those under category I are deemed to have a likely significant effect alone and will be progressed to appropriate assessment therefore in combination assessment is not required at Stage 1. Those policies or proposals falling under category J do need to be assessed further to determine whether they fall into K or L when considered in combination.

If there are likely significant effects, either alone or in combination, then the sites and features which may be affected and potential impacts are summarised in preparation for Stage 2.

## Stage 2: Appropriate Assessment and the Integrity Test

### *Step 6: The appropriate assessment*

The summary from Step 5 is the starting point for the appropriate assessment. Step 6 assesses whether any likely significant effect could lead to an adverse effect on site integrity for each site. This is set out in the HRA Handbook F.6. PART B and in F.9.

Where it is found that there could be an adverse effect for any site then measures are identified to remove any potential for adverse effects as described above. Measures considered at appropriate assessment must be subject to *'a full and precise analysis of the measures capable of avoiding or reducing any significant effects'*. These measures may include case-specific policy restrictions or caveats, adding mitigation in a further plan that will deliver the current plan, removing proposals that could have an adverse effect on site integrity, specific mitigation plans or a large scale mitigation strategy which includes measures to mitigate adverse effects of the current plan.

In considering in combination assessment at appropriate assessment principle 4 of C.8.1 in Section C.8 'The in combination assessment' of the HRA Handbook reads as follows:

*'In deciding the required scope of an appropriate assessment one must always keep firmly in mind that the underlying purpose of Article 6(3) of the Habitats Directive is to ensure (subject to the operation of Article 6(4)) that a plan or project is authorised only to the extent that it will not, either alone or in combination with other plans or projects, adversely affect the integrity of the European site; the key purpose.*

*European Commission guidance and case law establishes that the underlying intention of the in-combination provision is to take account of cumulative effects. An appropriate assessment need not be extended further than is necessary to fulfil the key purpose.'*

Principle 6 of Section C.8.1 of the HRA Handbook states that, following an appropriate assessment:

*'...if on assessment alone it is ascertained that the subject plan or project will in fact have no effect at all on the European site, an adverse effect in combination is ruled out and no further assessment is required. The plan or project may be authorised.'*

### *Step 7: Amending the plan until there would be no adverse effects on site integrity*

Any mitigation identified in Step 6 is incorporated in the plan. This is further detailed in the HRA Handbook F.11 and presented in Section 5. In the case of a draft HRA, if the mitigation is not already included in the DPS, it should be incorporated before the Plan Strategy is finalised and adopted.

### *Step 8: Preparing the HRA Record*

This is a final report which records the HRA and supporting evidence and comprises this report with clear conclusions as set out in Section 6.

### *Step 9: Consultation*

If the HRA is concluded at Stage 1 the HRA Report with a Statement of Finding of No Likely Significant Effects is published. Consultation is not required on this Stage 1 Test of Likely Significance in these circumstances however it is recommended that the record is published as a supporting document for the plan. If the draft plan is subject to consultation a draft Stage 1 HRA Report may be included in the

consultation with a note that it will be updated to take account of any changes in the proposals or international sites before the plan is finalised.

If the HRA progresses to Stage 2 then the Statutory Nature Conservation Body (SNCB) must be invited to make representations. It is recommended that the SNCB is consulted on a draft Stage 2 HRA Report (also known as an appropriate assessment). NIEA is the SNCB for International sites in Northern Ireland and National Parks and Wildlife Service is the SNCB for International sites in Ireland. Other stakeholders such as managers of international sites should be consulted where appropriate. Public consultation is not required on the draft Stage 2 HRA Report however it may be included as a supporting document for any public consultation on the draft plan and comment on it invited. It should be stated that the HRA will be updated to take account of any changes in the proposals or international sites before the plan is finalised.

#### *Step 10: Proposed modifications*

Modifications to a plan may come about as a result of consultation, independent examination or the outcome of the HRA and the approach to their consideration is set out in F.12 of the HRA Handbook. Representations by DAERA and other consultees are recorded with a note on if and how they have been addressed in the HRA. Further mitigation identified through Step 9, or as a result of a revised HRA in light of modifications to the plan, is incorporated in the plan. Steps 6 - 8 are updated to reflect any additional mitigation and adverse effects reviewed.

#### *Step 11: Modifying and completing the appraisal record*

If it is found that there are no adverse effects on site integrity then the HRA may be concluded and a Stage 2 HRA Appropriate Assessment Report published to include a Record of No Adverse Effect on the Integrity of any international site under the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended).

## Appendix 3: Site information

An overview of the information to be presented for each site is firstly provided. This is followed by a record of Step 2b: 'Short-list' of sites that should be considered in the HRA. Information for each site identified in the 'long-list' identified in Section 2, Step 2a follows. This details selection features, conservation objectives, conservation status, potential threats to site integrity from planning related development and location relative to the plan area and any plan designations. This has informed the HRA and will also provide baseline information for the HRA to be carried out for the LPP. The site information is grouped as below with the conservation objectives for each site provided as separate Annex A.

Antrim Hills SPA	Antrim Hills SPA
Belfast Lough Open Water SPA	Belfast Lough Open Water SPA
Belfast Lough SPA & Ramsar Site	Belfast Lough Ramsar
	Belfast Lough SPA
Copeland Islands SPA	Copeland Islands SPA
East Coast (NI) Marine pSPA	East Coast (NI) Marine pSPA
Eastern Mourne SAC	Eastern Mourne SAC
Larne Lough SPA & Ramsar Site	Larne Lough SPA
	Larne Lough Ramsar
Lough Neagh and Lough Beg SPA & Ramsar Site	Lough Neagh and Lough Beg Ramsar
	Lough Neagh and Lough Beg SPA
North Channel SAC	North Channel SAC
Outer Ards SPA & Ramsar Site	Outer Ards Ramsar
	Outer Ards SPA
Rea's Wood and Farr's Bay SAC	Rea's Wood and Farr's Bay SAC
Skerries and Causeway SAC	Skerries and Causeway SAC
Strangford Lough SAC	Strangford Lough SAC
Strangford Lough SPA & Ramsar Site	Strangford Lough SPA
	Strangford Lough Ramsar
The Maidens SAC	The Maidens SAC

### Introduction to Site Information

#### Conservation Objectives

The 2019 Regulations establish management objectives for the national site network. These are called the network objectives however the term European Site Conservation Objectives is being retained and will retain its previous meaning.

The UK Government and devolved administrations (Wales, Northern Ireland and Scotland) will cooperate to manage, and where necessary, adapt the network to contribute towards meeting the network objectives. Any references in the Habitats Regulations to meeting the 'requirements of the Directives' includes achieving the network objectives. The network objectives are to:

- Maintain or, where appropriate, restore habitats and species listed in Annexes I and II of the Habitats Directive to a favourable conservation status (FCS); and
- Contribute to ensuring, in their area of distribution, the survival and reproduction of wild birds and securing compliance with the overarching aims of the Wild Birds Directive.

The national site network sites have a role to play in achieving these overall objectives as the most important core sites for these species and habitats. Each site must therefore be managed in a way that ensures it contributes as effectively as possible to helping the species and habitats for which it has been designated reach a favourable conservation status. DAERA has commissioned management plans for many international sites. Those that are available will be taken into account when this HRA is finalised.

To ensure that each national site network site contributes fully to reaching the overall target of FCS, it is important to set clear conservation objectives for each individual site. These define the desired state for each of the species and habitat types for which the site was designated. Conservation objectives are not published for Ramsar sites therefore the conservation objectives for the associated SAC & SPA were referred to.

Conservation Objectives have a role in:

- Conservation planning and management by guiding management to maintain habitats and species in, or restore them to, favourable condition;
- Assessing plans and projects in light of the site's conservation objectives; and
- Monitoring and reporting by providing the basis for assessing the condition of a feature, the factors that affect it and the actions required.

Favourable Condition is defined as *'the target condition for an interest feature in terms of the abundance, distribution and/or quality of that feature within the site'*. The most recent condition assessment for site selection features was referred to where available in preparing this report. Sites in Ireland remain part of the Natura 2000 network and are protected and managed by Ireland as an EU Member State in accordance with Article 6 of the Habitats Directive.

### Sources of information Northern Ireland sites

The appropriate assessments draw on or refer to source documents as detailed below. Digital maps for all sites can be viewed on the DAERA Natural Environment Map Viewer<sup>12</sup> or downloaded from its digital datasets web page<sup>13</sup>. Maps are also provided in Appendix 4 to illustrate the relationship between the plan area and international sites. Additional, site specific, sources of information are listed for each site.

### Special Areas of Conservation

An overview of each SAC can be found on the JNCC website at its section on UK Protected Sites<sup>14</sup>. Under 'General Site Character' there is a link to the Natura 2000 standard data form for that SAC. Further detail is provided on this website about the Annex I habitats and Annex II species that are a primary reason for selection of the site. It also explains why the site is important and provides a link to information about that habitat in the UK context. Further information for each SAC can be found online through the DAERA Protected Areas page<sup>15</sup>. On each site page the link to guidance and literature allows the Reasons for designation, Conservation Objectives and site map to be accessed.

### Special Protection Areas

A link to the Natura 2000 standard data form for each SPA can be found on the JNCC website at its section on UK protected sites. Further information for each site can be found through the DAERA

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<sup>12</sup> DAERA (2018) 'Natural Environment Map Viewer' Available at: <https://www.daera-ni.gov.uk/services/natural-environment-map-viewer>

<sup>13</sup> DAERA (2018) 'Download Digital Datasets' Available at <https://www.daera-ni.gov.uk/articles/download-digital-datasets> (accessed 23/01/2019).

<sup>14</sup> <http://jncc.defra.gov.uk/page-1458>

<sup>15</sup> <https://www.daera-ni.gov.uk/landing-pages/protected-areas>

Protected Areas page. On each site page the link to guidance and literature allows the SPA citation document and Conservation Objectives to be accessed.

#### *Ramsar sites*

A link to the Information Sheet on Ramsar Wetlands (RIS) for each Ramsar site can be found on the JNCC UK Protected Sites page. Further information for each site can be found through the DAERA Protected Areas page. On the DAERA site page the link to guidance and literature allows the Ramsar site citation document and map to be accessed.

#### *Condition Assessment*

DAERA has compiled and made available a spreadsheet, 'Condition of Features in ASSIs and N2Ks'. This details the most recent condition assessment for features, usually with an explanation of the reason why a feature is in unfavourable condition. This spreadsheet was referred to in compiling site information. DAERA also provided unpublished condition assessment reports for some individual sites and some site selection features such as otter.

#### *Step 2b: 'Short-list' of sites that should be considered in the HRA*

Taking account of the 'long-list' of sites identified in Section 2, the discussion of potential impacts of development in Section 3 and the site information in this Appendix, a further scan was carried out to determine the effects that could potentially affect international sites as a result of the plan. This was carried out using the Scanning and Site Selection List in Figure F.4.4. of the HRA Handbook as described in Appendix 2.

**Table A.3.1 Scanning and site selection list for sites that could potentially be affected by the plan**

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Types of plan	Sites to scan for and check	Names of sites selected
1. All plans (terrestrial, coastal and marine)	Sites within the geographic area covered by or intended to be relevant to the plan	Belfast Lough Open Water SPA Belfast Lough Ramsar Belfast Lough SPA East Coast (NI) Marine pSPA
2. Plans that could affect the aquatic environment	Sites upstream or downstream of the plan area in the case of river or estuary sites	None
	Open water, peatland, fen, marsh and other wetland sites with relevant hydrological links to land within the plan area, irrespective of distance from the plan area	None
3. Plans that could affect the marine environment	Sites that could be affected by changes in water quality, currents or flows; or effects on the inter-tidal or sub-tidal areas or the sea bed, or marine species	Belfast Lough Open Water SPA Belfast Lough Ramsar Belfast Lough SPA East Coast (NI) Marine pSPA Murlough SAC Outer Ards Ramsar Outer Ards SPA
4. Plans that could affect the coast	Sites in the same coastal 'cell', or part of the same coastal ecosystem, or where there are interrelationships with or between different physical coastal processes	Belfast Lough Open Water SPA Belfast Lough Ramsar Belfast Lough SPA East Coast (NI) Marine pSPA
5. Plans that could affect mobile species	Sites whose qualifying features include mobile species which may be affected by the plan irrespective of the location of the plan's proposals or whether the species would be in or out of the site when they might be affected	Belfast Lough Open Water SPA Belfast Lough Ramsar Belfast Lough SPA Copeland Islands SPA East Coast (NI) Marine pSPA Larne Lough SPA Larne Lough Ramsar North Channel SAC Outer Ards Ramsar Outer Ards SPA Skerries and Causeway SAC Strangford Lough Ramsar Strangford Lough SPA The Maidens SAC
6. Plans that could increase recreational pressure on international sites	Such international sites in the plan area	Belfast Lough Open Water SPA Belfast Lough Ramsar Belfast Lough SPA East Coast (NI) Marine pSPA



Types of plan	Sites to scan for and check	Names of sites selected
potentially vulnerable or sensitive to such pressure	Such international sites within an agreed zone of influence or other reasonable and evidence-based travel distance of the plan area boundaries that may be affected by local recreational or other visitor pressure from within the plan area	Belfast Lough Ramsar Belfast Lough SPA East Coast (NI) Marine pSPA Outer Ards Ramsar Outer Ards SPA
	Such international sites within an agreed zone of influence or other evidence-based longer travel distance of the plan area, which are major (regional or national) visitor attractions such as international sites which are National Nature Reserves where public visiting is promoted, sites in National Parks, coastal sites and sites in other major tourist or visitor destinations	Eastern Mournes SAC Murlough SAC Outer Ards Ramsar Outer Ards SPA Strangford Lough Ramsar Strangford Lough SAC Strangford Lough SPA
7. Plans that would increase the amount of development	Sites in the plan area or beyond that are used for, or could be affected by, water abstraction irrespective of distance from the plan area	None - evidence has been provided that there is sufficient water supply for the plan period therefore there cannot be pressures from water abstraction.
7. cont., Plans that would increase the amount of development	Sites used for, or could be affected by, discharge of effluent from waste water treatment works or other waste management streams serving the plan area, irrespective of distance from the plan area	Belfast Lough Open Water SPA Belfast Lough Ramsar Belfast Lough SPA East Coast (NI) Marine pSPA Outer Ards Ramsar Outer Ards SPA
	Sites that could be affected by the provision of new or extended transport or other infrastructure	No new road proposals.
	Sites that could be affected by increased deposition of air pollutants arising from the proposals, including emissions from significant increases in traffic	The plan does not promote power production with aerial emissions. Major roads within plan area more than 200m away. Outside plan area A2 approaching Bangor and Carrickfergus is within 200 m of Belfast Lough however level of increase as a result of the plan cannot affect any site and will be offset by changes in modes of transport.
8. Plans for linear developments or infrastructure	Sites within a specified distance from the centre line of the proposed route (or alternative routes), the distance may be varied for differing types of site / qualifying features and in the absence of established good practice standards, distance(s) to be agreed by the statutory nature conservation body	None - this is not a plan for linear development or infrastructure.

Types of plan	Sites to scan for and check	Names of sites selected
9. Plans that introduce new activities or new uses into the marine, coastal or terrestrial environment	Sites considered to have qualifying features potentially vulnerable or sensitive to the effects of the new activities proposed by the plan	None - no such 'new' uses introduced by the Plan Strategy.
10. Plans that could change the nature, area, extent, intensity, density, timing or scale of existing activities or uses	Sites considered to have qualifying features potentially vulnerable or sensitive to the effects of the changes to existing activities proposed by the plan	None - recreational uses covered at 6 above.
11. Plans that could change the quantity, quality, timing, treatment or mitigation of emissions or discharges to air, water or soil	Sites considered to have qualifying features potentially vulnerable or sensitive to the changes in emissions or discharges that could arise as a result of the plan	Belfast Lough Open Water SPA Belfast Lough Ramsar Belfast Lough SPA East Coast (NI) Marine pSPA Outer Ards Ramsar Outer Ards SPA Strangford Lough Ramsar Strangford Lough SAC Strangford Lough SPA
12. Plans that could change the quantity, volume, timing, rate, or other characteristics of biological resources harvested, extracted or consumed	Sites whose qualifying features include the biological resources which the plan may affect, or whose qualifying features depend on the biological resources which the plan may affect, for example as prey species or supporting habitat or which may be disturbed by the harvesting, extraction or consumption	None - Not applicable to land use plans.
13. Plans that could change the quantity, volume, timing, rate, or other characteristics of physical resources extracted or consumed	Sites whose qualifying features rely on the non- biological resources which the plan may affect, for example, as habitat or a physical environment on which habitat may develop or which may be disturbed by the extraction or consumption	None - the plan does not drive development that uses physical resources relied on by qualifying features.
14. Plans which could introduce or increase, or alter the timing, nature or location of disturbance to species	Sites whose qualifying features are considered to be potentially sensitive to disturbance, for example as a result of noise, activity or movement, or the presence of disturbing features that could be brought about by the plan	Belfast Lough Open Water SPA Belfast Lough Ramsar Belfast Lough SPA Copeland Islands SPA East Coast (NI) Marine pSPA Larne Lough SPA Larne Lough Ramsar North Channel SAC Outer Ards Ramsar Outer Ards SPA Skerries and Causeway SAC Strangford Lough Ramsar Strangford Lough SPA The Maidens SAC

Types of plan	Sites to scan for and check	Names of sites selected
15. Plans which could introduce or increase or change the timing, nature or location of light or noise pollution	Sites whose qualifying features are considered to be potentially sensitive to the effects of changes in light or noise that could be brought about by the plan	Belfast Lough Open Water SPA Belfast Lough Ramsar Belfast Lough SPA East Coast (NI) Marine pSPA North Channel SAC Skerries and Causeway SAC The Maidens SAC
16. Plans which could introduce or increase a potential cause of mortality of species	Sites whose qualifying features are considered to be potentially sensitive to the source of new or increased mortality that could be brought about by the plan	None - direct impacts are considered at 1 above.

#### *Sites considered but eliminated*

As Step 2b takes account of the site selection features, pathways to sites and conservation objectives it found that one of the sites on the long-list can be eliminated from further assessment as there is no conceivable pathway for an effect or their conservation objectives could not be undermined.

**Table A.3.2 Sites Eliminated from Further Assessment**

Site	Elimination Reason
Antrim Hills SPA	Sufficient Water Supply for Plan period
Eastern Mourne SAC	Sufficient Water Supply for Plan period
Lough Neagh and Lough Beg Ramsar	Sufficient Water Supply for Plan period; de minimus impacts via hydrological pathway
Lough Neagh and Lough Beg SPA	Sufficient Water Supply for Plan period; de minimus impacts via hydrological pathway
Rea's Wood and Farr's Bay SAC	Sufficient Water Supply for Plan period

## Appendix 4: Maps

Map 1: SPAs in relation to Belfast City Council

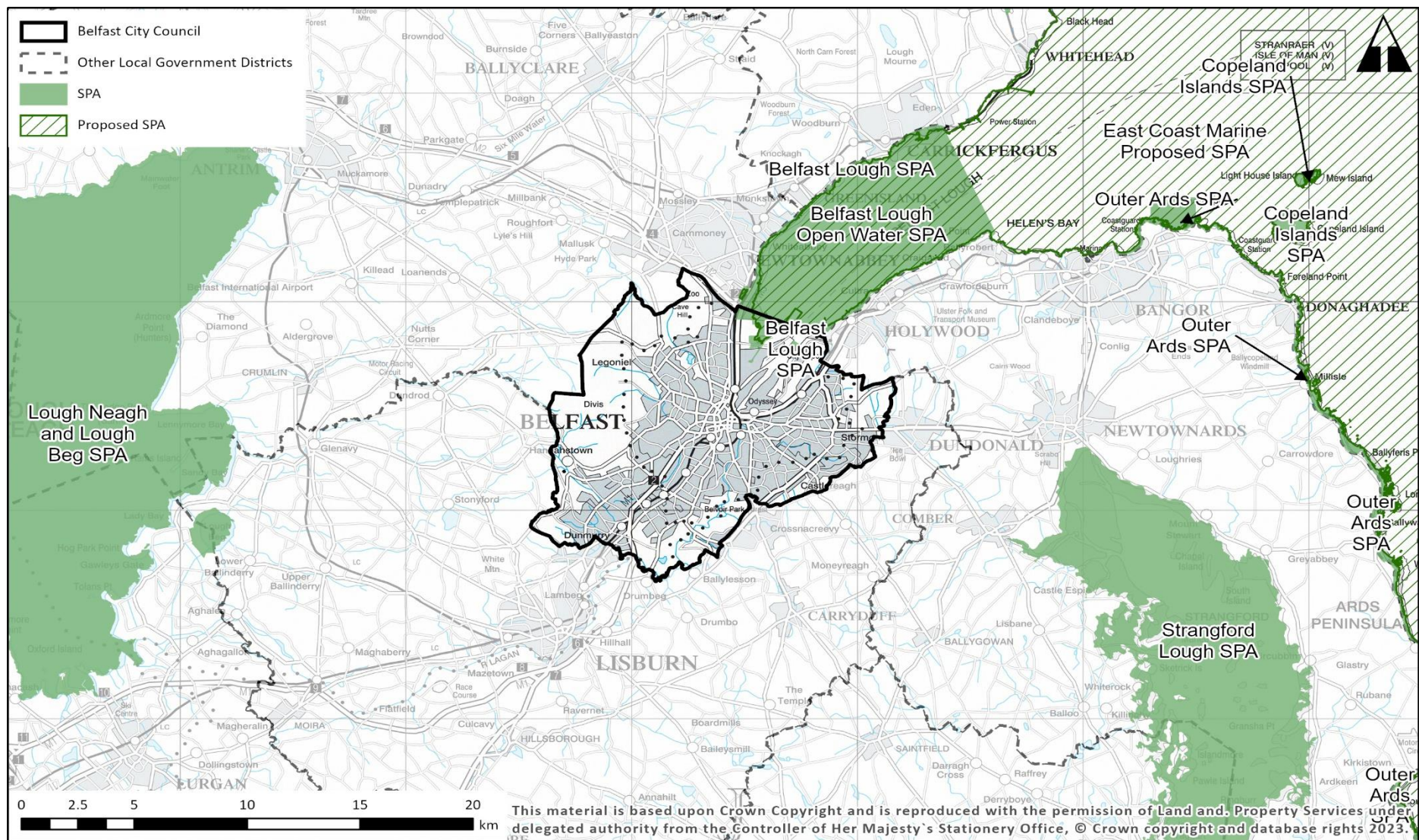
Map 2: SACs in relation to Belfast City Council

Map 3: Ramsar Sites in relation to Belfast City Council

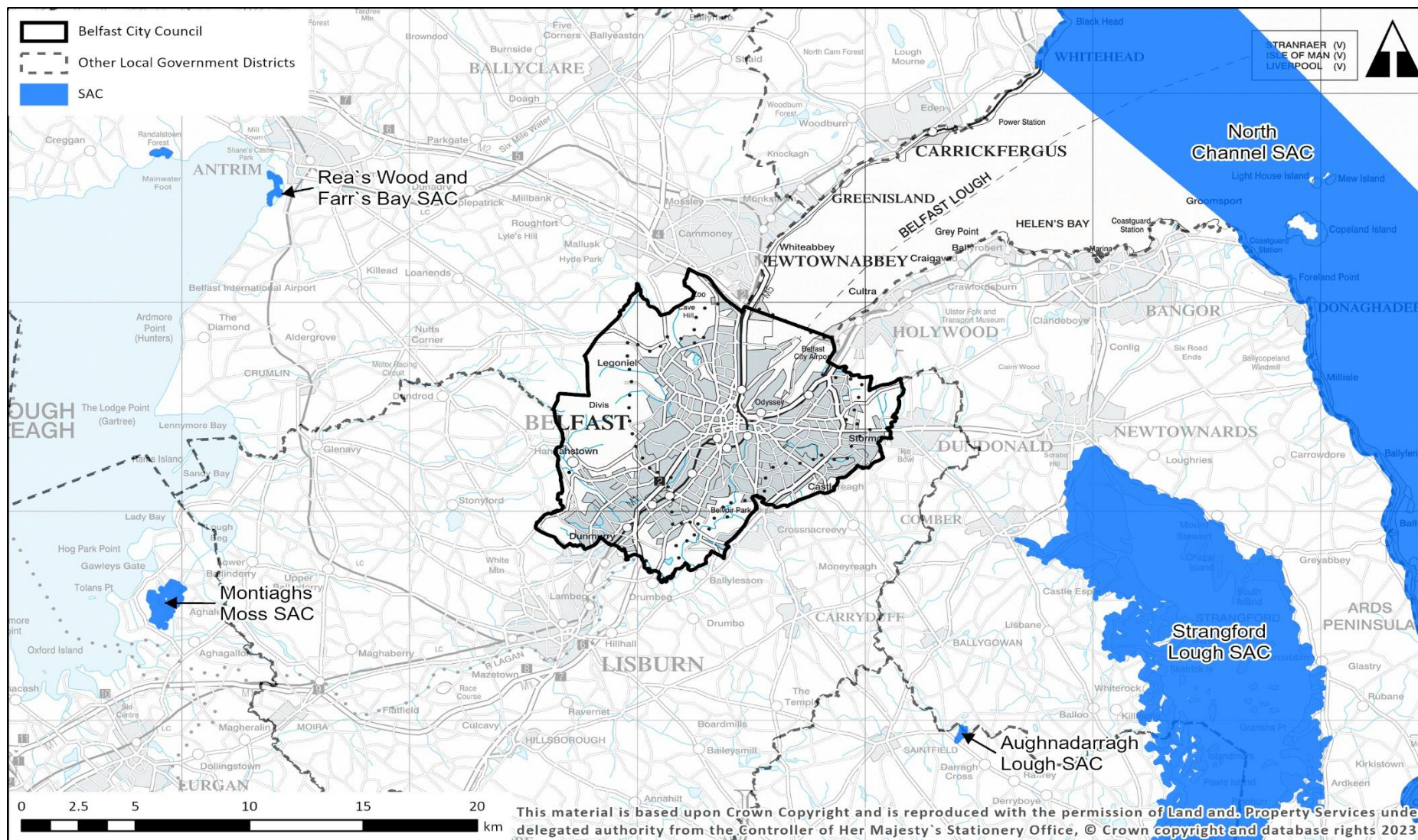
Map 4: Major Catchments within the Belfast City Council area

Map 5: River Sub-basins within the Belfast City Council area

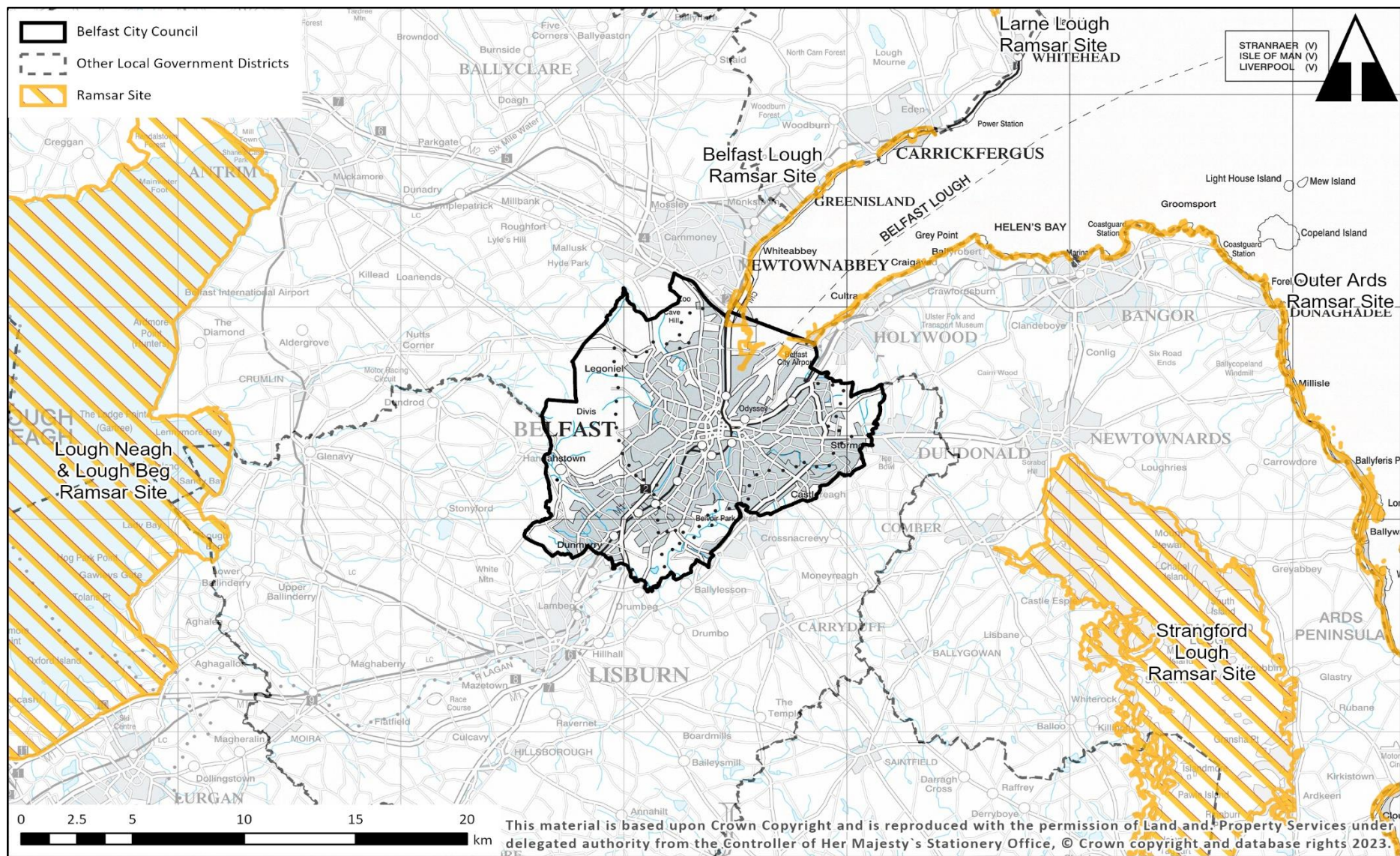
Map 1: SPAs in relation to Belfast City Council



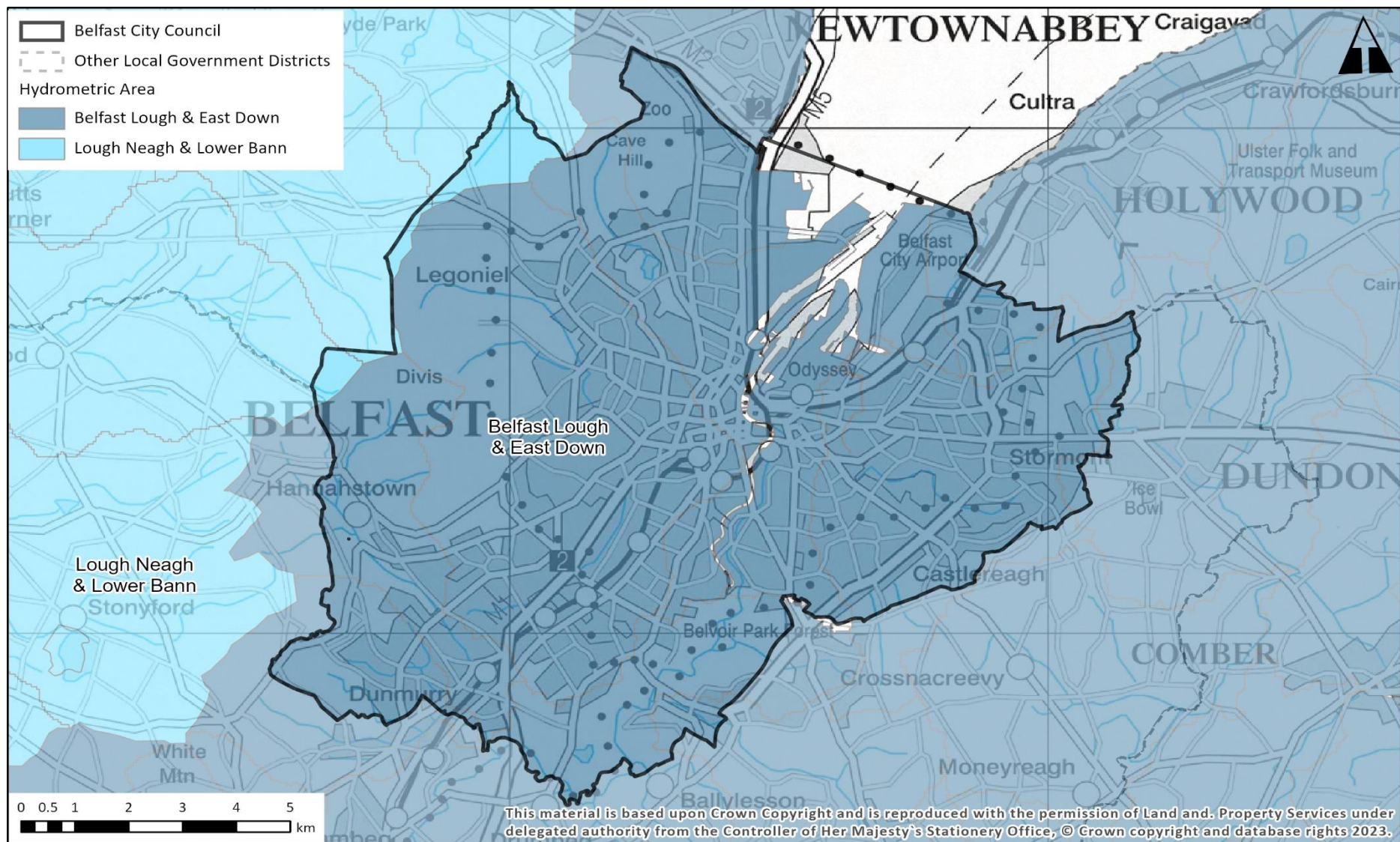
Map 2: SACs in relation to Belfast City Council



Map 3: Ramsar Sites in relation to Belfast City Council

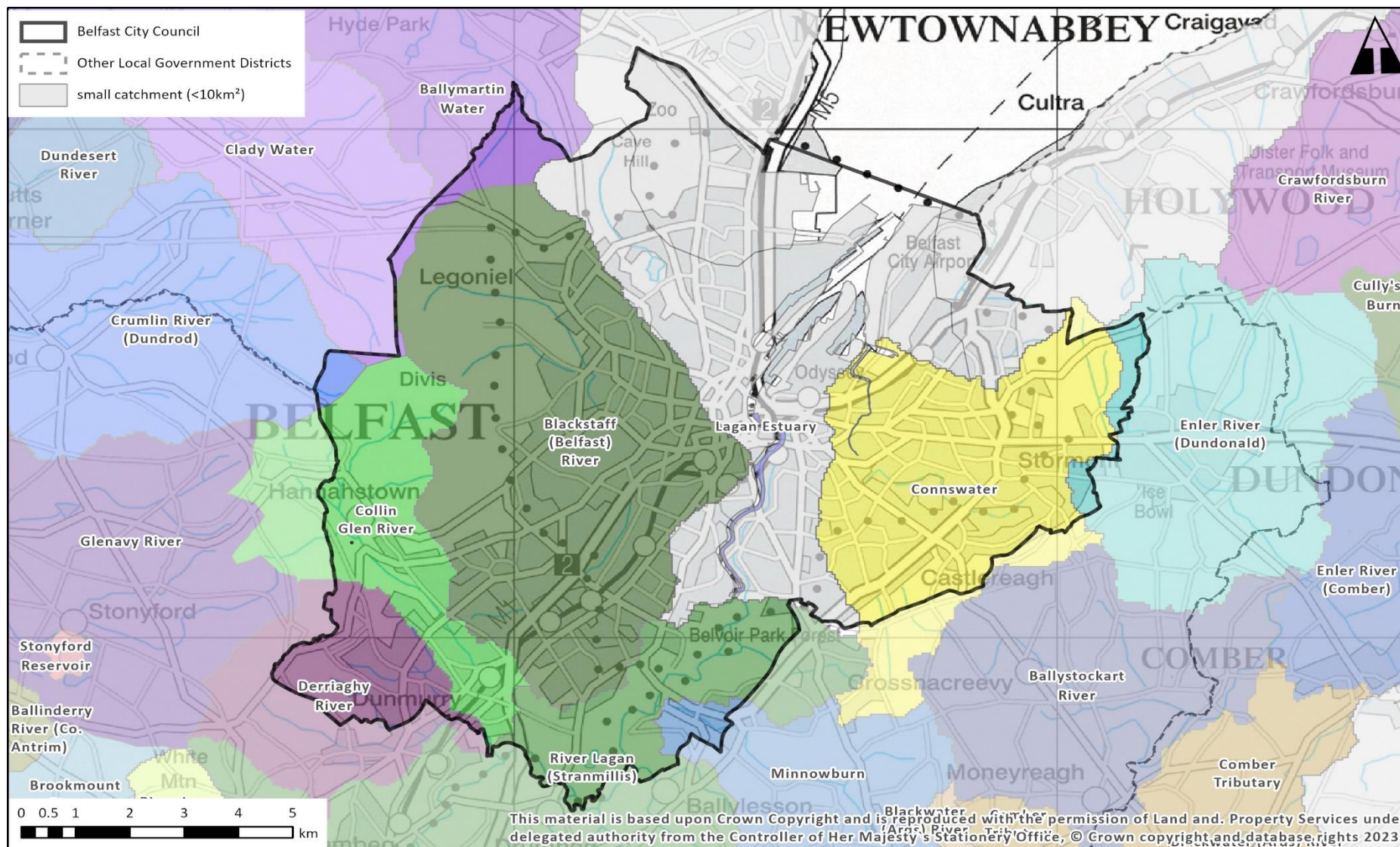


Map 4: Major Catchments within the Belfast City Council area





Map 5: River Sub-basins within the Belfast City Council area



## Appendix 5: Review of Plan Strategy Proposals and Policies

The following categories are used to assess whether an overall plan and its individual proposals require HRA as described in Appendix 2. These are taken from Part F of the HRA Handbook where they are explained in detail in the sections referenced. In some cases more than one category may apply.

- A. General statement of policy / general aspiration (screened out). F.6.3.1
- B. Policy listing general criteria for testing the acceptability / sustainability of proposals (screened out). F.6.3.2
- C. Proposal referred to but not proposed by the plan (screened out). F.6.3.3
- D. General plan-wide environmental protection / site safeguarding / threshold policies (screened out). F.6.3.4
- E. Policies or proposals which steer change in such a way as to protect international sites from adverse effects (screened out). F.6.3.5
- F. Policy that cannot lead to development or other change (screened out). F.6.3.6
- G. Policy or proposal that could not have any conceivable effect on a site (screened out). F.6.3.7
- H. Policy or proposal the (actual or theoretical) effects of which cannot undermine the conservation objectives (either alone or in combination with other aspects of this or other plans or projects) (screened out). F.6.3.8
- I. Policy or proposal which may have a likely significant effect on a site alone (screened in) F.6.3.9
- J. Policy or proposal with an effect on a site but unlikely to be significant alone, so need to check for likely significant effects in combination F.6.3.10
- K. Policy or proposal unlikely to have a significant effect either alone or in combination (screened out after the in combination test). F.6.3.11
- L. Policy or proposal which might be likely to have a significant effect in combination (screened in after the in combination test). F.6.3.11
- M. Bespoke area, site or case-specific policies or proposals intended to avoid or reduce harmful effects on an international site (screened in) F.6.3.12

## Belfast City - LDP Plan Strategy 2035 – Screening of Plan Strategy Proposals and Policies

Plan Proposal	Criteria	Screening	Screening Comment 2022
1. Introduction	NA	Out	Administrative text - introduces plan and its preparation
2. District Profile	NA	Out	Administrative text - profile of Council area
3. Policy Context	NA	Out	Administrative text - policy context
<b>4. VISION, AIMS AND OBJECTIVES</b>			
The Vision	A	Out	General statement of objectives
Shaping a liveable place Aims	A	Out	General statement of objectives
Creating a vibrant economy Aims	A	Out	General statement of objectives
Promoting a green and active place Aims	A	Out	General statement of objectives
Building a smart connected and resilient place Aim	A	Out	General statement of objectives
<b>SHAPING A LIVEABLE PLACE OBJECTIVES</b>			
To grow the population of Belfast and connect with other cities across the UK and Ireland in supporting a greater level of inward investment.	A	Out	General statement of objectives.
To address current and future residential needs through ensuring the supply of suitable land to meet the future requirements for new socially inclusive residential development where there is an appropriate type, size, density, tenure and mix to suit all needs of the population.	A	Out	General statement of objectives.
To promote sustainable urbanism to deliver high quality design by including policies to protect and enhance the built environment that fosters local distinctiveness.	A	Out	General statement of objectives
To improve community safety and reduce the potential for antisocial behaviour or crime through an approach to new development focused on design quality.	A	Out	General statement of objectives
To improve safe access for all groups in society to public services through the design and location of new development.	A	Out	General statement of objectives

<b>Plan Proposal</b>	<b>Criteria</b>	<b>Screening</b>	<b>Screening Comment 2022</b>
To protect, conserve and enhance the historic environment through effective management of proposed development and ensuring high quality design.	A	Out	General statement of objectives
To promote collaborative cross-community projects that utilise derelict interface sites, that contribute to the integration of neighbourhoods and the development of shared spaces to build social cohesion.	A	Out	General statement of objectives
<b>CREATING A VIBRANT ECONOMY OBJECTIVES</b>			
To maintain a strong and growing economy by ensuring a range of suitable sites for employment uses are available and able to be developed to meet the future growth of the economy and employment.	A	Out	General statement of objectives.
To support local economies by promoting development of suitable land and buildings to provide sustainable access to retail, leisure, culture, office and commercial uses within the city centre and district centres, ensuring the future needs are addressed and their continued vibrancy and viability maintained.	A	Out	General statement of objectives
To strengthen the potential of local tourism to appeal to a wide range of visitors, and the development of suitable tourism infrastructure, including overnight accommodation, leisure and cultural facilities for this important sector of the economy.	A	Out	General statement of objectives
To support the continued regeneration of disadvantaged areas, to facilitate well linked high-quality mixed developments, designed to create diverse communities, to break down the social and sectarian divisions of existing city neighbourhoods.	A	Out	General statement of objectives
<b>BUILDING A SMART CONNECTED AND RESILIENT PLACE OBJECTIVES</b>			
To build stronger communities by protecting and improving social, economic, green, digital and physical infrastructure through supporting its development and enhancement, and through securing contributions from new development.	A	Out	General statement of objectives

Plan Proposal	Criteria	Screening	Screening Comment 2022
To ensure availability of land to facilitate sustainable patterns of development whilst supporting demand management measures to encourage more sustainable modes of transport.	A	Out	General statement of objectives
Address the local elements that could contribute to wider environmental challenges through ensuring new development is designed to minimise carbon emissions, use resources efficiently and be resilient to longer term implications.	A	Out	General statement of objectives
Adapt for the potential implications of environmental changes through management of development within areas of risk and designing new development to reduce future risk from flooding.	A	Out	General statement of objectives
Ensure new development minimises the production of waste and supports recycling	A	Out	General statement of objectives
In relation to Minerals, to safeguard the environment by ensuring new development proposals address the potential risks in respect of environmental pollution or damage.	A	Out	General statement of objectives
<b>PROMOTING A GREEN AND ACTIVE PLACE OBJECTIVES</b>			
To support healthy lifestyles by managing existing open spaces and ensuring sufficient land availability for the development of a blue and green infrastructure network to encourage walking, cycling, accessible play, allotments, sports and recreational opportunities.	A	Out	General statement of objectives
To protect, enhance and link the natural environment and biodiversity by managing the location and design of new development.	A	Out	General statement of objectives
To protect the natural ecosystem services and conserve the natural asset of Belfast's countryside, coast and hills by managing proposed development in sensitive areas.	A	Out	General statement of objectives
To support the development of a blue and green infrastructure network to manage water through sustainable urban drainage and connected green spaces.	A	Out	General statement of objectives
<b>5. STRATEGIC POLICIES</b>			
SP1 - Growth strategy	I	In	This policy may have a likely significant effect on International sites.

Plan Proposal	Criteria	Screening	Screening Comment 2022
SP1A - Managing growth and supporting infrastructure delivery		In	This policy may have a likely significant effect on International sites.
SP2 – Sustainable development		In	This policy may have a likely significant effect on International sites.
SP3 – Improving health and wellbeing		In	This policy may have a likely significant effect on International sites.
SP4 – Community cohesion and good relations		In	This policy may have a likely significant effect on International sites.
SP5 – Positive placemaking		In	This policy may have a likely significant effect on International sites.
SP6 - Environmental resilience		In	This policy may have a likely significant effect on International sites.
SP7 – Connectivity		In	This policy may have a likely significant effect on International sites.
SP8 – Green and blue infrastructure		In	This policy may have a likely significant effect on International sites.
<b>6. SPATIAL DEVELOPMENT STRATEGY</b>			
SD1 – Settlement hierarchy		In	This policy may have a likely significant effect on International sites.
SD2 – Settlement areas		In	This policy may have a likely significant effect on International sites.
SD3 - City centre		In	This policy may have a likely significant effect on International sites. The policy defines broad areas within the city centre where new development will be directed towards.
<b>7. SHAPING A LIVEABLE PLACE POLICIES</b>			
<b>HOUSING</b>			
HOU1 – Accommodating new homes		In	This policy may have a likely significant effect on International sites.
HOU2 – Windfall housing		In	This policy may have a likely significant effect on International sites.
HOU3 – Protection of existing residential accommodation		In	This policy may have a likely significant effect on International sites.
HOU4 - Density of residential development		In	This policy may have a likely significant effect on International sites.
HOU5 - Affordable Housing		In	This policy may have a likely significant effect on International sites.
HOU6 - Housing mix		In	This policy may have a likely significant effect on International sites.
HOU7 - Adaptable and accessible accommodation		In	This policy may have a likely significant effect on International sites.
HOU8 - Special residential accommodation		In	This policy may have a likely significant effect on International sites.
HOU9 - Traveller accommodation		In	This policy may have a likely significant effect on International sites.
HOU10 - Housing Management Areas		In	This policy may have a likely significant effect on International sites.
HOU11 - Intensive housing needs		In	This policy may have a likely significant effect on International sites.

Plan Proposal	Criteria	Screening	Screening Comment 2022
HOU12 - Large scale purpose built managed student accommodation (PBMSA)	I	In	This policy may have a likely significant effect on International sites.
HOU13 - Short term let accommodation	I	In	This policy may have a likely significant effect on International sites.
<b>URBAN DESIGN</b>			
DES1 - Principles of Urban Design	I	In	This policy may have a likely significant effect on International sites.
DES2 - Master Planning for major development	I	In	This policy may have a likely significant effect on International sites.
DES3 - Tall Buildings	I	In	This policy may have a likely significant effect on International sites.
DES4 - Advertising and signage	I	In	This policy may have a likely significant effect on International sites.
<b>RESIDENTIAL DESIGN</b>			
RD1 - New residential Design	I	In	This policy may have a likely significant effect on International sites.
RD2 - Residential extensions and alterations	I	In	This policy may have a likely significant effect on International sites.
RD3 - Conversion or subdivision of existing buildings for residential use	I	In	This policy may have a likely significant effect on International sites.
<b>BUILT HERITAGE</b>			
BH1 - Listed buildings	I	In	This policy may have a likely significant effect on International sites.
BH2 - Conservation areas	I	In	This policy may have a likely significant effect on International sites.
BH3 - Areas of townscape character	I	In	This policy may have a likely significant effect on International sites.
BH4 - Works to grounds affecting built heritage	I	In	This policy may have a likely significant effect on International sites.
BH5 - Archaeology	I	In	This policy may have a likely significant effect on International sites.
BH6 - Historic Parks, gardens and demesnes	D	Out	This policy is a general plan-wide environmental / site safeguarding policy.

Plan Proposal	Criteria	Screening	Screening Comment 2022
<b>COMMUNITY COHESION &amp; GOOD RELATIONS</b>			
CGR1 - Community Cohesion and good relations	B	Out	This is a policy listing general criteria for testing the acceptability of proposals.
CGR2 - Meanwhile uses in interface areas	B	Out	This is a policy listing general criteria for testing the acceptability of proposals.
<b>PROMOTING HEALTHY COMMUNITIES</b>			
HC1 - Promoting healthy communities	A	Out	This is a general statement of overarching policy to support health and well being.
<b>COMMUNITY INFRASTRUCTURE</b>			
CI1 - Community Infrastructure	I	In	This policy may have a likely significant effect on International sites.
CI2 - Cemeteries and crematoria	D	Out	This policy is a general plan-wide environmental / site safeguarding policy.
<b>8. CREATING A VIBRANT ECONOMY POLICIES</b>			
<b>INCLUSIVE ECONOMIC GROWTH</b>			
EC1 - Delivering economic growth	A	Out	This is a general aspiration about preferred types of economic development.
EC2 – Employment Land Supply	I	In	This policy may have a likely significant effect on International sites.
EC3 – Major Employment and Strategic Employment Locations	I	In	This policy may have a likely significant effect on International sites.
EC4 – Loss of zoned employment land	I	In	This policy may have a likely significant effect on International sites.
EC5 – Industry, Storage & Distribution Uses	I	In	This policy may have a likely significant effect on International sites.
EC6 – Office Development	I	In	This policy may have a likely significant effect on International sites.
EC7 - Higher education institutions	I	In	This policy may have a likely significant effect on International sites.
<b>RETAIL</b>			



Plan Proposal	Criteria	Screening	Screening Comment 2022
RET1 - Establishing a centre hierarchy	B	Out	This is a policy listing general criteria for testing the acceptability of proposals.
RET2 - Out of centre development	B	Out	This is a policy listing general criteria for testing the acceptability of proposals.
RET3 – District Centre, Local Centre & City Corridors	I	In	This policy may have a likely significant effect on International sites.
RET4 – Retail warehousing	I	In	This policy may have a likely significant effect on International sites.
RET5 – Primary Retail Area	I	In	This policy may have a likely significant effect on International sites.
RET6 - Temporary and meanwhile uses	I	In	This policy may have a likely significant effect on International sites.
<b>CITY CENTRE</b>			
CC1 - Development opportunity sites	I	In	This policy may have a likely significant effect on International sites.
<b>TOURISM, LEISURE AND CULTURE</b>			
TLC1 - Supporting tourism, leisure and cultural facilities and assets	I	In	This policy may have a likely significant effect on International sites.
TLC2 - Existing tourism, leisure and cultural facilities and assets	B	Out	This is a policy listing general criteria for testing the acceptability of proposals.
TLC3 - Overnight visitor accommodation	I	In	This policy may have a likely significant effect on International sites.
TLC4 - Evening and night-time economy	I	In	This policy may have a likely significant effect on International sites.
<b>9. BUILDING A SMART CONNECTED AND RESILIENT PLACE POLICIES</b>			
<b>INFRASTRUCTURE, TELECOMS AND UTILITIES</b>			

Plan Proposal	Criteria	Screening	Screening Comment 2022
ITU1 - Telecommunications development	I	In	This policy may have a likely significant effect on International sites.
ITU2 – Water and sewerage Infrastructure	I	In	This policy may have a likely significant effect on International sites.
ITU3 - Electricity and gas infrastructure	I	In	This policy may have a likely significant effect on International sites.
ITU4 - Renewable energy development	I	In	This policy may have a likely significant effect on International sites.
<b>WASTE INFRASTRUCTURE</b>			
W1 - Environmental impact of a waste management facility	I	In	This policy may have a likely significant effect on International sites.
W2 - Waste collection and treatment facility	I	In	This policy may have a likely significant effect on International sites.
W3 - Waste disposal	I	In	This policy may have a likely significant effect on International sites.
W4 - Land improvement	I	In	This policy may have a likely significant effect on International sites.
W5 - Development in the vicinity of waste management facilities	I	In	This policy may have a likely significant effect on International sites.
<b>MINERALS</b>			
M1 - Minerals	I	In	This policy may have a likely significant effect on International sites.
<b>TRANSPORTATION</b>			
TRAN1 - Active travel, walking and cycling	A	Out	This is a general statement of policy.
TRAN2 - Creating an accessible environment	A	Out	This is a general statement of policy.
TRAN3 - Transport assessment	A	Out	This is a general statement of policy.

Plan Proposal	Criteria	Screening	Screening Comment 2022
TRAN4 - Travel plan	A	Out	This is a general statement of policy.
TRAN5 - New transport schemes	I	In	This policy may have a likely significant effect on International sites.
TRAN6 - Access to public roads	I	In	This policy may have a likely significant effect on International sites.
TRAN7 - Access to protected routes	I	In	This policy may have a likely significant effect on International sites.
TRAN8 - Car parking and servicing arrangements	I	In	This policy may have a likely significant effect on International sites.
TRAN9 - Parking standards with area of parking restraint	B	Out	This is a policy listing general criteria for testing the acceptability of proposals.
TRAN10 - Design of car parking	B	Out	This is a policy listing general criteria for testing the acceptability of proposals.
TRAN11 - Provision of public and private car parks	I	In	This policy may have a likely significant effect on International sites.
TRAN12 - Temporary car parks	I	In	This policy may have a likely significant effect on International sites.
<b>ENVIRONMENTAL RESILIENCE</b>			
ENV1 - Environmental quality	D	Out	This is a general plan-wide environmental protection policy which applies to all development. Policy specifies that development must not result in an unacceptable adverse impact on the environment, including Ground contamination; Air quality; Water quality; Noise; and Light pollution. J&A expands on each of these.
ENV2 - Mitigating environmental change	B	Out	This is a policy listing general criteria for testing the acceptability of proposals.
ENV3 - Adapting to environmental change	B	Out	This is a policy listing general criteria for testing the acceptability of proposals.
ENV4 - Flood risk	A	Out	This is a general statement about the requirement for flood risk assessments.
ENV5 - Sustainable Drainage Systems (SuDS)	I	In	This policy may have a likely significant effect on International sites.
<b>10. PROMOTING A GREEN AND ACTIVE PLACE POLICIES</b>			

Plan Proposal	Criteria	Screening	Screening Comment 2022
<b>OPEN SPACE</b>			
GB1 - Green and Blue Infrastructure	I	In	This policy may have a likely significant effect on International sites.
OS1 - Protection of open space	D/F	Out	This policy is a general plan-wide environmental / site safeguarding policy. It also constrains change of use therefore, in itself, it cannot lead to development or other change.
OS2 - New open space within settlements	I	In	This policy may have a likely significant effect on International sites.
OS3 - Ancillary open space	I	In	This policy may have a likely significant effect on International sites.
OS4 - New open space outside settlements	I	In	This policy may have a likely significant effect on International sites.
OS5 - Intensive sports facilities	I	In	This policy may have a likely significant effect on International sites.
OS6 - Facilities ancillary to water sports	I	In	This policy may have a likely significant effect on International sites.
OS7 - Floodlighting	I	In	This policy may have a likely significant effect on International sites.
<b>NATURAL HERITAGE</b>			
NH 1 - Protection of Natural Heritage Resources	M	In	This policy is intended to avoid or reduce harmful effects on international sites. NH 1 applies to all development under the LDP.
<b>TREES</b>			
TRE 1 - Trees	D	Out	This is a general plan-wide environmental protection policy.
<b>LANDSCAPE AND COAST</b>			
LC1 - Landscape	I	In	This policy may have a likely significant effect on International sites.
LC1A - AONBs	I	In	This policy may have a likely significant effect on International sites.
LC1B - AHSVs	I	In	This policy may have a likely significant effect on International sites.
LC1C - LLPAs	I	In	This policy may have a likely significant effect on International sites.

Plan Proposal	Criteria	Screening	Screening Comment 2022
LC1D - Landscape Wedges	I	In	This policy may have a likely significant effect on International sites.
LC2 - Lagan Valley Regional Park (LVRP)	I	In	This policy may have a likely significant effect on International sites.
LC3 - Belfast Hills	I	In	This policy may have a likely significant effect on International sites.
LC4 - Coastal Area	I	In	This policy may have a likely significant effect on International sites.
DEVELOPMENT IN THE COUNTRYSIDE			
DC1 - All countryside development general policy principles	I	In	This policy may have a likely significant effect on International sites.
DC2 - Housing in the countryside	I	In	This policy may have a likely significant effect on International sites.
DC3 - Replacement dwellings	I	In	This policy may have a likely significant effect on International sites.
DC4 - The conversion and reuse of existing buildings	I	In	This policy may have a likely significant effect on International sites.
DC5 - New dwellings - Personal and domestic circumstances	I	In	This policy may have a likely significant effect on International sites.
DC6 - Dwellings for non-agricultural business enterprises	I	In	This policy may have a likely significant effect on International sites.
DC7 - Ribbon development	I	In	This policy may have a likely significant effect on International sites.
DC8 - New dwellings in existing clusters	I	In	This policy may have a likely significant effect on International sites.
DC9 - Residential caravans and mobile homes	I	In	This policy may have a likely significant effect on International sites.
DC10 - New dwellings on farms	I	In	This policy may have a likely significant effect on International sites.
DC11 - Agriculture	I	In	This policy may have a likely significant effect on International sites.
DC12 - Farm diversification	I	In	This policy may have a likely significant effect on International sites.
DC13 - Other proposed development in the countryside	I	In	This policy may have a likely significant effect on International sites.

<b>Plan Proposal</b>	<b>Criteria</b>	<b>Screening</b>	<b>Screening Comment 2022</b>
<b>11. DELIVERY</b>			
Implementation	NA	Out	Administrative text detailing how the LDP will be implemented.
Monitoring	NA	Out	Administrative text detailing how the LDP will be monitored.
Review	NA	Out	Administrative text detailing how the LDP will be reviewed.
<b>APPENDICES</b>			
Appendix A: Existing/ Policy Designations	NA	Out	Guidance
Appendix B: Definition of an Established Residential Area	NA	Out	Guidance
Appendix C: Space Standards	NA	Out	Guidance
Appendix D: Natural Heritage Designations	NA	Out	Guidance
Appendix E: List of Supplementary Planning Guidance	NA	Out	Guidance
Appendix F: Monitoring Indicators	NA	Out	Guidance

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## Belfast Planning Service

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