 NINA
SCHONBERG

MAIN QUESTION

Name:

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Are you responding as an individual?

No

+ ADD TO ANALYSIS

Are you responding on behalf of an organisation?

Yes

+ ADD TO ANALYSIS

Organisation and Job Title (if applicable):

Ulster Wildlife

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Are you an Agent responding on behalf of a client?

No

+ ADD TO ANALYSIS

Client Name , address (if applicable):

No answer

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Please indicate how you would like your representation to be dealt with at Independent Examination (please select one item only): Please note that the Independent Examiner will be expected to give the same careful consideration to written representations as to those dealt with by oral hearing.

Written (Choose this procedure to have your representation considered in written form only)



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Soundness of the Plan

No

+ ADD TO ANALYSIS

If you believe the strategy is unsound, please indicate which tests of soundness it fails and provide your reasoning below.

We believe the strategy is unsound due to the egregious weaknesses in its compliance toward tests P2 and P3 in particular. While the Council may be technically compliant with consultation and appraisal procedures, in practice the plan fails to genuinely reflect public opinion, sustainability findings, or environmental protections, meaning it cannot, in good conscience, be considered truly sound. In essence, while the council may have prepared a Preferred Options Paper (POP) and while the DPD may have been subject to Sustainability Appraisal (SA) including Strategic Environmental Appraisal (SEA), the processes and outcomes of these processes do not appear fully transparent, and at part ignored or overridden, leaving key public concerns and environmental protections unaddressed and the plan at risk of causing environmental harm. Under P2, although the council formally prepared a POP, the process appears largely procedural rather than genuinely responsive. For instance, Key Issue 24 (Natural Environment) proposed Option 24a to protect and enhance SLNCIs, yet despite the majority of the public supporting it (and the interim sustainability appraisal identifying it as the most sustainable option) the council rejected it in the final plan. SLNCIs were explicitly referenced in the POP but their designations were omitted in the final LDP, creating a clear inconsistency and raising serious doubts about whether public feedback and environmental protections were meaningfully considered. We believe this should be adequate grounds for failing this test because the plan does not show that alternatives and public views genuinely shaped its final purpose, the very utility of the POP in the first place. Regarding P3, while a SA including a SEA were undertaken and alternatives were stated to have been considered, there are significant weaknesses. The appraisal does not clearly explain who conducted the scoring, how objectives were weighted, or how much relied on professional judgement versus measurable evidence. Most critically, the appraisal itself recommended retaining and strengthening protection for local nature sites, yet the final Plan Strategy removed SLNCI designations. This indicates that the SA/SEA did not meaningfully inform policy, undermining the robustness of the plan. Consequently, although the procedural requirement was technically met, the plan's evidence base does not convincingly support its choice, rather, it contradicts them. In summary, the DPS is procedurally compliant but unsound because it is insufficiently justified and may not be effective in practise, particularly in relation to environmental protection and meaningful public input.

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Procedural Tests -

No

+ ADD TO ANALYSIS

Test P1 Comments

No, the original LDP timetable published in 2017, indicated a DPS consultation period to take place in Quarter 1-3 2019/20. Since 2017, there has been three (2019, 2021 and 2024) revised timetables published. Practice note 6 (soundness) states that "In circumstances, where there have been delays to the timetable, a council should provide reasons for the delay and provide a revised timetable where relevant." While revised timetables are available, reasons or explanation does not seem to be available within these. Furthermore, even though there is no statutory timeframe for the progress of each of the Development Plan Documents (PS and LPP) through the respective IE stage, the fact that we are now 6-7 years behind the original timeline is concerning. For example, the significant time gap between the 2019 POP consultation and the eventual 2025 report raises questions about the councils responsiveness and the depth of meaningful engagement beyond technical compliance.

While Ulster Wildlife was eventually able to find the Dec 2024 Statement of Community Involvement (SCI), this was only after a lengthy and thorough internet search. The fact that this is only a recently (late 2024) published document, it also makes it difficult to consider how any SCI may have been accounted for as part of the LDP process prior to this date. This therefore calls into question whether the procedure was appropriately followed to consider the Council's approach 'sound', considering that the SCI is supposed to set out how community engagement should be early, proactive, inclusive, and clearly feed into decision making." Upon review of the 2024 document, Ulster wildlife would like to see more detail on how the Council actually intends to account for consultation responses, beyond giving consultees the fair opportunity to participate.

The fact that LDP process to date shows repeated delays: the POP consultation occurred in 2019, yet the Consultation Report was only issued in 2025, and the statutory consultation for the DPS itself is now scheduled from 16 January to 16 March 2026, makes it difficult for consultees to partake, stay up to date and feel engaged with the process meaningfully.

Overall, the DPS cannot be considered fully compliant with P1 because, although timetables and consultation documents exist on paper, the substance of engagement (timely, clear, inclusive, and responsive public involvement) has not been delivered in our opinion. The delays, limited outreach, and rerun of consultations indicate that community involvement has been treated as a formal requirement rather than a genuine driver of plan development, weakening the credibility and legitimacy of the plan-making process. As we have stated in our P2 and P3 analysis, public feedback loops and community engagement processes have not been clearly laid out, or transparently/evidently fed into decision making.

+ ADD TO ANALYSIS

P2 Has the Council prepared its Preferred Options Paper and taken into account any representations made?

No

Test P2 Comments

Ards and North Down Borough Council prepared and published its Preferred Options Paper (POP) in March 2019 and subsequently issued a POP Consultation Report in 2025 summarising representations received. The POP consultation report demonstrates that submissions from the public, stakeholders and statutory consultees were recorded, grouped by issue, and followed by a stated "consideration and way forward" indicating that the council formally took account of representations in accordance with regulatory requirements.

However, Ulster Wildlife has concerns over how representations were taken into account and informed the final proposals now seen in the Draft Strategy. For example, under Key Issue 24 (Natural Environment) in the POP, respondents were asked for their views on Option 24a ("Review Local Nature Conservation Sites and Scenic Landscapes and Formulate Appropriate accompanying policy for their protection and enhancement"), with SLNCIs given as an example. Majority of people (59%), supported this option, yet the council did not ultimately proceed with option 24a, the option that not only had significant public backing, but was also considered the most sustainable option by their own admission in their sustainability appraisal (SA). Please see our written response for added context.

We believe, that this raises a fundamental concerns around public opinion and clear recommendations not being accounted for when it comes to decision-making. Furthermore, while discussion around SLNCIs is explicitly referenced in the POP and the subsequent consultation report—including proposals to consider their review and retainment—they are completely absent in the final Draft Strategy framework, creating a clear lack of transparency between earlier stated intentions and the ultimate policy outcome. We believe that this shows a clear lack of consideration for both consultation best practice and environmental protections represented in the final plan.

Therefore, while the procedural requirement to consider representations appears to have been met, the substantive influence of those representations is less clear. For example, In the accompanying Sustainability Appraisal (technical supplement 9) of the Draft Strategy the council acknowledges concern over potential feature losses if SLNCIs were not to be retained but never states how/why option 24a from the interim POP was not brought in as the preferred option in the final proposals, even with clear public support. This clearly contradicts with practice note 6 ('Soundness') guidance of "The process of how a council arrived at its preferred options should be made evident to the independent examiner in order to determine if the POP and a council's consideration of representations meets the test of soundness".

P3 Has the DPD been subject to Sustainability Appraisal including Strategic Environmental Appraisal?

No

Test P3 Comments

Again, technically the DPD has been subject to Sustainability Appraisal including Strategic Environmental Appraisal, where relevant policy areas are discussed and options explored, including the retention and/or removal of SLNCIs.

The LDP Practice Note 4 (SEA) states that "The appraisal needs to compare all reasonable alternatives including the preferred option and assess these against the baseline environmental, economic and social characteristics of the area and also the likely situation without the implementation of the plan". However, as mentioned above, while, in the case of SLNCIs, the SEA states that "Alternatives to the strategic approach were also considered in the POP and two strategic options were appraised under Key Issue 24 in the Interim SA. The Interim SA found Option "review local nature conservation sites and scenic landscapes and formulate appropriate accompanying policy for their protection and enhancement" to be the most sustainable Option." This was however not appraised/assessed against the other two options in the SEA.

The Interim Sustainability Appraisal identified reviewing and strengthening protection of local nature sites as the most sustainable option, yet the final preferred approach removed SLNCI designations rather than retaining and reviewing them. While this does not mean the SA/SEA was not undertaken, it does raise questions about how robustly its findings informed the final policy choice.

Furthermore, Ulster Wildlife has concerns over the reliability and validity of the appraisal taken forward. The documentation states that in the approach towards SLNCI designation, both of the two options (retain/exclude SLNCIs from extant plans) "scored similarly", yet it does not clearly identify who carried out the scoring or what their qualifications were, how objectives were weighted, or the extent to which results relied on professional judgement rather than measurable ecological evidence.

While the LDP practice note 4 states that "It is not the role of the SA to determine the option(s) to be chosen for the basis for the POP and subsequent development plan documents," and that "a council has to decide which is the most appropriate, using the findings of the SA to inform the decision making process," there is no clear record of how the council came into their final decision. Suggested template (Annex 7) to document the appraisal of reasonable alternatives, was not utilised and would have provided more transparency for consultees.

P4 Did the Council comply with the regulations on the form and content of its DPD and procedure for preparing the DPD

Yes

+ ADD TO ANALYSIS

Test P4 Comments

Beyond our expertise. Would prefer to choose unknown

+ ADD TO ANALYSIS

Consistency Tests

Yes

+ ADD TO ANALYSIS

Test C1 Comments

Yes. The Ards and North Down Borough Council states within its Draft Plan Strategy that it has taken account of the Regional Development Strategy 2035 (RDS).

Ulster Wildlife has not conducted a thorough review of the RDS to be able to respond to this question in more detail.

+ ADD TO ANALYSIS

C2 Did the Council take account of its Community Plan?

Yes

+ ADD TO ANALYSIS

Test C2 Comments

Ulster Wildlife has not conducted a thorough review of the RDS to be able to respond to this question in more detail.

+ ADD TO ANALYSIS

C3 Did the Council take account of policy and guidance issued by the Department?

Yes

+ ADD TO ANALYSIS

Test C3 Comments

Ulster Wildlife has not conducted a thorough review of the RDS to be able to respond to this question in more detail.

C4 Has the Plan had regard to other relevant plans, policies and strategies relating to the Council's district or any adjoining council's district?

No

+ ADD TO ANALYSIS

Test C4 Comments

While the Plan technically acknowledges the approaches taken by adjoining councils, it does not meaningfully align with their plans, policies and strategies in practise.

The Draft Plan Strategy explicitly recognises that neighbouring authorities (including Belfast City Council, Lisburn & Castlereagh City Council and Newry, Mourne and Down District Council) have retained SLNCI designations at the Local Policies Plan stage

The Plan also acknowledges that several SLNCIs cross council boundaries yet, despite this awareness, the council chose not to follow the same approach and instead removed SLNCI designations within its own borough. The Plan states that neighbouring councils are not precluded from reviewing their portions independently, effectively accepting divergence rather than seeking regional consistency.

Given that ecological systems do not follow council boundaries and that multiple neighbouring councils retained SLNCIs as a precautionary measure, the refusal to designate/retain SLNCIs within this borough results in fragmented protection across shared habitat networks. This does not align with the principles set in the SPPS (6.183, 6.195), which states that

"Natural heritage features and designated sites should be identified as part of the plan-making process. Where appropriate, policies should be brought forward for their protection and/or enhancement. LDPs should also identify and promote the design of ecological networks throughout the plan area which could help reduce the fragmentation and isolation of natural habitats through a strategic approach."

This is further acknowledged by technical supplement no. 9, sections 9.10 to 9.13, yet the proposals to not designate/retain SLNCIs, seems to contradict with these statements.

The Draft Strategy does not consider the Council's own Local Biodiversity Action Plan (LBAP) but in fact, only refers to it once, in the technical supplement 4. The 2023 LBAP has an action to "commision to resurvey SLNCIs in the Council area (p.93)".

Therefore, while the Plan technically acknowledges other councils' strategies, it does not substantively have regard to them in a coordinated manner when it comes to developing its own strategies. In that regard, our answer is no. Please see our written response for added context.

+ ADD TO ANALYSIS

Coherence and Effectiveness Tests

No

+ ADD TO ANALYSIS

Test CE 1 Comments

No. While the DPD presents a structured strategy for natural heritage protection, the coherence of that strategy is undermined by inconsistencies identified within its own appraisal process and by divergence from neighbouring councils' approaches. The Interim Sustainability Appraisal identified reviewing and strengthening protection of local nature sites as the most sustainable option, yet the final strategy removed SLNCI designations rather than retaining and reviewing them. This weakens the logical flow between appraisal findings and adopted policy.

Furthermore, neighbouring councils (including Belfast City Council, Lisburn & Castlereagh City Council and Newry, Mourne and Down District Council) have retained SLNCI designations. Although the DPD acknowledges this, it does not align with that approach despite shared ecological and cross-boundary sites. Given that several SLNCIs extend across council boundaries, adopting a different designation framework risks fragmented protection and inconsistency in decision making.

On that basis, the strategy cannot be considered fully coherent nor demonstrably free from cross-boundary conflict.

+ ADD TO ANALYSIS

CE 2 The Strategy, policies and allocations are realistic and appropriate having considered the relevant alternatives and are founded on a robust evidence base?

No

Test CE 2 Comments

No. Although alternatives were formally considered through the Sustainability Appraisal process, the final strategy does not clearly demonstrate that the preferred option was the most realistic or evidence-led outcome. In fact, as stated above, the option 24a in the Interim Sustainability Appraisal identified reviewing and strengthening protection of local nature sites as the most sustainable approach, yet the adopted strategy removed SLNCI designations rather than retaining and reviewing them. This weakens the argument that the chosen approach logically followed from the assessment of reasonable alternatives.

In addition, the evidence base underpinning the removal raises concerns. The council cited the age of original SLNCI surveys (approximately 25 years old) and the absence of full documentation (from NIEA/DAERA) as a key challenge. Outdated evidence does not equate to absence of ecological value and Ulster Wildlife would therefore emphasise the need to implement precautionary principle. A more robust response would have been to update surveys (following the approach taken by neighbouring councils) rather than remove designation. Reliance on broad priority habitat mapping and internal data layers instead of clearly mapped site boundaries further calls into question whether the approach is grounded in sufficiently detailed, site-specific ecological evidence.

Given these factors, it is difficult to conclude that the strategy and resulting policies are fully founded on a robust and defensible evidence base.

[+ ADD TO ANALYSIS](#)

CE 3 There are clear mechanisms for implementation and monitoring?

Yes

[+ ADD TO ANALYSIS](#)

Test CE 3 Comments

Ulster Wildlife has not conducted a thorough review of the RDS to be able to respond to this question in more detail.

[+ ADD TO ANALYSIS](#)

CE 4 It is reasonably flexible to enable it to deal with changing circumstances?

No

[+ ADD TO ANALYSIS](#)

Test CE 4 Comments

Ulster Wildlife has not conducted a thorough review of the RDS to be able to respond to this question in more detail.

If you consider the draft Plan Strategy to be unsound please provide details of changes you suggest to make the draft Plan Strategy sound.

To address the issues we identified under the soundness tests, several changes should be made to improve transparency, environmental protection, and alignment with the evidence base.

1-Reinstate and review SLNCI designations

The Plan Strategy should retain the existing SLNCIs within the LDP framework and commit to reviewing and updating them, rather than removing their designations. The removal of SLNCISs is inconsistent with the findings of the interim SA, which identified reviewing and strengthening protection of local nature sites.

Reinstating SLNCIs would:

- Provide clear mapped recognition of locally important ecological sites.
- Improve certainty for planners, developers, and communities during planning decisions.
- Ensure alignment with the precautionary principle where ecological evidence is incomplete or outdated.
- Maintain continuity with neighbouring councils that have retained SLNCI designations and align overarching objectives.

If the council believes existing survey data is outdated, the appropriate response would be to update surveys and review site boundaries, rather than remove the designation entirely.

2- Provide greater transparency in the Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA)

To strengthen compliance with P3 (Has the DPD been subject to sustainability appraisal including Strategic Environmental Assessment?), the council should clearly document how the SA informed the final policy decisions. In particular, the Plan Strategy should:

- Provide detailed information on who conducted the scoring and their ecological expertise.
- Clarify how sustainability objectives were weighted and how professional judgement was applied.
- Demonstrate clearly how the preferred option was chosen despite the appraisal identifying an alternative as the most sustainable.
- Use the recommended SEA documentation templates (such as those in Annex 7 of the relevant guidance) to record how alternatives were assessed.

This additional transparency would improve confidence that the appraisal meaningfully informed the final strategy.

3–Demonstrate how public consultation influenced the final strategy

To address our issues raised under P2, the council should provide clearer evidence of how consultation responses informed policy development. This could include:

- A transparent explanation of why Option 24a from the POP was not taken forward, despite majority public support and favourable sustainability appraisal results.
- Clear documentation of how consultation responses were evaluated and weighted in decision-making.
- A more explicit feedback loop showing how public views shaped the final policy framework.

Providing this explanation would strengthen the legitimacy of the plan-making process.

4–Improve Cross-Boundary Ecological Consistency

To address our concerns under C4 and CE1, the Plan Strategy should more closely align with neighbouring councils regarding ecological designations. As several SLNCIs extend across administrative boundaries, the council should:

- Work collaboratively with neighbouring authorities to ensure consistent treatment of cross-boundary ecological sites.
- Recognise the importance of ecological networks that operate beyond council boundaries.
- Ensure that the Local Development Plan supports the strategic protection of biodiversity corridors across the wider region.

This would reduce the risk of fragmented habitat protection and inconsistent planning decisions.

5–Strengthen the evidence base for Natural Environment Policy

To address concerns under CE2, the council should improve the ecological evidence supporting its approach by:

- Commissioning updated ecological surveys of existing SLNCI sites.
- Ensuring that ecological data used in the plan is site-specific rather than relying primarily on broad priority habitat mapping.
- Applying a precautionary approach where ecological evidence is incomplete.

This would ensure that the strategy is supported by a robust and defensible evidence base.

In summary, the DPS could be made more sound by:

- Retaining and reviewing SLNCI designations, rather than removing them.
- Improving transparency in the SA process.
- Demonstrating how consultation responses influenced policy decisions.
- Ensuring better alignment with neighbouring councils on ecological protections.
- Strengthening the ecological evidence base through updated surveys and precautionary planning.

Implementing these changes would improve the plan's transparency, credibility, and overall compliance with the soundness tests.

+ ADD TO ANALYSIS

Do you have any comments on the Implementation and Monitoring of the draft Plan Strategy?

No answer

+ ADD TO ANALYSIS

Sustainability Appraisal (SA) incorporating Strategic Environmental Assessment (SEA)

See earlier responses as well as written response

+ ADD TO ANALYSIS

draft Habitats Regulations Assessment(HRA)

Unable to respond at this stage, would welcome more time to scrutinise this

+ ADD TO ANALYSIS

Equality Impact Screening Report

Unable to respond at this stage

+ ADD TO ANALYSIS

Rural Needs Impact Assessment

N/A

+ ADD TO ANALYSIS

Please add any additional comments

N/A

Example tag 1 +

Example tag 2 +



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Ulster Wildlife

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McClelland House, 10 Heron Road, Belfast, Northern Ireland, BT3 9LE

Dear Sir / Madam,

Response to Local Development Plan draft Plan Strategy – Consultation

Thank you for the opportunity to respond to the consultation on Ard & North Down Borough Council's Local Development Plan draft Plan Strategy.

Please see detailed comments on the draft Plan Strategy, attached below this letter.

Yours sincerely

Nina Schonberg

Nature Recovery Networks Development Officer

Ulster Wildlife is Northern Ireland's largest local nature conservation charity with over 14,000 members. Our vision is for a healthy, well-cared for natural environment which contributes to enjoyment, quality of life, prosperity, health and well-being.

Considering that the Ards and North Down Borough Council (ANDBC) Local Development Plan (LDP) Draft Plan Strategy aims to:

- Promote **sustainable development**.
- Enhance **quality of life and wellbeing**.
- Support **economic growth** and **environmental stewardship**.
- Deliver **inclusive placemaking** across the Borough,

It is key that it considers the role of nature when it comes to all of these elements. LDPs are key pieces of policy, when it comes to strategic spatial planning, and have a unique opportunity to protect, enhance and even create new sites for both nature and people if it get things right. However, likewise, if the protection and restoration of nature is not at the core of this plan and strategically weaned into the processes, it also risks contributing towards environmental harm and the continued loss of biodiversity.

Ulster Wildlife would in particular like to draw emphasis to the below aspects of the Draft Plan, to ensure that nature protection and recovery are well accounted for:

Access to green space

Green and blue spaces provide numerous social, economic and environmental benefits. We welcome the Open Space Strategy and the inclusion of policies within the draft Plan Strategy (DPS) that recognise this and seek to protect and increase access to open spaces, including blue and green spaces. Policies to prevent the loss of open spaces (Policy OS1), and to ensure developers include public open space in their proposals (Policy OS2), are welcome.

However, the Council should ensure the right measures are in place to increase provision of quality green and blue spaces. These policies include a number of exceptions, where the benefits of open space are deprioritised in favour of other public benefits. Clearer guidance should also be included in the DPS, perhaps in the Spatial Growth Strategy, setting out how areas of new green space should be identified and prioritised within the Local Policies Plan, and ensuring new open spaces are multi-functional, delivering for both nature and people.

We would also like to see the monitoring framework strengthened in this area. Identifying and developing a network of green and blue infrastructure is identified as a key element in the environmental objectives of the DPS. However, no target or trigger for

review is included in the monitoring framework – only a commitment to monitor the trend. We would like to see a SMART target for increasing the provision of green and blue infrastructure included in the DPS.

Nature recovery

The DPS recognises the value of the natural environment to people across the borough and includes welcome policies to help protect the environment. Policy NE5 recognises the importance of habitats, species and features irrespective of designations, due to their vital contribution to a future nature recovery network. We welcome the wording in the ‘Justification and Amplification’ of this policy, highlighting that “Other natural environment features that provide a significant contribution to biodiversity may include buffer areas around core designated sites, stepping stones, ecological corridors, and links, which are all vital components of a resilient Ecological Network. Irrespective of any designations or specific protection, it is important that all development proposals consider how they can conserve and enhance nature conservation, biodiversity interests and ecological connectivity”. However, for clarity we would like to see reference made to some of these areas in the policy wording itself.

We welcome the Council’s adoption of a precautionary approach when considering the impacts of any proposed development on the natural and historic environment. However, we note that reasons of “overriding public interest” can still overrule this principle.

Similarly, policies to protect designated areas, protected species and other important natural heritage features (Policies NE1-5) also include exceptional circumstances where development is permitted. While this approach may be standard in planning policy, and there are stricter conditions for the more highly designated areas, we are concerned that, in practice, decision-makers may still prioritise other undefined ‘benefits’ at the expense of the natural environment. The Council must ensure that exceptions are just that, and do not become commonplace. In addition, while appropriate mitigations and compensatory measures are required in such instances, the policy wording should be made clearer to ensure a net positive benefit for biodiversity.

Further, clearer guidance should also be included in the DPS, perhaps in the Natural Environment Strategy, setting out how sites for future nature restoration should be identified and prioritised within the Local Policies Plan. For example, Policy NE5 includes areas of active peatland and areas of woodland, but not areas of degraded peat which could be restored, or areas of land that could be planted with trees in the future. Protecting existing habitats and green spaces is important, but if Northern Ireland is to achieve Nature Positive by 2030, new areas will have to be restored and

created too. Adding to the borough's existing natural spaces and creating new linkages will be essential in helping create a climate resilient ecological network.

Sites of Local Nature Conservation Importance (SLNCIs)

The Ards and North Down Borough Council has come to the decision to remove Sites of Local Nature Conservation Importance (SLNCIs) from its Local Development Plan (LDP). These are local areas designated by councils in Northern Ireland for their natural heritage value.

SLNCIs, historically identified in extant plans, provide mapped designations highlighting areas of local ecological importance, with the intention of protecting local biodiversity and natural features, ensuring that development proposals do not harm these important areas. The council has provided their justification behind SLNCI designation omission from the Draft Plan Strategy (DPS), opting instead for a policy-based approach to biodiversity and natural feature protection.

However, this has raised concerns among those who question the strength and transparency of the alternative protections proposed, advocating for the retention or reinstatement of SLNCI designations. We have explored the rationale and claims made by the council on this matter and prepared counterarguments to outline the flaws, inconsistencies or contradictions in their reasonings.

1. Sustainability Appraisal: "Both Options Scored Similarly"

The council states that, during the Sustainability Appraisal (SA), both options (retaining SLNCIs and removing them) "scored similarly." The council makes the claim that omitting SLNCIs would not result in worse environmental outcomes. Although the council acknowledges a potential risk that features could be lost if SLNCIs are not carried forward, it concludes that existing policies would compensate for this.

Counterargument

"Scored similarly" does not mean "identical in reality." Sustainability Appraisals rely on chosen objectives, weightings, and professional judgement. Small differences in weighting environmental objectives against housing or economic priorities can alter results significantly. Certain key questions arise from having analysed the Council's sustainability appraisal, such as who exactly conducted the scoring and what

ecological qualifications did assessors hold? Were assessments done internally or externally; individually or as a group? Were biodiversity impacts weighted equally to development objectives? How much of the scoring was subjective judgement rather than measurable ecological metrics? Leaving these questions unanswered serves only to reduce transparency and make the decision to omit SLNCl designations more conflicting.

Moreover, a modelled similarity on paper does not guarantee equal real-world outcomes. The council's own admission of potential ecological loss suggests that the risk may be understated. This is something that demands more clarity if the decision to remove SLNCl designations across the borough is to be in any way less controversial.

2. Existing Policies Provide Equivalent Protection

The council argues that SLNCl sites will still be protected under existing policies, including:

- NE1 (International/European Designations)
- NE2 (Legally Protected Species)
- NE3 (National Designations)
- NE4 (Local Designations)
- NE5 (Habitats, Species or Features of Natural Heritage Importance)

The council's logic dictates that because many SLNClS overlap with national designations or contain priority habitats, they would, in theory, receive protection anyway. Therefore, the specific SLNCl label would be considered unnecessary.

Counterargument

It is posited that indirect protection is not the same as direct designation.

SLNClS provide:

- Clear mapped recognition of ecological value.
- A defined policy trigger in planning decisions.

- Certainty for planners, developers, and communities.
- Stronger defensibility at appeal.

General policies require interpretation and often depend on surveys being carried out. Countryside or heritage policies may not prioritise biodiversity specifically. Without a mapped designation, ecological value may only become apparent late in the process, increasing uncertainty rather than reducing it.

In addition, the assumption that existing policies automatically replicate SLNCl protection may be overly optimistic. In essence, indirect protection only applies if another policy happens to trigger it, which can often be purely coincidental.

3. Priority Habitat Mapping Covers Most Sites

The council highlights that 46 of 47 SLNClS are identified on the NIEA Natura Mapviewer as containing priority habitat. Therefore, they claim that equivalent protection would be provided through policy NE5 (Habitats, Species or Features of Natural Heritage Importance).

Counterargument

The idea that 'equivalent protection' can be provided through priority habitat mapping assumes that the mapping is perfect. But in reality, priority habitat mapping is often broad-scale and may miss important microhabitats or the actual condition of a site, and it can change as survey knowledge improves.

SLNClS often existed precisely because local knowledge identified ecological value not fully reflected in national mapping. As is stated by the council themselves within Technical Supplement 9: subsection 16.3, the priority habitat inventory isn't complete, so desk-based identification might be unable to replace site-specific designation informed by field surveys.

4. Biodiversity Will Be Safeguarded Through Operational Tools

The council refers to the Biodiversity Checklist, internal consultation (including discussion with a biodiversity officer), and development management processes as suitable replacement safeguards for ecological protection without SLNCl designation.

Counterargument

Operational tools are not policy designations, and their very nature creates points of failure given they can change over time, may be applied inconsistently and that they do not carry the same statutory or policy weight as mapped designations.

Furthermore, if SLNCl data is retained internally but removed from public policy status, transparency is reduced. Communities and developers may lack early awareness of ecological constraints, potentially undermining trust and increasing disputes. If the council implies that the ecological information remains valuable internally, then its removal from formal designation appears contradictory.

Moreover, the internal consultation and discussion with their biodiversity officer is called into question given that there is no record of an active biodiversity officer during LDP development. This raises several concerns as to whom the council actually discussed the removal of SLNCl designations with, what their qualifications were and ultimately whether it was truly a well-informed decision.

5. The Evidence Base Is Outdated

The original surveys informing SLNCl designations were conducted approximately 25 years ago, and supporting documentation was not available from DAERA. Given that site conditions may have changed, the council considers it inappropriate to rely on potentially outdated evidence.

Counterargument

Outdated surveys do not automatically mean sites have lost ecological value. In many cases, habitats mature and increase in biodiversity significance over time.

The logical response to outdated data would be:

- Update the surveys.
- Review boundaries at Local Policies Plan stage.

- Apply a precautionary approach until new evidence is available.

Removing protection because evidence is old may be interpreted as avoiding the cost of updating surveys rather than resolving uncertainty responsibly. The precautionary principle suggests protection should remain until proven unnecessary — not removed due to incomplete data.

6. Indirect Protection Through Other Policies

Some SLNCIs overlap with historic parks or countryside designations, providing indirect protection. The council believes this overlap eliminates the need for separate SLNCI designation.

Counterargument

Indirect protection depends on coincidence.

Historic environment policy protects heritage, not biodiversity. Countryside policy may prioritise landscape character rather than ecological detail. Where ecological value does not align neatly with these categories, protection may weaken.

Local biodiversity often depends on sites that:

- Do not meet national thresholds,
- Are not historic,
- Are not located in designated countryside.

SLNCIs filled this gap. Removing them risks gradual loss of sites that are locally important but fall outside other policy frameworks.

7. Neighbouring Councils Have Taken a Different Approach

The council notes that all neighbouring authorities (including Belfast City Council, Lisburn & Castlereagh City Council, and Newry, Mourne and Down District Council) have retained SLNCIs. However, it maintains that different approaches across councils do not prevent others from reviewing cross-boundary sites independently.

Counterargument

Ecology does not follow council boundaries.

Where SLNCIs cross administrative borders, inconsistent treatment can:

- Fragment habitat networks and weaken wildlife corridors.
- Create uneven planning standards.
- Confuse developers and communities.

If multiple neighbouring councils have retained mapped SLNCIs, this suggests a continued perceived value in the designation and an awareness of potential negative consequences in their removal that may not have been anticipated by the Ards and North Down Borough Council. Regional consistency would arguably strengthen environmental protection and policy clarity, working more efficiently toward the shared goal of biodiversity conservation.

8. The Interim Sustainability Appraisal Identified “Option A” as ‘Most Sustainable’.

Within the plan-making process, the council considered alternative strategic approaches. In the Interim Sustainability Appraisal, Option A was identified as the most sustainable option; this is described as:

“Review local nature conservation sites and scenic landscapes and formulate appropriate accompanying policy for their protection and enhancement.”

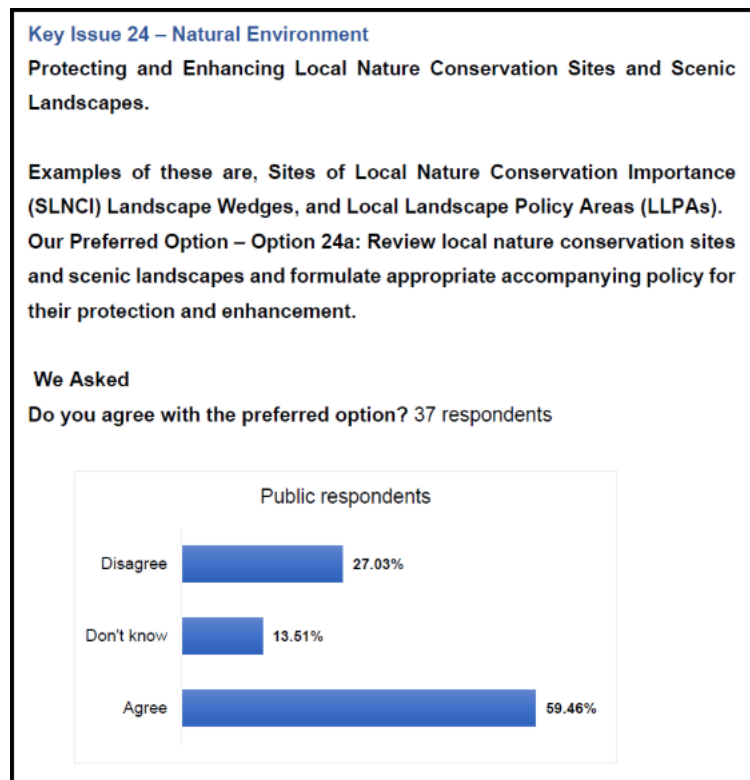
However, when progressing the Draft Plan Strategy, the council selected Option 1: Maintaining the existing approach to protecting natural heritage excluding SLNCIs identified in extant plans. This means that, despite Option A being described as the most sustainable, the council ultimately chose an approach that removes SLNCI designations rather than retaining and reviewing them in pursuit of “protecting the natural heritage of the Borough”.

Counterargument

The council decided to proceed with Option 1 – removing SLNCI designations. This stands in direct contrast to Option 2, which proposed retaining SLNCIs and reviewing them at Local Policies Plan (LPP) stage.

The difficulty arises when considering the council’s own statement that **Option A** was found to be the **most sustainable option** in the Interim Sustainability Appraisal and even the preferred option in the Preferred Options Paper (POP) Consultation Report, coined **Option 24a** in the latter. If Option A focuses on reviewing local nature conservation sites and formulating policy for their protection and enhancement, then logically it appears far more closely aligned with Option 2 (retain and review SLNCIs) than with Option 1 (remove SLNCIs).

Moreover, the council asked respondents after the POP was published on their opinion on Option A (here called Option 24a) whether to protect and enhance local nature conservation sites and scenic landscapes, of which SLNCIs were given as an example. The majority of the public were in support of this approach, yet it was not the preferred option by the council. This begs the question – Why even ask for the public’s opinion if their evident preference will ultimately be ignored?



The apparent inconsistency lies not simply in policy preference, but in alignment. The most sustainable strategic option identified by the council appears conceptually closer to retaining SLNCIs pending review than to removing them entirely. Indeed, the final preferred approach creates uncertainty as to whether the chosen strategy truly reflects the sustainability findings, or whether other considerations ultimately outweighed that conclusion.

Conclusion

The removal of SLNCIs by the Ards and North Down Borough Council rests on arguments of policy equivalence, sustainability appraisal findings, operational safeguards, and outdated evidence. Each claim presents a rationale for modernising or streamlining the planning framework.

However, our counterarguments reveal substantial concerns stemming from inaccurate and contradictory claims: indirect protection may lack certainty, sustainability scoring may mask qualitative differences, outdated evidence calls for review rather than removal, and internal retention of data undermines transparency when public designation is removed.

At its core, the issue reflects a fundamental planning question: should local biodiversity be explicitly mapped and designated, or protected indirectly through general policy interpretation? In a context of ongoing biodiversity decline, the precautionary case for retaining clear, mapped recognition of locally important ecological sites remains compelling.

Coastal and Marine Zoning

NIMTF welcomes the inclusion of an 'Undeveloped Coastal Zone' within this Local Development Plan (LDP), given the importance of the Strangford marine area through its diversity of MPAs. NIMTF would like to better understand how this LDP has taken into account the upcoming draft NI Marine Plan and how this may relate to the Offshore Renewable Energy (ORE) sector in terms of developments under the Offshore Renewable Energy Action Plan (OREAP) in development by the Department for Economy. It will be important to ensure any developments which take place do not have a negative impact on NI's marine environment under the UK Marine Strategy which is currently failing 13 out of 15 indicators to ensure that we are working to improve NI's contribution to ocean health. By presenting this as additional protections for the marine environment, NIMTF welcomes this but presses the importance that MPA Management Plans for Strangford are still being developed and therefore planning for this area should be in conjunction with those developments under the MPA Strategy for the Northern Ireland Inshore Region 2025 - 2030.

NI is without any Shoreline Management Plans and when these come into effect under the work of the NI Coastal Forum, it will be important that this LDP is done in conjunction with plans and consideration of recommendations or management for this for the Strangford Lough and Ards Peninsula areas. For any developments which take place, it would be welcomed by the Council to explain what they mean by an “unacceptable impact” and what the thresholds for ‘acceptable impact’ and the associated metrics which the Council have identified. This should include the impacts to both intrinsic socio-economic and ecosystem benefits that society will gain by disturbance/impact affecting those species and habitats along the coastline to be protected under the Blue Carbon Action Plan 2025 - 2030 and the MPA Strategy for the Northern Ireland Inshore Region 2025 - 2030. To monitor future projected impacts to the shorelines in relation to coastal management and climate change, NIMTF would recommend utilising NIMTF Member National Trust’s Climate Hazard Maps which considers the impacts of “Storm Damage” as one of their modelled variables. All of this work is underpinned by the requirement of the NI Executive to sign off and publish the NI Marine Plan framework to coincide with the Marine MapViewer which provides the spatial component.

These ecosystem services are also important when combined with the Nature Recovery Networks and associated partnerships to provide greater protection towards flood mitigation and management. NIMTF and the Freshwater Task Force have provided information to the Infrastructure Committee around developments which should be considered under the amendments to the Water, Sustainable Urban Drainage and Flood Management Bill.

For further information in relation to the marine, please contact the NIMTF Officer, Robert Walsh at robert.walsh@nimtf.org.

All information garnered from this review can be found on the Ards and North Down Borough Council Draft Plan Strategy homepage – in ‘Natural Environment Technical Supplement 9’ (Subsections 15 & 16) and ‘Sustainability Assessment, (SA) incorporating Strategic Environmental Assessment (SEA)’ respectively:

Main Page:

[Draft Plan Strategy - Ards and North Down Borough Council](#)

Technical Supplement 9:

https://www.ardsandnorthdown.gov.uk/media/2853/Natural-Environment-Technical-Supplement9/pdf/o9Natural_Environment_Technical_Supplement_9.pdf?m=1758109694677

Sustainability Appraisal Report:

https://www.ardsandnorthdown.gov.uk/media/2865/Sustainability-Appraisal-Report/pdf/ohSustainability_Appraisal_Report.pdf?m=1758109699587

Preferred Options Paper Consultation Report:

https://www.ardsandnorthdown.gov.uk/media/2893/Preferred-Options-Paper-Consultation-Report-2025/pdf/0jPreferred_Options_Paper_Consultation_Report_2025.pdf?m=1758117685080