



Rosemary
Mulholland

MAIN QUESTION

Name:

Rosemary Mulholland

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Address

McClelland House
10 Heron Road, Belfast

+ ADD TO ANALYSIS

Post Code

BT60 2JA

+ ADD TO ANALYSIS

Email

rosemary.mulholland@ulsterwildlife.org

+ ADD TO ANALYSIS

Phone Number

07485329724

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Are you responding as an individual?

No

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Are you responding on behalf of an organisation?

Yes

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Organisation and Job Title (if applicable):

Ulster Wildlife. Head of Nature Recovery

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Are you an Agent responding on behalf of a client?

No

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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

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

We feel that the strategy is unsound in relation to tests P2 and P3. Under P2, Key issue 24 (Natural Environment) proposed Option 24a to protect and enhance SLNCIs. This was supported by the majority of respondents and the interim sustainability appraisal identified it as the most sustainable option. However, it was rejected in the final plan. SLNCIs were referenced in the Preferred Options Paper but their designations were omitted in the final LDP. We feel therefore that the public feedback and environmental protections were perhaps not taken into account. Regarding P3, while a SA and SEA were undertaken and alternatives were stated to have been considered, we could not find an explanation of who conducted the scoring, how objectives were weighted and whether or not it relied on professional judgement or measurable evidence. In particular, the appraisal itself recommended retaining and strengthening protection for local nature sites, yet the final Plan Strategy removed SLNCI designations. This would call into question if the SA/SEA did not meaningfully inform policy, undermining the robustness of the plan. In summary, procedurally the DPS is compliant, but in practice it has not taken into account public input and environmental protection.

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Procedural Tests -

No

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Test P1 Comments

Ulster Wildlife was concerned that the progress of the DPD is now 6-7 years behind the original timeline, with three revised timetables published in 2019, 2021 and 2024. The POP consultation occurred in 2019, yet the Consultation Report was only issued in 2025 and it can make it difficult for stakeholders and the public to remain engaged and up to date and engaged.

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

No

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Test P2 Comments

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). SLNCIs were given as an example. the majority of people, 59%, supported this option, yet Council did not ultimately proceed with option 24a - which not only had significant backing, but was also considered the most sustainable option in the Council's Sustainability Appraisal (SA). In the SA (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 or why Option 24a was not brought in as the preferred option, even with clear public support. Please see our written response for added context.

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

No

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Test P3 Comments

While technically the DPD has been subject to Sustainability Appraisal including Strategic Environmental Appraisal, 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. In the cas of SLNCIs, the SEA states that the Alternative 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'. We cannot find evidence that this was appraised or assessed against the other two options in the SEA. We would ask how council came to the final decision because the suggested template (Annex 7) does not appear to have been utilised to provide more transparency for consultees.

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Test P4 Comments

No answer

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Test C1 Comments

No answer

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Test C2 Comments

No answer

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Test C3 Comments

No answer

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Test C4 Comments

the Draft Plan strategy recognises that neighbouring authorities have retained SLNCI designations at the Local Policies Plan stage. The Plan also acknowledges that several SLNCIs cross Council boundaries. We are disappointed that Council chose not to follow the same approach and instead removed SLNCI designations within its own Borough.

Protection of these sites would be more effective if all Councils were following a consistent approach. Ecological systems do not follow council boundaries and by not retaining SLNI designations, this would result in fragmented protection across shared habitat networks.

This unfortunately does not align with 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'.

In addition, the Draft Strategy does not consider the Council's own Local Biodiversity Action Plan (LBAP) and only refers to it once, within the technical supplement 4. The 2023 LBAP has an action to 'commission to re-survey SLNCIs in the Council area' (Page 93)

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Coherence and Effectiveness Tests

No

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Test CE 1 Comments

Again, this is similar to our answer in Test C4. Despite neighbouring councils retaining SLNCI designations, the DPD does not align with that approach despite harged ecological and cross-boundary sites. This risks fragmented protection and leaves any decisions made to protect such sites in the other council areas, open to challenge. We would urge Council to reinstate SLNCIs within the Development Plan.

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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

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Test CE 2 Comments

We are not sure how, given that the alternatives were formally considered through the Sustainability Appraisal process, whether or not the preferred option was the most realistic or evidence-led, given the lack of information on this. Council cited the age of the original SLNCI surveys (approximately 25 years old) and the absence of full documentation from NIEA/DAERA as a key challenge. Outdated evidence does not necessarily equate to absence of ecological value and Ulster Wildlife would therefore emphasise the need to adopt the precautionary principle approach. Neighbouring councils have and are updating the surveys, rather than removing all the SLNCIs across the council area.

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Test CE 3 Comments

No answer

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Test CE 4 Comments

No answer

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

We would request that Council considers the issues that we have highlighted and would make the following recommendations for change:

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 the designations. The removal of SLNCIs is inconsistent with the finding 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 Council believes existing survey data is outdated, the surveys should be updated and site boundaries reviewed. Indeed it may be appropriate to designate new SLNCIs which have become known since the original surveys.

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

- 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 (eg Annex 7 of the guidance)

3. Demonstrate how public consultation influenced the final strategy

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

4. Improve cross-boundary ecological consistency

- we would welcome better alignment with neighbouring councils regarding ecological designations to 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, ecological evidence could be supported by:

- Commissioning updated ecological surveys of existing SLNCs
- Ensured that ecological data used in the plan is site-specific rather than broad priority habitat mapping
- apply a precautionary approach where ecological evidence is incomplete

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

No answer

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

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

Counterargument

'Scored similarly' does not mean 'identical in reality'. Small differences in weighting environmental objectives against housing or economic priorities can alter results significantly. We would have like to have seen evidence of who conducted the scoring, what ecological qualifications did they have, were assessments internal or external, individually or as a group? How were biodiversity impacts weighted in relation to development objectives.

2. Existing Policies Provide Equivalent Protection

The point that Council makes is that SLNCs will still be protected under existing policies, such as: NE1 (international/European designations), NE2 (Legally Protected Species), NE3 (National Designations) NE4 (Local designations) and NE5 (Habitats, species or features of Natural Heritage importance).

We would stress that indirect protection is not the same as direct designation
SLNCs provide:

- Clear mapped recognition of ecological value
- A defined policy trigger in planning decisions
- Certainty for planner, developers, and communities
- Stronger defensibility at Appeal

Without a mapped designation, ecological value may only become apparent late in the process, increasing uncertainty rather than reducing it.

3. Priority Habitat mapping covers most sites

Council highlights that 46 out of 47 SLNCs are identified on the NIEA Natural Map viewer as containing priority habitat, therefore protection would already be provided through policy NE5. We would like to point out that priority habitat mapping is often broad-scale and may miss important microhabitats or the actual condition of the site and this can change as survey knowledge improves/

Within the 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 safe-guarded through operational tools

Counterargument: Operational tools such as Biodiversity checklist, internal consultation and development management processes are not policy designations and they may change over time, be applied inconsistently and do not carry the same statutory or policy weight as mapped designations.

There is no record of an active Biodiversity Officer in Council during the LDP development and this raises concerns as to whom the removal of SLNCs was discussed with and what their qualifications were.

5. The evidence case is outdated

Counterargument

Outdated surveys do not automatically mean sites have lost ecological value. In some cases habitats mature and increase in biodiversity value.

Instead, we would urge that Council updates the surveys, reviews the boundaries at Local Policies Plan stage and apply a precautionary approach until new evidence is available.

6. Indirect Protection Through other Policies

Counterargument

Indirect protection depends on coincidence. Historic Environment Policy protects heritage, not biodiversity. Countryside policy may prioritise landscape character rather than ecological detail. This may lead to weakened protection.

Local biodiversity often depends on sites that do not meet national thresholds, are not historic and are not located in designated countryside. SLNCs filled this gap and 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

Counterargument

Nature does not follow council boundaries

Where SLNCIs cross administrative borders, inconsistent treatment can fragment habitat networks and weaken wildlife corridors, create uneven planning standards and confuse developers and communities

8. In the plan making process the Council considered alternative strategic approaches and Option A was identified as the most sustainable option. 'Review local nature conservation sites and scenic landscapes and formulate appropriate accompanying policy for their protection and enhancement' . Yet Option 1, removing SLNCI designations, was selected, rather than option 2 which proposed retaining SLNCIs and reviewing them at LDP stage. We would just question why this was the case, especially given that 59.46% of the public who responded, agreed to protect and enhance Local Nature Conservation Sites and Scenic Landscapes, in contrast to 27.03% who disagreed.

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draft Habitats Regulations Assessment(HRA)

No answer

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Equality Impact Screening Report

No answer

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Rural Needs Impact Assessment

No answer

Please add any additional comments

Northern Ireland Marine Task Force (NIMTF), whose officer, Robert Walsh, works across Ulster Wildlife and RSPB, welcomes the inclusion of an 'Undeveloped Coastal Zone' within this Local Development Plan, given the importance of the Strangford marine area through its diversity of Marine Protected Areas. 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 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 welcome 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 NI 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 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 this would be, together with the associated metrics which Council have identified. This should include the impact 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 NI 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 NIMTF Officer, Robert Walsh at robert.walsh@nimtf.org