

Local Development Plan 2030

Draft Plan Strategy

Draft Habitat Regulations Assessment

August 2023



**Mid & East
Antrim**
Borough Council

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Non-Technical Summary

Habitats Regulations Assessment

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 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 Mid and East Antrim Borough Council's Plan Strategy. It records the assessment of the draft Plan Strategy as modified and its potential impacts on international sites.

Overview of the Plan Strategy Habitats Regulations Assessment

A draft HRA was first undertaken in 2019 in support of the draft Plan Strategy and an addendum HRA dated January 2021 followed. The addendum addressed modifications proposed by the Council following consideration of the representations received during the public consultation exercise held between 16 October and 11 December 2019. This is the Draft Final HRA to be consulted on. Publication of the Final HRA follows 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 the Plan Strategy

The Plan Strategy provides a plan-led policy framework for making day-to-day decisions to help Mid and East Antrim Borough 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 2030. The nature of the Plan Strategy is that it has the potential to have a significant effect on some international sites, therefore the Council is undertaking a HRA in its role as a competent authority to ensure the legal requirements of the Habitats Regulations are fully met.

International Sites Overview

A total of 22 international sites that have a theoretical connection to the plan area were identified. On further review it was found that 21 of these sites might be affected by the draft Plan Strategy. These include sites ranging from large sites such as Belfast Lough SPA and Ramsar site to the much smaller Main Valley Bogs SAC, one component of which is in our Borough. Sites beyond the Council area with an ecological connection were also included, for example The Maidens SAC which is connected via marine waters. On a precautionary basis, all sites within 10km of the plan area were also considered. Appendix 4, Maps 1 to 4 illustrate these sites in relation to the Borough.

Screening of the Plan

All of the Plan Strategy proposals were reviewed in Section 4, from the Plan Vision and Strategic Objectives, Spatial Growth Strategy and Countryside Strategy, through the topic-based Policies 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 87 plan policies, in addition seven 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 sites, either alone or in combination with other plans and projects.

List of Abbreviations

ACMD	Area of Constraint on Mineral Development
APIS	Air Pollution Information System
CEMP	Construction Environmental Management Plan
CJEU	Court of Justice of the European Union
CMS	Construction Method Statement
DAERA	The Department of Agriculture, Environment and Rural Affairs
DEFRA	Department for Environment, Food and Rural Affairs
DfI	Department for Infrastructure
EC	European Commission
FCS	Favourable Conservation Status
HRA	Habitats Regulations Assessment
J&A	Justification and Amplification
JNCC	Joint Nature Conservation Committee
LDP	Local Development Plan
LPP	Local Policies Plan
LTP	Local Transport Plan
NA	Not Applicable
NIEA	Northern Ireland Environment Agency
POP	Preferred Options Paper
pSPA	Proposed Special Protection Area
SAC	Special Area of Conservation
SCA	Special Countryside Area
SES	Shared Environmental Service
SPA	Special Protection Area
SPPS	Strategic Planning Policy Statement
SuDS	Sustainable Drainage Systems
TOZ	Tourism Opportunity Zone

1 Introduction

Local Development Plan 2030

The Plan Strategy for Mid and East Antrim Borough Council Local Development Plan (LDP) sets out how the area will change and grow over the period up to 2030. It provides:

- a vision for Mid and East Antrim Borough Council towards the end of the plan period;
“Mid and East Antrim will be shaped by high quality, sustainable and connected places for people to live, work, enjoy, invest and visit, so as to improve that quality of life for all”.
- a set of strategic objectives to deliver the vision;
- a strategy for the growth of the area - how much development should be provided, where it should go and where it should not go; and
- a suite of strategic planning policies and detailed policies to guide development.

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 Mid and East Antrim Borough Council (herein referred to as ‘the Council’ or ‘Council area’) deliver sustainable development including future housing, employment, retail and infrastructure provision across the district.

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 district.

The Plan Strategy follows the publication of the Preferred Options Paper (POP) in June 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 Borough 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 draft Plan Strategy is presented as a single volume comprising 11 chapters in two parts.

PART 1

- Chapters 1-3 Regional and local policy context and profile of the Borough
- Chapter 4 Vision and Strategic Objectives
- Chapter 5 Spatial Growth Strategy and Countryside Strategy

PART 2

- Chapter 6 General Policy for All Development
- Chapters 7-11 Strategic Subject Policies

There are 11 appendices that provide detail that informs the Spatial Growth Strategies and Strategic Subject Policies.

Overview of Mid and East Antrim Borough Council area

The Council area has a population of approximately 139,070 people and covers 1,045 km². It shares a land boundary with three Council areas: Mid Ulster District Council, Antrim and Newtownabbey Borough Council and Causeway Coast and Glens Borough Council. The three main towns are Ballymena, Carrickfergus and Larne.

Existing Plans and Local Policies Plan

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) 2015¹. The existing area plans that apply to Mid and East Antrim Borough are:

- Ballymena Area Plan 1986-2001, adopted in 1989
- Larne Area Plan 2010, adopted in 1998
- Carrickfergus Area Plan 2001, adopted in March 2000

Once both documents of the LDP are adopted, they will replace the existing area plans.

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 upon 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 Habitats² and Birds Directives³. 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 Handbook⁴ (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.

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.

¹ <http://www.legislation.gov.uk/nisr/2015/62/schedule/made>

² Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora

³ Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds (codified version)

⁴ Tyldesley, D., and Chapman, C., (2013) *The Habitats Regulations Assessment Handbook*, February 2019 edition UK: DTA Publications Ltd.

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 Mid and East Antrim Borough Council and all other Councils in NI 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 in the Policy Clarification or Justification and Amplification to highlight the potential for impacts on international sites.

This version of the 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 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.

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 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 10 km; and those that are connected by infrastructure. Ecological connection includes pathways through rivers or marine waters and functionally linked land for site selection features. All sites within 10 km 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 22 sites that are in or potentially connected to the Council area. Appendix 4, Maps 1 to 4 illustrate these sites in relation to the Council area.

Table 1 Sites Connected with Council Area

Site Name	Connection with plan area			
	Within or Adjacent	Ecological	Within 10km	By Infra-structure
Antrim Hills SPA	●	●	●	●
Belfast Lough Open Water SPA	●	●	●	●
Belfast Lough Ramsar Site	●	●	●	●
Belfast Lough SPA	●	●	●	●
Copeland Islands SPA		●		
East Coast (Northern Ireland) Marine pSPA	●	●	●	●
Garron Plateau Ramsar Site	●	●	●	●
Garron Plateau SAC	●	●	●	●
Larne Lough Ramsar Site	●	●	●	●
Larne Lough SPA	●	●	●	●
Lough Neagh and Lough Beg Ramsar Site	●	●	●	●
Lough Neagh and Lough Beg SPA	●	●	●	●
Main Valley Bogs SAC	●	●	●	
North Channel SAC	●	●	●	●
Skerries and Causeway		●		
Outer Ards Ramsar Site		●	●	
Outer Ards SPA		●	●	
Red Bay SAC			●	
The Maidens SAC		●	●	
Dead Island Bog SAC			●	
Wolf Island Bog SAC			●	
Rea's Wood and Farr's Bay 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.3.1. No further sites were identified through the scan in A3.1.

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 22 international sites, it is not conceivable that the Plan Strategy could undermine the conservation objectives for 1 site. This site is therefore eliminated from further consideration due to separation distance and absence of a viable pathway for effects as detailed in Appendix 3, Table A3.1. This results in a list of 21 sites to be further assessed.

The outcome is summarised in Table 2 which records the potential mechanisms through which impacts could affect the 21 international sites listed. The potential effects are as follows and are discussed in Section 3:

- Direct Impacts
- Aquatic Environment
- Marine Environment
- 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 draft Plan Strategy consultation period and its representations have informed this assessment.

Table 2 Potential Effects on International Sites

	Direct Impacts	Aquatic Environment	Marine Environment	Coastal Processes	Mobile Species	Recreational Pressure	Growth - Water Supply	Growth - Wastewater	Growth - Aerial Emissions	Aerial Emissions (other)
Antrim Hills SPA	●	●			●	●	●		●	●
Belfast Lough Open Water SPA		●	●	●	●	●		●		
Belfast Lough Ramsar	●	●	●	●	●	●		●	●	●
Belfast Lough SPA	●	●	●	●	●	●		●	●	●
Copeland Islands SPA		●	●	●	●	●		●	●	
East Coast (NI) Marine pSPA	●	●	●	●	●	●		●	●	
Garron Plateau Ramsar Site	●	●				●	●		●	●
Garron Plateau SAC	●	●				●	●		●	●
Larne Lough Ramsar	●	●	●	●	●	●		●	●	●
Larne Lough SPA	●	●	●	●	●	●		●	●	●
Lough Neagh and Lough Beg Ramsar	●	●			●	●	●	●	●	●
Lough Neagh and Lough Beg SPA	●	●			●	●	●	●	●	●
Main Valley Bogs SAC	●	●				●			●	●
North Channel SAC		●		●	●	●		●		
Outer Ards Ramsar Site		●		●	●	●		●	●	●
Outer Ards SPA		●		●	●	●		●	●	●
Rea's Wood and Farr's Bay SAC	●	●					●	●	●	●
Skerries and Causeway SAC		●	●	●	●	●		●		
The Maidens SAC		●	●	●	●	●		●		
Dead Island Bog SAC										●
Wolf Island Bog 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.

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 or hydrology. Such effects are generally limited to proposals in close proximity to an international site. Indirect impacts from water supply or disposal of wastewater are considered separately below. A number of freshwater, wetland and marine sites are within, adjacent to or hydrologically linked to the plan area. Such effects are generally limited to proposals in close proximity to an international site.

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 mainland 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 existing area plans 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 as part of the preparation of the draft Local Policies Plan.

The Council will strategically allocate and manage housing to provide for 4,614 new homes within the 2018-2030 period. Housing growth will be focused at the three main towns, with a proportion of new development directed to the small towns and villages to support rural housing needs, local services and facilities and the rural economy. A proportion of new development is also allocated in order to sustain rural communities living in the open countryside with a small proportion allocated to small settlements.

All of the settlements throughout the Plan Area are within the Neagh-Bann or North-Eastern River catchments and some are in close proximity to the marine environment. There may be pathways from development of housing land during construction and operation for pollutant release to international sites via hydrological pathways.

The Plan Strategy will make allocations of 167 ha of economic development land within the Council area, with the total allocation distributed between the three main towns. Land zoned for Economic Development will remain as shown within existing area plans until the adoption of the LPP. The scale, extent and location of all employment opportunity areas will be confirmed at the Local Policies Plan (LPP) Stage. There may be pathways from development of economic land during construction and operation for pollutant release to international sites via hydrological pathways.

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. Those marine sites that are immediately adjacent to our coast could theoretically be vulnerable. This potential risk is addressed through a specific policy CS9 Development at Risk from Land Instability or Coastal Erosion.

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 supporting habitat. Potentially development can affect such supporting habitat or the selection features utilising it.

Mobile species in the Council area include whooper swans, a selection feature of Lough Neagh and Lough Beg SPA and Ramsar site, that uses fields adjacent to Lough Beg. Flight paths for whooper swan and other wildfowl could potentially be disrupted by development such as wind turbines and overhead electricity lines. A Special Countryside Area is designated through the Plan Strategy at Lough Beg. Potential impacts are assessed under CS2 Special Countryside Areas, RE1 Renewable Energy Development and TE11 Telecommunications and Electricity Infrastructure.

Light-bellied brent goose, a selection feature of Larne Lough SPA/Ramsar site, may forage in grassland/arable land. No such land has been allocated for development around Larne Lough. At LPP records of supporting habitat used by these species will be checked to inform the screening of any such areas that are considered for development.

Hen harrier and merlin from Antrim Hills SPA range beyond the international site. Development that leads to loss of substantial areas of foraging/breeding habitat could theoretically have an adverse impact however the plan does not promote and will not lead to extensive development and habitat loss.

The listed bird features of the Belfast Lough SPA/Ramsar site include waders that seek refuge at high tide in supporting habitat outside the SPA boundary. This can include fields or playing fields which provide a degree of security from predators due to their openness. OSL1 is a presumption against loss of open space other than in exceptional circumstances.

There are two international sites for protection of harbour porpoise, Skerries and Causeway SAC and North Channel SAC. 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. There are no sites designated for Harbour seals within 50km of the plan area. Grey seal and harbour porpoise may range along the coastline from the sites for which they are designated and are potentially subject to direct disturbance.

The NI Marine Map Viewer identifies seal haul out locations within Larne Lough and Belfast Lough. No land is zoned for development in the intertidal zone however some zoned land is immediately adjacent to the coast. Information on known grey seal haul out sites will therefore be reviewed to inform HRA at LPP.

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.

The population projection is for an increase of 2.2% by 2030. While this may marginally increase recreation within international sites such as Antrim Hills SPA this will largely be confined to limited areas within public land such as forestry. There is existing foot and cycle access along the coast in the urban areas of Greenisland, Carrickfergus and Larne and growth of the residential population is not likely to lead to a significant increase in recreation along coastal paths.

SGS9 Open Space Strategy and OSL2 will facilitate the development of regional and local community greenways as part of a green and blue infrastructure network. The LDP will support the delivery and protection of regional greenways proposed within the Borough including one from Ballymena to Cushendall. The proposed Ballymena to Cushendall Greenway passes through 1.5km of Antrim Hills SPA within the plan area (total greenway length is 30km). Proposals that protect, complement, extend or improve this route as part of the greenway network will be supported. The greenway is likely to follow the route of a disused railway and, although construction works will be required, it is considered that these works would not be likely to cause disturbance to the SPA qualifying features, hen harrier and merlin, or cause loss of any supporting habitat due to the previous land-use. Increased recreation is also considered not likely to be significant due to the linear nature of the greenway which will carry visitors through the area close to an existing road and is not likely to cause disturbance or increase recreation beyond the greenway corridor.

The remaining areas of proposed greenway are all located outside international sites and will not increase recreation or disturbance to any international site. The LDP will also support the delivery and protection of local community greenways within settlements and potentially connecting to the regional network beyond settlements. These will be identified in the Local Policies Plan.

Open space is taken to mean all open space of public value. This includes not just land, but also inland bodies of water such as rivers, canals, lakes and reservoirs which may offer opportunities for sport and outdoor recreation and are often of significant amenity value. Linear open spaces and green corridors are also included. Zoned areas of open space in the existing area plans land use designations will be reviewed at LPP stage and potentially new areas of open space could be zoned.

SGS8 designates Tourism Opportunity Zones (TOZs) at Carnfunnock Country Park and the former Magheramorne Quarry although the extent of both TOZs has yet to be determined. These may enable development adjacent to Larne Lough SPA/Ramsar site and East Coast (NI) Marine pSPA that may cause habitat loss or disturbance to site features.

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 LDP Plan Strategy is to provide enough land to accommodate and facilitate the provision of 4,614 dwellings and to make allocations of 167ha of Economic Development land within the Council area in support of business and industry and to help facilitate the provision of 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. Mid and East Antrim is supplied with water from ten impounding reservoirs/loughs.

There are also three Water Treatment Works (WTW) within the Borough: Dungonnell WTW, Dorisland WTW and Killylane WTW. Dungonnell and Killylane WTWs are supplied by reservoirs and catchments within Antrim Hills SPA and Dungonnell Reservoir is also within Garron Plateau SAC and Ramsar site. Dorisland Reservoir sources water from the South Antrim Hills although not from any internationally designated area. NI Water is satisfied with the sufficiency of the water supply to the Council area over the plan period therefore development under the plan is not expected to necessitate development of any new public water supplies.

NI Water published Water Resource & Supply Resilience Plan (WR&SR Plan) in March 2020. This Plan shows how the company will manage and develop water resources to make sure there is enough water to meet future supply needs. The 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.

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

- Ballygalley
- Ballynafie
- Carncastle
- Clogh
- Glynn
- Grange Corner
- Killybegs
- Larne
- Martinstown
- Mill Bay
- Moorfields
- Mullaghboy
- Newtown-Crommelin

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

- Ahoghill
- Ballycarry
- Ballygalley
- Ballymena
- Ballynafie
- Ballystrudder
- Broughshane
- Carncastle
- Carnlough
- Carrickfergus
- Clogh
- Cullybackey
- Glenarm
- Glynn
- Grange Corner
- Greenisland
- Kells/Connor
- Killybegs
- Larne
- Whitehead
- Mill Bay
- Moorfields
- Mullaghboy
- Newtown-Crommelin
- Portglenone
- Straidkilly
- Woodgreen

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 WWI1. This requires *'the submission of sufficient information on the means of wastewater treatment and disposal that it will not create or add to a pollution problem.'* This means that, should there be credible evidence of a real risk to any international sites, then sufficient information will be available to assess whether the development could have a likely significant effect and whether that can be mitigated by a suitable wastewater treatment solution. The Justification and Amplification (J&A) adds that *'The Council will consult with NIEA Water Management Unit and NI Water where appropriate. Applicants will also have to obtain a relevant waste management authorisation from NIEA i.e. discharge consent etc.'*

The Water Utility Regulation Group of DAERA regulates sewage discharges and is also 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 regulations.

In light of the NIW capacity constraints in the Council area, 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 wastewater 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.

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 and associated landspreading of manure, slurry or litter, 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. Policy ECD4 Economic Development in the Countryside included criteria for Agricultural and Forestry Development and applies to livestock development.

Potential effects of aerial emissions from agriculture 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, light or activity during construction and operation can have adverse impacts on sensitive species and mammals and birds in particular. Salmon passage can also be affected by vibration from piling or lighting. Such disturbance from construction or additional built development can occur within or adjacent to international sites or 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.

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. Watercourses are prone to the spread of invasive species such as giant hogweed and Himalayan balsam which are easily transferred by water if released as a result of development. Invasive species may also be transported to new sites by machinery. Development that extends navigable waters or which introduces new boating may also increase the potential for spread of invasive species or waterborne diseases of protected species to waters where they are not currently present. Introduced species such as *Rhododendron ponticum* which is highly invasive on peatlands can displace habitats for which a site has been designated.

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 Plan Vision and Strategic Objectives through the Spatial Growth Strategy and Countryside Strategy to the General Policy for all Development and Strategic Subject Policies. 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.

PART 1

Screening Contextual Chapters

These chapters, 1.0 Introduction, 2.0 Setting the Context and 3.0 District Profile introduce the plan and present the profile of the 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. It is worth noting that Part One Chapter 1, 1.7.8 emphasises the need to consider Policy NAT1.

“Within this Plan Strategy some policies specifically reference the need to consider Policy NAT1, European and Ramsar Sites – International. This reference does not elevate NAT1 above other policies nor suggest that where NAT1 is not specifically referenced it is not relevant. Specific attention has been drawn to Policy NAT1 as it has been recommended as a mitigation measure in the draft Habitats Regulations Assessment Report 2019 to ensure that proposals are not likely to have adverse effects on the integrity of any international site.”

4.0 Vision and Strategic Objectives Chapter

The Vision is an overall aspiration for the Plan Area. Delivery of the Vision is through the social, economic and environmental objectives; the Spatial Growth Strategy and Countryside Strategy and the strategic topic-based policies. Further assessment is not required.

4.1 Vision

This is a general statement of objectives which is also an environmentally protective measure. It is caveated that development that causes harm to important features is not allowed for under this policy. Further assessment is not required.

4.2 Strategic Objectives

The Strategic Objectives all represent general policy statements, which state a direction without details of how they will be delivered. Some Plan Objectives are possible or likely drivers of potential effects. Examples are some of the Economic Objectives to deliver jobs and enable development of tourism and renewable energy and the Social Objective to deliver new homes. For all these objectives the implications can be assessed under related policies later in the document. The assessment is therefore undertaken through the consideration of related policies. Further assessment is not required.

5.0 Spatial Growth Strategy and Countryside Strategy

The Spatial Growth Strategy and Countryside Strategy is described as a Strategy which ‘*provides a strategic framework for realising the vision and objectives of our LDP...*’.

The Strategy includes the following strategic proposals and policies:

- Spatial Growth Strategy
- Settlement Hierarchy
- Strategic Housing Allocation Strategy

- *Economic Development Strategy*
- *Retail Strategy*
- *Tourism Strategy*
- *Transport Strategy*
- *Open Space Strategy*
- *Countryside Strategy*
- *Land Instability and Coastal Erosion*

Some strategies are possible or likely drivers of potential effects and are underpinned by related policies, therefore the assessment will be progressed in light of the related policies. Those screened-in are identified in Table 3.

PART 2

6.0 General Policy for all Development

Policy GP1 and associated criteria applies to all forms of development (aside from minor proposals). The General Policy also provides operational policy for specific forms of 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.

7.0 Sustainable Economic Growth

7.1 Economic Development

Policy ECD3 relates specifically to incompatibility of other development with neighbouring economic development uses. The policy test is therefore solely about protecting existing economic uses - no wider remit and does not require further assessment.

ECD1, ECD2 and ECD4 supports development proposals for industry and business which meet the criteria. These policies have potential to generate pathways for effects, may have a likely significant effect on an international site and are screened-in for further assessment.

7.2 Retailing and Town Centres

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.

7.3 Tourism

TOU1 refers to the safeguarding of tourism assets and in itself is not likely to have a significant effect on international sites and further assessment is not required.

All other policies in this grouping enable development and may also have impacts from lighting and disturbance to mobile features. The policies have potential to generate pathways for effects on international sites and have been screened-in for further assessment.

7.4 Minerals Development

This grouping of policies sets out where planning permission may be granted (subject to meeting other policies and in accordance with other provisions of the LDP) and also defines where planning permission will not be granted and where the Council will apply a presumption against mineral development.

The policies aim to *'minimise the impacts of minerals development on landscape quality and the natural environment, water environment and historic environment – particularly in areas designated for their importance in regard to one or more of these qualities'*.

The MIN1, MIN2, MIN3, MIN4, MIN5, MIN6, MIN7 and MIN8 policies all allow for development and have been screened-in for further assessment.

8.0 Building Sustainable Communities

8.1 Housing

HOU4 is a protective measure against development for commercial uses within town centres that results in a change of use from housing. This policy can have no likely significant effect and has been screened-out from further assessment.

All other policies in this grouping have potential to generate pathways for effects, may have a likely significant effect on an international site and are screened-in for further assessment.

8.2 Open Space, Sport and Leisure

OSL1 is intended to be a protective measure which will not lead to development or change of use. Given the constraints on development this policy is not likely to undermine the conservation objectives of any international sites and further assessment is not required.

OSL2, OSL3, OSL4, OSL5, OSL6 and OSL7 all enable development. The policies have potential to generate pathways for effects on international sites and have been screened-in for further assessment.

8.3 Health, Education, Community and Cultural Facilities

Policy COM1 aims to meet the needs of the community in terms of education, health, community and cultural facilities. The policy *'facilitates a flexible approach to response to the need and also to make the most effective use of existing facilities and infrastructure within settlements.'* 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.

9.0 Transportation, Infrastructure and Connectivity

9.1 Transportation

Given the dispersed nature of the Council area there is a continued reliance on private cars. The transport policies promote the use of more sustainable modes of transport.

Policies TR4 and TR5 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.

TR1, TR2, TR3, TR6 and TR7 all enable development and have potential to generate pathways of effects on international sites. These policies have been screened-in for further assessment.

9.2 Flood Risk and Drainage

FRD2 is a general statement of policy which cannot have any effect on an international site and does not require further assessment.

FRD1, FRD3, FRD4, FRD5 and FRD6 all enable development and have potential to generate pathways for effects on International sites. These policies have been screened-in for further assessment.

9.3 Renewable Energy

The Council aims *'to facilitate renewable energy development in appropriate locations within our Borough, whilst balancing the recognised benefits against any potential environmental or social impacts'*.

RE1 is a policy listing general criteria for testing the acceptability of proposals. It includes protective criteria for nature conservation and biodiversity and includes criteria that the proposal *'will not have an unacceptable adverse impact on local natural resources such as air quality, water quality and quantity'*... These measures might be construed to be mitigation as they specifically address impacts known to affect international sites. The policy has been screened-in for further assessment.

9.4 Telecommunications and Electricity Infrastructure

This policy aims to facilitate the development of telecommunications and electricity infrastructure in appropriate locations to support sustainable economic growth while also minimising their environmental impacts. The policy enables development and has potential to generate pathways for effects on international sites and has been screened-in for further assessment.

9.5 Water and Wastewater Infrastructure

Policy WWI1 is a general environmental / safeguarding protection policy which will apply to all development which relies on non-mains wastewater (sewerage) infrastructure. It places the onus on the applicant who will *'be required to provide information to demonstrate to the Council's satisfaction that the proposed development will not add to or create a pollution problem.'* Furthermore, the policy states *'in exceptional circumstances non-mains wastewater infrastructure will only be permitted where appropriate mitigation measures have been identified'*.

As the policy enables development and also refers to mitigation it has potential to generate pathways of effects on international sites and has been screened-in for further assessment.

9.6 Waste Management

WMT4 controls development in the vicinity of waste management facilities. WMT1, WMT2, WMT3 and WMT5 include protective environmental criteria which might be construed to be mitigation. As the policies enable development, they have potential to generate pathways of effects on international sites and have all been screened-in for further assessment.

10.0 Stewardship of our Built Environment and Creating Places

10.1 Historic Environment

This grouping of policies all enable development and have potential to generate pathways for effects on international sites. These policies have been screened-in for further assessment.

10.2 Advertisement

This policy lists general criteria for testing the acceptability of a proposal however does enable development. Potential impacts include light and noise disturbance which may have a significant effect on mobile species. This policy has been screened-in for further assessment.

10.3 Place-Making

Policy SFA1 is not likely to have a significant effect on international sites and has been screened out from further assessment.

11.0 Safeguarding our Natural Environment

11.1 Natural Heritage

NAT2 is protective of species and habitats irrespective of spatial designations. NAT3, NAT4 and NAT5 are protective policy for national and local sites and habitats, species or features of natural heritage importance and are unlikely to lead to impacts on international sites or selection features. These policies are screened-out from further assessment.

NAT1 applies to all development under the LDP and reinforces the requirements of the Habitats Regulations. This policy is intended to avoid or reduce harmful effects on international sites and will be considered further through appropriate assessment.

Appendices

Appendices A to K provide further detail to inform how the development management policies will be implemented. They represent guidance listing general criteria for testing the acceptability of proposals which does not need to be assessed further.

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

PART 1
5.0 Spatial Growth Strategy and Countryside Strategy
SGS3 Strategic Allocation of Housing to Settlements
SGS4 Protection of Zoned Housing Land
SGS5 Management of Housing Supply
SGS6 Strategic Allocation of Land for Economic Development
CS1 Sustainable Development in the Countryside
CS2 Special Countryside Areas
CS3 Areas of Constraint on High Structures
CS4 Rural Landscape Wedges
CS5 Antrim Coast and Glens Area of Outstanding Natural Beauty
CS6 Developed Coast (Belfast Lough Shore)
CS7 Local Landscape Policy Areas
CS8 Protection of Main River Corridors
CS9 Development at Risk from Land Instability or Coastal Erosion
PART 2
6.0 General Policy for all Development
GP1 General Policy for all Development
7.0 Sustainable Economic Growth
ECD1 Economic Development in Settlements
ECD2 Retention of Economic Development Land
ECD4 Economic, Agricultural and Forestry Development in the Countryside
RET1 Retail in Town Centres
RET2 Retail Impact Assessment
RET3 Retail in Villages, Small Settlements and Local Centres
RET4 Rural Shops and Roadside Service Facilities
TOU2 Tourism Development in Settlements and Tourism Opportunity Zones
TOU3 All Tourism Development in the Countryside
TOU4 Tourist Amenities in the Countryside
TOU5 Hotels, Guest Houses and Tourist Hostels in the Countryside
TOU6 Self Catering Accommodation in the Countryside
TOU7 New and Extended Holiday Parks in the Countryside
TOU8 Major Tourism Development in the Countryside – Exceptional Circumstances
MIN1 Mineral Development – Extraction and Processing of Hard Rock and Aggregates
MIN2 Valuable Minerals
MIN3 Hydrocarbons
MIN4 Areas of Constraint on Mineral Development
MIN5 Area of Salt Reserve, Carrickfergus
MIN6 Development at Risk of Subsidence due to past or present underground mineral extraction

MIN7 Peat Extraction
MIN8 Restoration and Management of Mineral Sites
8.0 Building Sustainable Communities
HOU1 Quality in New Residential Development in Settlements
HOU2 The Conversion or Change of Use of Existing Buildings to Flats or Apartments
HOU3 Residential Extensions and Alterations
HOU5 Affordable Housing in Settlements
HOU6 Housing Mix (Unit Types and Sizes)
HOU7 Adaptable and Accessible Homes
HOU8 Travellers Accommodation
HOU9 Replacement Dwelling
HOU10 Dwelling on a Farm Business
HOU11 Dwelling for Non-Agricultural Business Enterprise
HOU12 New Dwelling in Existing Clusters
HOU13 Ribbon/Infill Development
HOU14 Personal and Domestic Circumstances
HOU15 Residential Caravans and Mobile Homes
HOU16 Affordable Housing in the Countryside
OSL2 Greenways
OSL3 New Open Space Provision
OSL4 Public Open Space in New Residential Development
OSL5 Sport and Outdoor Recreation Facilities
OSL6 Community Growing Spaces and Allotments
OSL7 Cemeteries and Burial Space
COM1 Education, Health, Community and Cultural Facilities
9.0 Transportation, Infrastructure and Connectivity
TR1 Access to Public Roads
TR2 Access to Protected Routes
TR3 New Transport Schemes
TR6 Parking and Servicing
TR7 Provision of Car Parks
FRD1 Development within Floodplains
FRD3 Management of Development in regard to Surface Water Flood Risk
FRD4 Sustainable Drainage (SuDS)
FRD5 Artificial Modification of Watercourses
FRD6 Development in Proximity to Controlled Reservoirs
RE1 Renewable Energy Development
TEI1 Telecommunications and Electricity Infrastructure
WWI1 Development Relying on Non-Mains Wastewater Infrastructure
WMT1 Environmental Impact of a Waste Management Facility
WMT2 Waste Collection and Treatment Facilities
WMT3 Waste Disposal Sites
WMT4 Development in the vicinity of a Waste Management Facility
WMT5 Land Improvement
10.0 Stewardship of our Built Environment and Creating Places

HE1 Archaeological Remains and their Settings
HE2 Historic Parks, Gardens and Demesnes
HE3 Listed Buildings - Change of Use or Extension/Alteration or Conversion of a Listed Building
HE4 Listed Buildings - Demolition of a Listed Building
HE5 Development affecting the Setting of a Listed Building
HE6 Conservation Areas
HE7 Areas of Townscape Character
HE8 Unlisted Locally Important Building or Vernacular Building
HE9 Enabling Development for the Conservation of Heritage Assets
AD1 The Control of Advertisements
11.0 Safeguarding our Natural Environment
NAT1 European and Ramsar Sites – International

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 Local Development Plan 2030 Draft Plan Strategy
- Causeway Coast and Glens – Northern Area Plan (NAP) 2016
- Mid Ulster District Council Local Development Plan 2030 Draft Plan Strategy
- Salt Caverns, Larne Lough
- Works to Kilroot Power Station, Carrickfergus

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 87 development plan 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, *'In assessing the proposal, Council will consider all relevant policies in the round. This means that applicants should not read policies in isolation, as more than one policy could apply to any proposal.'*

Part One Section 1.7.8 states *'Within this Plan Strategy some policies specifically reference the need to consider Policy NAT1, European and Ramsar Sites – International. This reference does not elevate NAT1 above other policies nor suggest that where NAT1 is not specifically referenced it is not relevant. Specific attention has been drawn to Policy NAT1 as it has been recommended as a mitigation measure in the draft Habitats Regulations Assessment Report to ensure that proposals are not likely to have adverse effects on the integrity of any international site.'*

The Safeguarding our Natural Environment Chapter includes policy NAT1. Policy NAT1, reiterates the legislative requirements of the Habitats Regulations in relation to international sites as follows:

Policy NAT1 – European and Ramsar Sites - International

Planning permission will only be granted for a development proposal that, either individually or in combination with existing and/or proposed plans or projects, is not likely to have a significant effect on:

- a) a European Site (Special Protection Area, proposed Special Protection Area, Special Areas of Conservation, candidate Special Areas of Conservation and Sites of Community Importance);*
or
- b) a listed or proposed Ramsar Site.*

Where a development proposal is likely to have a significant effect (either alone or in combination) or reasonable scientific doubt remains, Council will carry out an appropriate assessment of the implications for the site in view of the site's conservation objectives. Only after having ascertained that it will not adversely affect the integrity of the site shall Council grant planning permission with conditions to secure necessary mitigation measures.

In exceptional circumstances, a development proposal which could adversely affect the integrity of a European or Ramsar Site may only be permitted where:

- i. there are no alternative solutions; and*
- ii. the proposed development is required for imperative reasons of overriding public interest; and*
- iii. compensatory measures are agreed and fully secured.*

In such exceptional circumstances, where a European or Ramsar site hosts a priority habitat or priority species listed in Annex I or II of the Habitats Directive, a development proposal will only be permitted when:

- it is necessary for reasons of human health or public safety or there is a beneficial consequence of primary importance to the environment; or*
- it is agreed in advance with the appropriate authority.*

For most policies the fact that all relevant parts of the plan, including NAT1, must also apply is sufficient. This ensures that site selection features are a consideration when a proposal is being developed and reduces the potential for tensions between NAT1 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. All policies considered to have potential to generate pathways for effects have been screened-in for further assessment.

5.0 Spatial Growth Strategy and Countryside Strategy

The Strategies and policies within them set out the framework for which the vision and objectives of the LDP will be met. Those which enable development are identified in Table 3. The Growth Strategy will make provisions for a total of 4,614 dwellings for the 2018-2030 period. Policies SGS3, SGS4 and SGS5 define the allocation of housing outside the main towns, they also set out a sequential approach to managing housing supply and criteria required for non-residential uses on land zoned for housing.

Policy SGS6 identifies a total area of 167ha of land to be distributed between the three main towns for economic development. Land will not be zoned for economic development in the villages and smaller settlement as this could inhibit flexibility. Vacant or underutilised lands within settlements that were last used for economic development will also contribute to this supply of land.

Policies CS6 and CS9 constrain coastal development and coastal erosion and applicants must demonstrate that proposals will not have unacceptable effects on the coast or marine environment.

All relevant policies will be considered in the round and in view of the policy caveats, constraints on development, clarification within the J&A and Policy NAT1 these policies cannot undermine the conservation objectives of any international sites.

No further policy amendments are required to The Spatial Growth Strategy and Countryside Strategy Policies.

6.0 General Policy for all Development

Policy GP1 sets out the underlying criteria which all development requiring planning permission will be assessed against with the exception of minor proposals and will, where relevant have to demonstrate compliance with them. The Council will determine which policies and criteria apply to that proposal. Criteria includes that *'The development does not have an unacceptable adverse impact on the quality and integrity of the environment...'*

All relevant policies will be considered in the round and in view of the policy caveats, constraints on development, clarification within the J&A and Policy NAT1 these policies cannot undermine the conservation objectives of any international sites.

No further policy amendments are required to the General Policy for all Development.

7.0 Sustainable Economic Growth

The ECD, RET, TOU and MIN policies identified in Table 3 have potential to generate pathways for effects.

Growing a sustainable economy and investing in the future is a key strategic priority for the Council. It is intended to achieve this by improving competitiveness and building a larger and more export driven sector, to create more employment and higher paid jobs thereby enhancing the health and living standards in the Council area.

Policy ECD4 enables agricultural development including ammonia emitting elements which could impact international sites in Northern Ireland and/or Ireland.

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.

The policy specifies that *'A proposal for intensive farming or animal husbandry will be required to demonstrate that it will not result in any significant adverse environmental impact, including in relation to ammonia emissions.'* This ensures that the need to consider adverse environmental effects of intensive farming or animal husbandry is clear.

Policy MIN1 enables minerals development and includes a caveat to protect the natural environment and the water environment. It also provides for areas of constraint on minerals development (ACMDs). While minerals development is significantly constrained through caveats within the MIN policies there are exceptions that could enable direct effects on designated sites within the plan area. There is potential for effects from run off of sediment on aquatic habitats in designated sites or functionally linked land to which there is a hydrological pathway.

Policy MIN1 J&A states: *'The integrity and conservation features of a site of international, national, or local nature conservation importance, including SACs, SPAs Ramsar sites, ASSIs and national or local nature reserves, or other natural heritage assets must not be degraded through mineral development'*.

Policy MIN3 prohibits unconventional hydrocarbon extraction until there is evidence of no environmental impacts, *'Council will apply a presumption against unconventional extraction of hydrocarbons by methods such as hydraulic fracturing (fracking), until there is sufficient and robust evidence on all environmental impacts'*. The act of exploration is generally small scale and short duration however it potentially could affect sites directly or via hydrological pathways. The policy must comply with MIN2 which in turn must comply with MIN1. This ensures that sites sensitive to the effects of minerals development are highlighted and that the need to consider adverse environmental effects is clear.

All relevant policies will be considered in the round and in view of the policy caveats, constraints on development, clarification within the J&A and Policy NAT1 these policies cannot undermine the conservation objectives of any international sites.

No further policy amendments are required to the Sustainable Economic Growth policies.

8.0 Building Sustainable Communities

The HOU, OSL and COM policies identified in Table 3 all enable development and have potential to generate pathways for effects on international sites.

To deliver development in the countryside the relevant policies aim *‘to secure a sustainable balance between protecting the environment from inappropriate development while supporting and sustaining rural communities.’*

The J&A for Policy OSL5 includes the following caveat *‘In locations designated for their landscape, nature conservation or historic importance, it may be possible to meet the demand for outdoor recreation use so far as this is consistent with the conservation or enhancement of the interest for which the site or area is designated (also see policies in Chapter 5.0 Countryside Strategy, Chapter 10.0 Stewardship of our Built Environment and Creating Places and Chapter 11.0 Safeguarding our Natural Environment’*

Policy OSL7 which applies to Cemeteries and Burial Space requires the applicant to *‘demonstrate that the proposal will not have an adverse impact on the local water quality and in particular the groundwater underlying the site’.*

All relevant policies will be considered in the round and in view of the policy caveats, constraints on development, clarification within the J&A and Policy NAT1 these policies cannot undermine the conservation objectives of any international sites.

No further policy amendments are required to the Building Sustainable Communities policies.

9.0 Transportation, Infrastructure and Connectivity

The TR, FRD, RE, TEI, WMI and WMT policies identified in Table 3 have potential to generate pathways for effects.

The J&A for policy FRD1 clarifies that *‘Development likely to give rise to significant levels of environmental pollution in the event of damage caused by flooding will also be resisted. Therefore proposals for development associated with the storage of hazardous substances, fuel storage depots, sewage treatment works or other development likely to give rise to environmental pollution in the event of flooding will only be granted planning permission where it is demonstrated that an alternative lower risk location is not available and that adequate provision is made for pollution containment so as to prevent a pollution incident in the event of flooding’.*

Potential impacts arising from surface water (pluvial) flood risk has been considered through Policy FRD3 whereby development will only be permitted where the applicant can demonstrate any risk can be managed through adequate drainage arrangements. This must be demonstrated within a Drainage Assessment *‘where surface water run-off from the development may adversely impact upon other development or features of importance to nature conservation or the historic environment’.*

Under Policy RE1 a cautious approach for renewable energy development proposals will apply within areas of the countryside that are valued for their distinctive landscape and environmental qualities and their wider settings. The proposal must meet a list of criteria and where relevant to international sites include that:

- e) *it will not have an unacceptable adverse impact on built heritage or on biodiversity or nature conservation (including cumulative effects);*
- f) *it avoids active peatland, unless it is demonstrated there are imperative reasons of overriding public interest as defined under The Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 as amended;*
- g) *it will not have an unacceptable adverse impact on local natural resources such as air quality, water quality and quantity.*

The Council will expect an assessment of the environmental effects from renewable energy development to be submitted with any application. The level of detail required should reflect the scale of the technology employed and take account of its location.

It is recognised that there is WwTW capacity and pipe capacity constraints in some settlements within the Council area. Policy WWI1 has been included to address development which is relying on non-mains wastewater infrastructure and the applicant will be required to provide information to demonstrate to the Council's satisfaction that the proposed development will not add to or create a pollution problem. The policy states *'In those areas identified as having a pollution risk, in exceptional circumstances non-mains wastewater infrastructure will only be permitted where appropriate mitigation measures have been identified'*.

Waste has the potential to have an adverse effect on the environment. Policy WMT1 constrains proposals for new or expanded waste management facility and applicants will be required to demonstrate that a list of criteria relating specifically to waste management development are met to include:

- d) *the types of waste to be deposited or treated and the proposed method of disposal or treatment will not pose a serious environmental pollution risk to air, water or soil resources that cannot be prevented or appropriately controlled by mitigating measures.*

Policies WMT2, WMT3, WMT4 and WMT5 all include some form of a caveat to protect the environment from unacceptable adverse impacts from waste management development.

All relevant policies will be considered in the round and in view of the policy caveats, constraints on development, clarification within the J&A and Policy NAT1 these policies cannot undermine the conservation objectives of any international sites.

No further policy amendments are required to the Transport, Infrastructure and Connectivity policies.

10.0 Stewardship of our Built Environment and Creating Places

Some of the HE policies identified in Table 3 could be considered as site safeguarding/preservation policies due to their nature and constraints, however they do enable development and therefore have potential to generate pathways for effects on international sites.

Policy AD1 is generally listing criteria for the acceptability of the proposal, however, does enable development which could adversely impact mobile species.

All relevant policies will be considered in the round and in view of the policy caveats, constraints on development, clarification within the J&A and Policy NAT1 these policies cannot undermine the conservation objectives of any international sites.

No further policy amendments are required to the Stewardship of our Built Environment and Creating Places policies.

11.0 Safeguarding our Natural Environment

Policy NAT1 is intended to avoid or reduce harmful effects on international sites. NAT1 applies to all development under the LDP, it is considered the policy faithfully reflects the legislative requirements of the Habitats Directive and will ensure no adverse effect on any international sites.

No further policy amendments are required to the Safeguarding our Natural Environment 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 constraints 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
5.0 Spatial Growth Strategy and Countryside Strategy		
SGS3 Strategic Allocation of Housing to Settlements	No further policy amendments are required.	In view of constraints on development, policy caveats and Policy NAT1 these policies cannot undermine the conservation objectives of any international sites.
SGS4 Protection of Zoned Housing Land		
SGS5 Management of Housing Supply		
SGS6 Strategic Allocation of Land for Economic Development		
CS1 Sustainable Development in the Countryside		
CS2 Special Countryside Areas		
CS3 Areas of Constraint on High Structures		
CS4 Rural Landscape Wedges		
CS5 Antrim Coast and Glens Area of Outstanding Natural Beauty		
CS6 Developed Coast (Belfast Lough Shore)		
CS7 Local Landscape Policy Areas		
CS8 Protection of Main River Corridors		
CS9 Development at Risk from Land Instability or Coastal Erosion		
6.0 General Policy for all Development		
GP1 General Policy for all Development	No further policy amendments are required.	In view of constraints on development, policy caveats and Policy NAT1 these policies cannot undermine the conservation objectives of any international sites.
7.0 Sustainable Economic Growth		
ECD1 Economic Development in Settlements	No further policy amendments are required.	In view of constraints on development, policy caveats and Policy NAT1 these policies cannot undermine the conservation objectives of any international sites.
ECD2 Retention of Economic Development Land		
ECD4 Economic, Agricultural and Forestry Development in the Countryside		
RET1 Retail in Town Centres		
RET2 Retail Impact Assessment		
RET3 Retail in Villages, Small Settlements and Local Centres		
RET4 Rural Shops and Roadside Service Facilities		
TOU2 Tourism Development in Settlements and Tourism Opportunity Zones		
TOU3 All Tourism Development in the Countryside		
TOU4 Tourist Amenities in the Countryside		
TOU5 Hotels, Guest Houses and Tourist Hostels in the Countryside		
TOU6 Self Catering Accommodation in the Countryside		
TOU7 New and Extended Holiday Parks in the Countryside		

TOU8 Major Tourism Development in the Countryside – Exceptional Circumstances		
MIN1 Mineral Development – Extraction and Processing of Hard Rock and Aggregates		
MIN2 Valuable Minerals		
MIN3 Hydrocarbons		
MIN4 Areas of Constraint on Mineral Development		
MIN5 Area of Salt Reserve, Carrickfergus		
MIN6 Development at Risk of Subsidence due to past or present underground mineral extraction		
MIN7 Peat Extraction		
MIN8 Restoration and Management of Mineral Sites		
8.0 Building Sustainable Communities		
HOU1 Quality in New Residential Development in Settlements		
HOU2 The Conversion or Change of Use of Existing Buildings to Flats or Apartments	No further policy amendments are required.	In view of constraints on development, policy caveats and Policy NAT1 these policies cannot undermine the conservation objectives of any international sites.
HOU3 Residential Extensions and Alterations		
HOU5 Affordable Housing in Settlements		
HOU6 Housing Mix (Unit Types and Sizes)		
HOU7 Adaptable and Accessible Homes		
HOU8 Travellers Accommodation		
HOU9 Replacement Dwelling		
HOU10 Dwelling on a Farm Business		
HOU11 Dwelling for Non-Agricultural Business Enterprise		
HOU12 New Dwelling in Existing Clusters		
HOU13 Ribbon/Infill Development		
HOU14 Personal and Domestic Circumstances		
HOU15 Residential Caravans and Mobile Homes		
HOU16 Affordable Housing in the Countryside		
OSL2 Greenways		
OSL3 New Open Space Provision		
OSL4 Public Open Space in New Residential Development		
OSL5 Sport and Outdoor Recreation Facilities		
OSL6 Community Growing Spaces and Allotments		
OSL7 Cemeteries and Burial Space		
COM1 Education, Health, Community and Cultural Facilities		
9.0 Transportation		
TR1 Access to Public Roads	No further policy amendments are required.	In view of constraints on development, policy caveats and Policy NAT1 these policies cannot undermine
TR2 Access to Protected Routes		
TR3 New Transport Schemes		
TR6 Parking and Servicing		

TR7 Provision of Car Parks		the conservation objectives of any international sites.
FRD1 Development within Floodplains		
FRD3 Management of Development in regard to Surface Water Flood Risk		
FRD4 Sustainable Drainage (SuDS)		
FRD5 Artificial Modification of Watercourses		
FRD6 Development in Proximity to Controlled Reservoirs		
RE1 Renewable Energy Development		
TEI1 Telecommunications and Electricity Infrastructure		
WWI1 Development Relying on Non-Mains Wastewater Infrastructure		
WMT1 Environmental Impact of a Waste Management Facility		
WMT2 Waste Collection and Treatment Facilities		
WMT3 Waste Disposal Sites		
WMT4 Development in the vicinity of a Waste Management Facility		
WMT5 Land Improvement		
10.0 Stewardship of our Built Environment and Creating Places		
HE1 Archaeological Remains and their Settings	No further policy amendments are required.	In view of constraints on development, policy caveats and Policy NAT1 these policies cannot undermine the conservation objectives of any international sites.
HE2 Historic Parks, Gardens and Demesnes		
HE3 Listed Buildings - Change of Use or Extension/Alteration or Conversion of a Listed Building		
HE4 Listed Buildings - Demolition of a Listed Building		
HE5 Development affecting the Setting of a Listed Building		
HE6 Conservation Areas		
HE7 Areas of Townscape Character		
HE8 Unlisted Locally Important Building or Vernacular Building		
HE9 Enabling Development for the Conservation of Heritage Assets		
AD1 The Control of Advertisements		
11.0 Safeguarding our Natural Environment		
NAT1 European and Ramsar Sites – International	No further policy amendments are required.	In view of constraints on development, policy caveats and Policy NAT1 these policies cannot undermine the conservation objectives of any international sites.

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 NAT1 is explicit that a development proposal will be subject to appropriate assessment where it is 'likely to have a significant effect (either alone or in combination) or reasonable scientific doubt remains' on a SAC, SPA or Ramsar site. Policy NAT1 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 NAT1 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	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 NAT1 which will require Appropriate Assessment.
Regional Development Strategy 2035			
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 SPSS 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 SPSS in the absence of mitigation measures. In combination effects from projects which arise from implementation of the SPSS will not be significant, especially when viewed in light of the mitigation in the Plan Strategy against policy NAT1 which will require Appropriate Assessment.
County	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.	This Neighbouring Council Plan has 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 NAT1 which will require Appropriate Assessment.
Antrim and Newtownabbey Local Development Plan 2030 Draft Plan Strategy			

Plan or Project	Possible significant effects from plan or project	Is there a risk of in combination effects	Possible significant effects in combination
Causeway Coast and Glens – Northern Area Plan (NAP) 2016	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.	This Neighbouring Council Plan has been subject to 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 NAT1 which will require Appropriate Assessment.
Mid Ulster District Council Local Development Plan 2030 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.	This Neighbouring Council Plan has 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 NAT1 which will require Appropriate Assessment.
Local	Potential in-combination effects may arise from this project on international sites. Such effects may include: Deterioration on habitat from airborne pollutants disturbance to habitats/species; Species mortality; Alterations to water quality and/or water movement; and Release of contaminated material (soils, runoff).	All project elements will require a HRA to be undertaken. 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. 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 NAT1 which will require Appropriate Assessment.
Kilroot Power Station, Carrickfergus			
Salt Caverns, Larne Lough	Potential in-combination effects may arise from this project on international sites. Such effects may include: disturbance to habitats/species; Species mortality; Alterations to water quality and/or water movement; and Release of contaminated material (soils, runoff).	All project elements will require a HRA to be undertaken. 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. 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 NAT1 which will require Appropriate Assessment.

6 Conclusions

Outcome of HRA

Step 8: Preparing 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, 87 policies were identified as having a likely significant effect in the absence of mitigation. Mitigation measures, in the form of 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.
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.
International sites	Collective term that includes European SACs, SPAs, SACs, pSPAs, SCIs and Ramsar sites (the latter is a wider international designation).
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. 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 European 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 Refers to 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) as applied to the UK prior to EU Exit. 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.

DAERA (2015 – 2017) Conservation Objectives (*Online*) Available at <https://www.daera-ni.gov.uk/landing-pages/protected-areas> (Accessed December 2021)

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 December 2021)

DAERA (2020). Guidance explaining The Conservation (Natural Habitats, etc.) (Amendment) (Northern Ireland) (EU Exit) Regulations 2019. December 2020 (version 1).

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)

Joint Nature Conservation Committee (JNCC) (Dates vary) Information Sheet on Ramsar Wetlands (RIS). (*Online*) Available at <http://jncc.defra.gov.uk/page-1393> (Accessed December 2021)

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 December 2021)

NI Water (2021) Water Resource and Supply Resilience Plan [waterresourcesupplyresilienceplan-mainreport](#) (Accessed Feb 2023)

Spatial NI (2017) Data Layers for Local Government boundaries (*Online*) Available at <https://www.spatialni.gov.uk/> (Accessed December 2021)

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

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 will be modified in light of the independent examination and any amendments to the draft 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 in 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 ruled⁵ 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 UK⁶ 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'.

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

⁶ 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.

Feeney⁷ (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.’

Boggis⁸ 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)⁹ 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.

⁷ 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

⁸ 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

⁹ 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 Council¹⁰ 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)¹¹ 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

¹⁰ 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

¹¹ 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 compile 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.

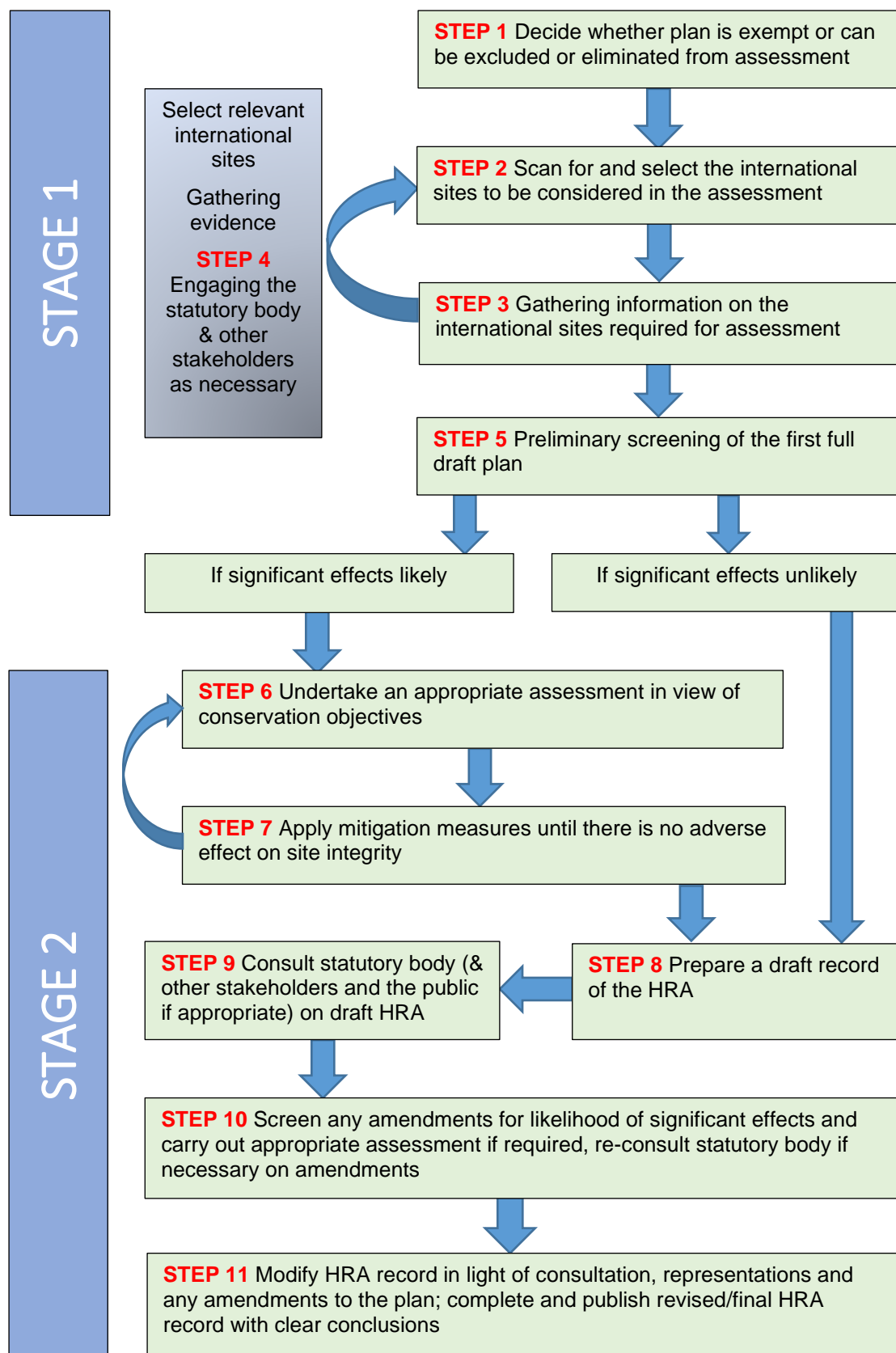
- Is the whole of the plan directly connected with or necessary to the management of an international site for nature conservation purposes?
- Is the plan a strategic development plan, local development plan, supplementary guidance?
- Is the plan a general statement of policy showing only the general 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; '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 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' 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 current 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.

Report	Sites Included
Antrim Hills SPA	Antrim Hills SPA
Belfast Lough & Associated SPAs and Ramsar Sites	Belfast Lough Open Water SPA
	Belfast Lough Ramsar Site
	Belfast Lough SPA
	Copeland Islands SPA
	East Coast (Northern Ireland) Marine pSPA
	Outer Ards Ramsar Site
	Outer Ards SPA
Garron Plateau SAC & Ramsar Site	Garron Plateau Ramsar Site
	Garron Plateau SAC
Larne Lough SPA & Ramsar Site	Larne Lough Ramsar Site
	Larne Lough SPA
Lough Neagh and Lough Beg SPA & Ramsar Site	Lough Neagh and Lough Beg Ramsar Site
	Lough Neagh and Lough Beg SPA
Main Valley Bogs SAC	Main Valley Bogs SAC
Dead Island Bog SAC	Dead Island Bog SAC
Wolf Island Bog SAC	Wolf Island Bog SAC
Rea's Wood and Farr's Bay SAC	Rea's Wood and Farr's Bay SAC
Red Bay SAC	Red Bay SAC
The Maidens SAC	The Maidens SAC
North Channel SAC & Skerries and Causeway SAC for (Harbour Porpoise)	North Channel SAC
	Skerries and Causeway 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 Viewer¹² or downloaded from its digital datasets web page¹³. 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 Sites¹⁴. Under 'General Site Character' there is a link to the standard data form for that SAC. Further detail is

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

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

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

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 page¹⁵. 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 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 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 page¹⁶. 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.

Sources of Information Ireland sites

The background information for appropriate assessment draws on or refers to source documents as detailed below. Digital maps for all sites can be downloaded from the NPWS website at their Designated Site Data web page¹⁷.

Special Protection Areas Ireland

An overview of Ireland's SPA network can be found on the NPWS website at the page on Special Protection Areas¹⁸. On this page, there are links to SPA boundary data and a statutory list of SPAs where further information on the SPA citation document, conservation interests and operations or activities requiring consent can be found. Links to individual web pages for each SPA, which include their Natura 2000 standard data form, are found on the NPWS website page on Conservation Objectives¹⁹.

Condition Assessment Ireland

Condition Assessment information for designated sites is provided from the NPWS website at its Conservation Objectives page. A list of SACs and SPAs is provided with links to site conservation objectives, Natura 2000 data forms and site synopsis information. For some of these sites, Conservation Objectives Supporting Documents are also provided and include condition information.

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

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

¹⁶ <https://www.daera-ni.gov.uk/landing-pages/protected-areas>

¹⁷ NPWS (2018) 'Designated site data' <https://www.npws.ie/maps-and-data/designated-site-data> (accessed November 2019)

¹⁸ NPWS (2018) 'Special Protection Areas (SPA)' <https://www.npws.ie/protected-sites/spa> (accessed November 2019)

¹⁹ <https://www.npws.ie/protected-sites/conservation-management-planning/conservation-objectives>

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

Extract from The Habitats Regulations Assessment Handbook, www.dtapublications.co.uk © DTA Publications Limited (November 2018) all rights reserved. This work is registered with the UK Copyright Service

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	Antrim Hills SPA Belfast Lough Open Water SPA Belfast Lough Ramsar Belfast Lough SPA Copeland Islands SPA East Coast (NI) Marine pSPA Garron Plateau Ramsar Site Garron Plateau SAC Larne Lough Ramsar Larne Lough SPA Lough Neagh and Lough Beg Ramsar Lough Neagh and Lough Beg SPA Main Valley Bogs SAC North Channel SAC Outer Ards Ramsar Site Outer Ards SPA Skerries and Causeway SAC The Maidens SAC
2. Plans that could affect the aquatic environment	Sites upstream or downstream of the plan area in the case of river or estuary sites	Belfast Lough Open Water SPA Belfast Lough Ramsar Belfast Lough SPA Larne Lough Ramsar Larne Lough SPA
	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	Antrim Hills SPA Belfast Lough Open Water SPA Belfast Lough Ramsar Belfast Lough SPA Copeland Islands SPA East Coast (NI) Marine pSPA Garron Plateau Ramsar Site Garron Plateau SAC Larne Lough Ramsar Larne Lough SPA Lough Neagh and Lough Beg Ramsar Lough Neagh and Lough Beg SPA Main Valley Bogs SAC North Channel SAC Outer Ards Ramsar Site Outer Ards SPA The Maidens SAC

Types of plan	Sites to scan for and check	Names of sites selected
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 seabed, or marine species	Belfast Lough Open Water SPA Belfast Lough Ramsar Belfast Lough SPA Copeland Islands SPA East Coast (NI) Marine pSPA Larne Lough Ramsar Larne Lough SPA Outer Ards Ramsar Site Outer Ards SPA North Channel SAC Skerries and Causeway SAC The Maidens SAC
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 Copeland Islands SPA East Coast (NI) Marine pSPA Larne Lough Ramsar Larne Lough SPA Outer Ards Ramsar Site Outer Ards SPA
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	Antrim Hills SPA Belfast Lough Open Water SPA Belfast Lough Ramsar Belfast Lough SPA Copeland Islands SPA East Coast (NI) Marine pSPA Larne Lough Ramsar Larne Lough SPA Lough Neagh and Lough Beg Ramsar Lough Neagh and Lough Beg SPA Outer Ards Ramsar Site Outer Ards SPA North Channel SAC Rea's Wood and Farr's Bay SAC Skerries and Causeway SAC The Maidens SAC
6. Plans that could increase recreational pressure on international sites potentially vulnerable or sensitive to such pressure	Such international sites in the plan area	Antrim Hills SPA Belfast Lough Open Water SPA Belfast Lough Ramsar Belfast Lough SPA East Coast (NI) Marine pSPA Garron Plateau Ramsar Site Garron Plateau SAC Larne Lough Ramsar Larne Lough SPA Lough Neagh and Lough Beg Ramsar Lough Neagh and Lough Beg SPA Main Valley Bogs SAC The Maidens SAC

Types of plan	Sites to scan for and check	Names of sites selected
6. cont. Plans that could increase recreational pressure on international sites 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	None
	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	None
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	Antrim Hills SPA Copeland Islands SPA Garron Plateau Ramsar Site Garron Plateau SAC Lough Neagh and Lough Beg Ramsar Lough Neagh and Lough Beg SPA Outer Ards Ramsar Site Outer Ards SPA Rea's Wood and Farr's Bay SAC
	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 Copeland Islands SPA East Coast (NI) Marine pSPA Larne Lough Ramsar Larne Lough SPA Lough Neagh and Lough Beg Ramsar Lough Neagh and Lough Beg SPA Outer Ards Ramsar Site Outer Ards SPA North Channel SAC Rea's Wood and Farr's Bay SAC Skerries and Causeway SAC
	Sites that could be affected by the provision of new or extended transport or other infrastructure	None

Types of plan	Sites to scan for and check	Names of sites selected
	Sites that could be affected by increased deposition of air pollutants arising from the proposals, including emissions from significant increases in traffic	Antrim Hills SPA Belfast Lough Ramsar Belfast Lough SPA Copeland Islands SPA East Coast (NI) Marine pSPA Garron Plateau Ramsar Site Garron Plateau SAC Larne Lough Ramsar Larne Lough SPA Lough Neagh and Lough Beg Ramsar Lough Neagh and Lough Beg SPA Main Valley Bogs SAC Outer Ards Ramsar Site Outer Ards SPA Rea's Wood and Farr's Bay SAC
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
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 draft 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	Antrim Hills SPA Belfast Lough Ramsar Belfast Lough SPA Copeland Islands SPA Dead Island Bog SAC Garron Plateau Ramsar Site Garron Plateau SAC Larne Lough Ramsar Larne Lough SPA Lough Neagh and Lough Beg Ramsar Lough Neagh and Lough Beg SPA Main Valley Bogs SAC North Channel SAC Outer Ards Ramsar Site Outer Ards SPA Rea's Wood and Farr's Bay SAC Skerries and Causeway Wolf Island Bog SAC

Types of plan	Sites to scan for and check	Names of sites selected
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	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
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	None (recreational uses covered at 6 above)
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	None
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 (recreational uses covered at 6 above)

Sites considered but eliminated

No further sites were identified through the scan recorded in Table A3.1. The information about the international sites 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 22 international sites, it is not conceivable that the Plan Strategy could undermine the conservation objectives for 1 site as there is no conceivable pathway for an effect or their conservation objectives could not be undermined. This site is therefore eliminated from further consideration due to separation distance and absence of a viable pathway for effects as detailed in Table A3.2.

Table A.3.2 Sites Eliminated from Further Assessment

Site	Elimination Reason
Red Bay SAC	There is a theoretical pathway however it is not conceivable that the plan would generate additional development impacts to an extent that it could undermine the conservation objectives for this site.

Appendix 4: Maps

Map 1: SPAs in relation to Mid and East Antrim Borough Council

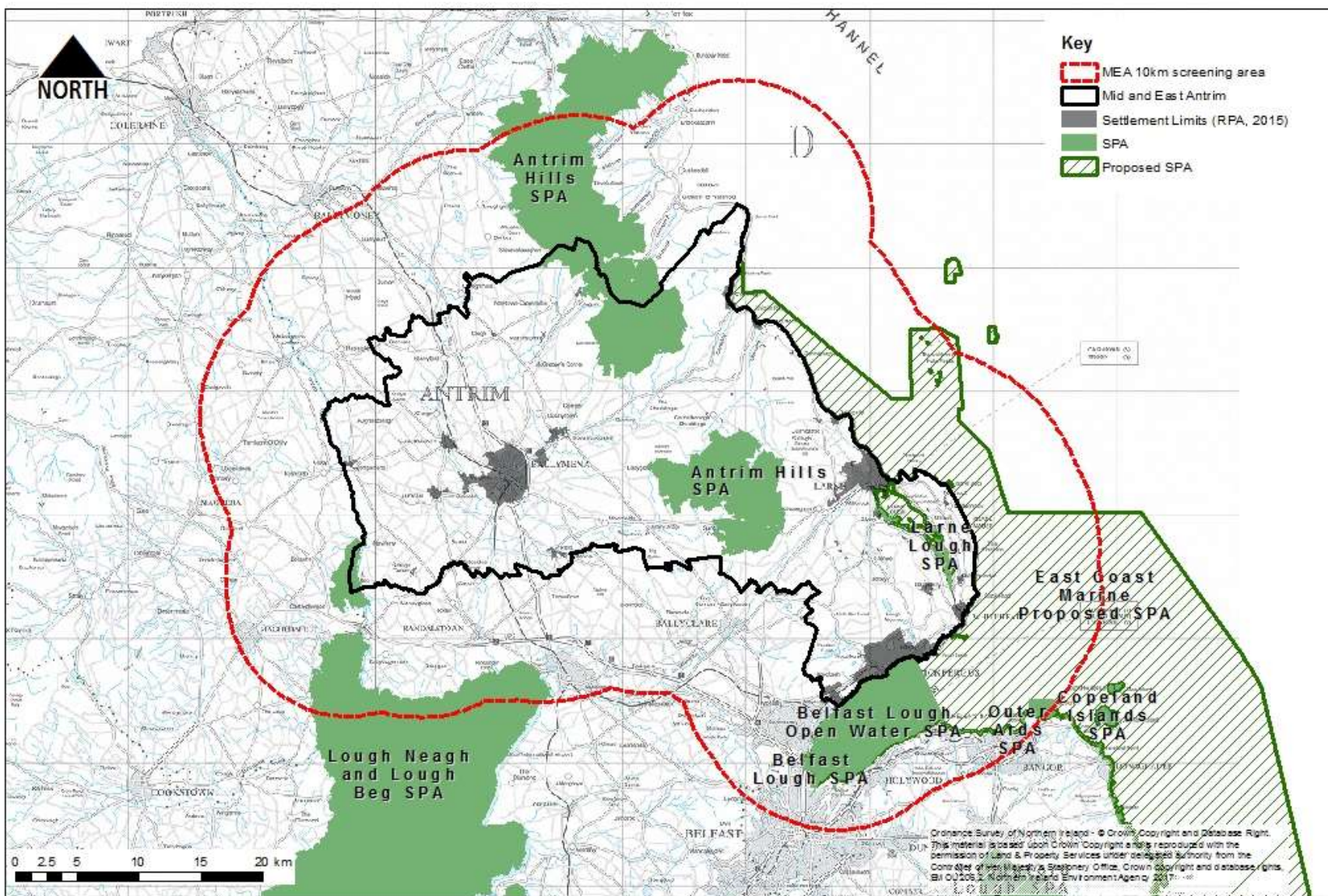
Map 2: SACs in relation to Mid and East Antrim Borough Council

Map 3: Ramsar Sites in relation to Mid and East Antrim Borough Council

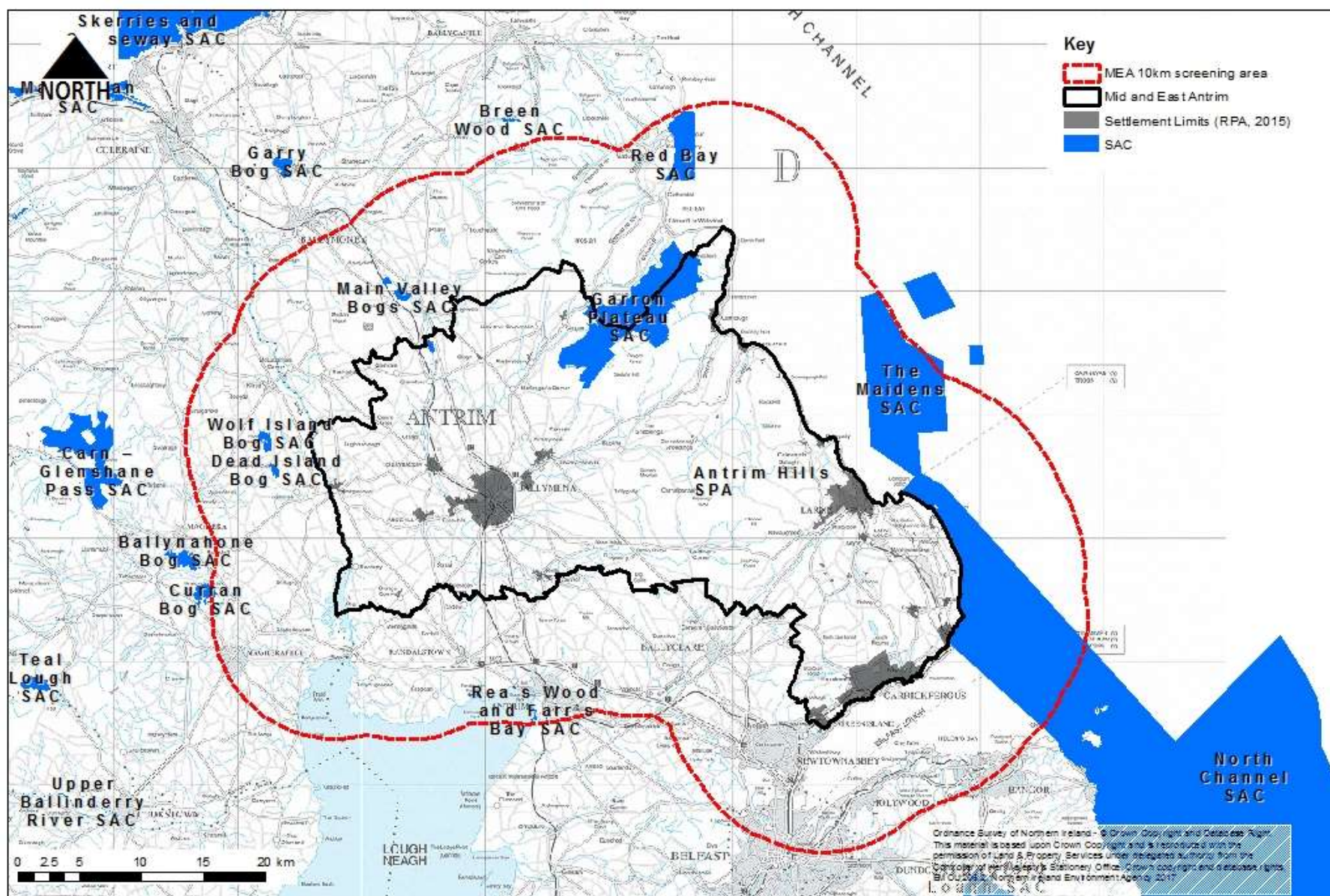
Map 4: Marine SACs in relation to Mid and East Antrim Borough Council

Map 5: Major Catchments within the Mid and East Antrim Borough Council area

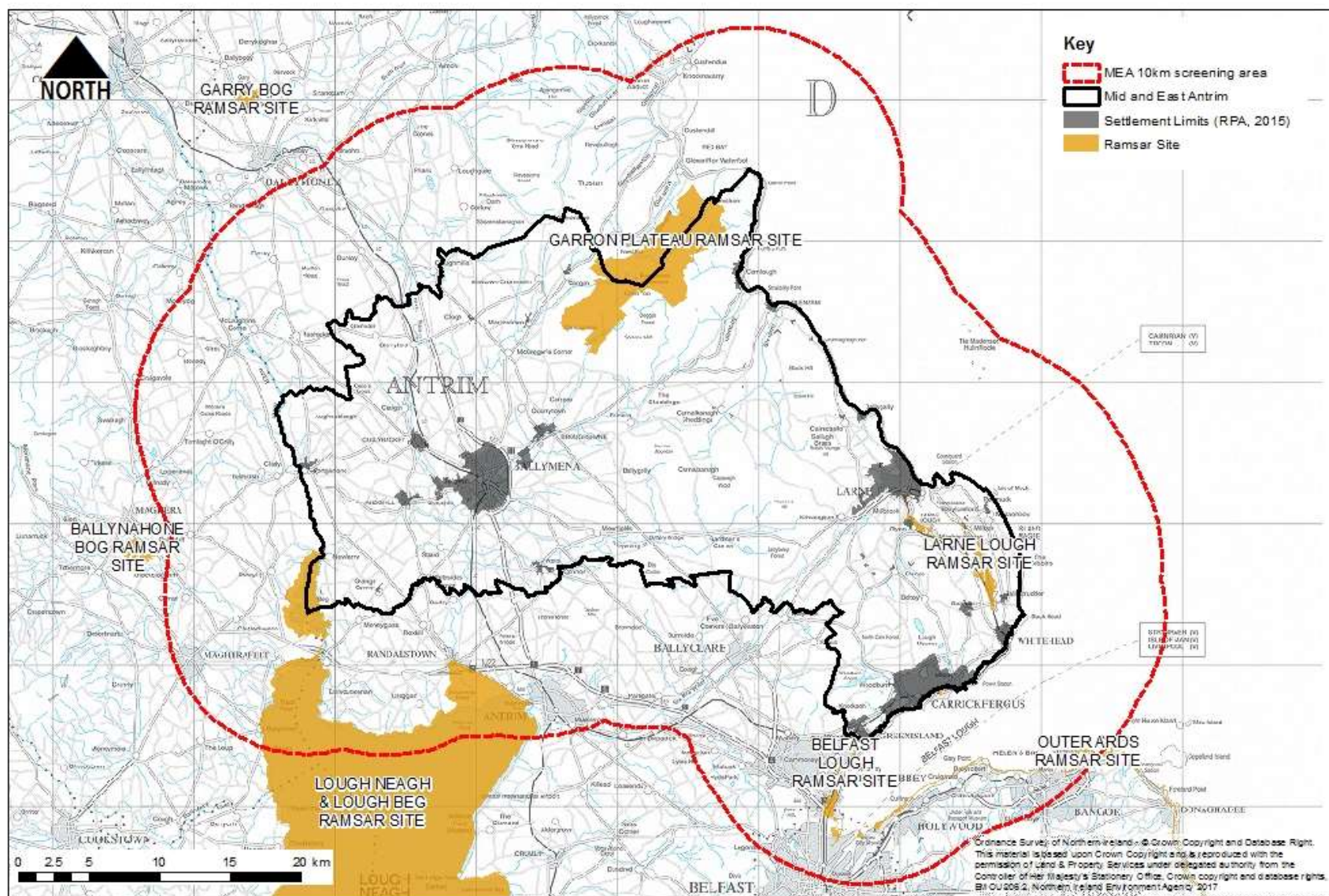
Map 1: SPAs in relation to Mid and East Antrim Borough Council



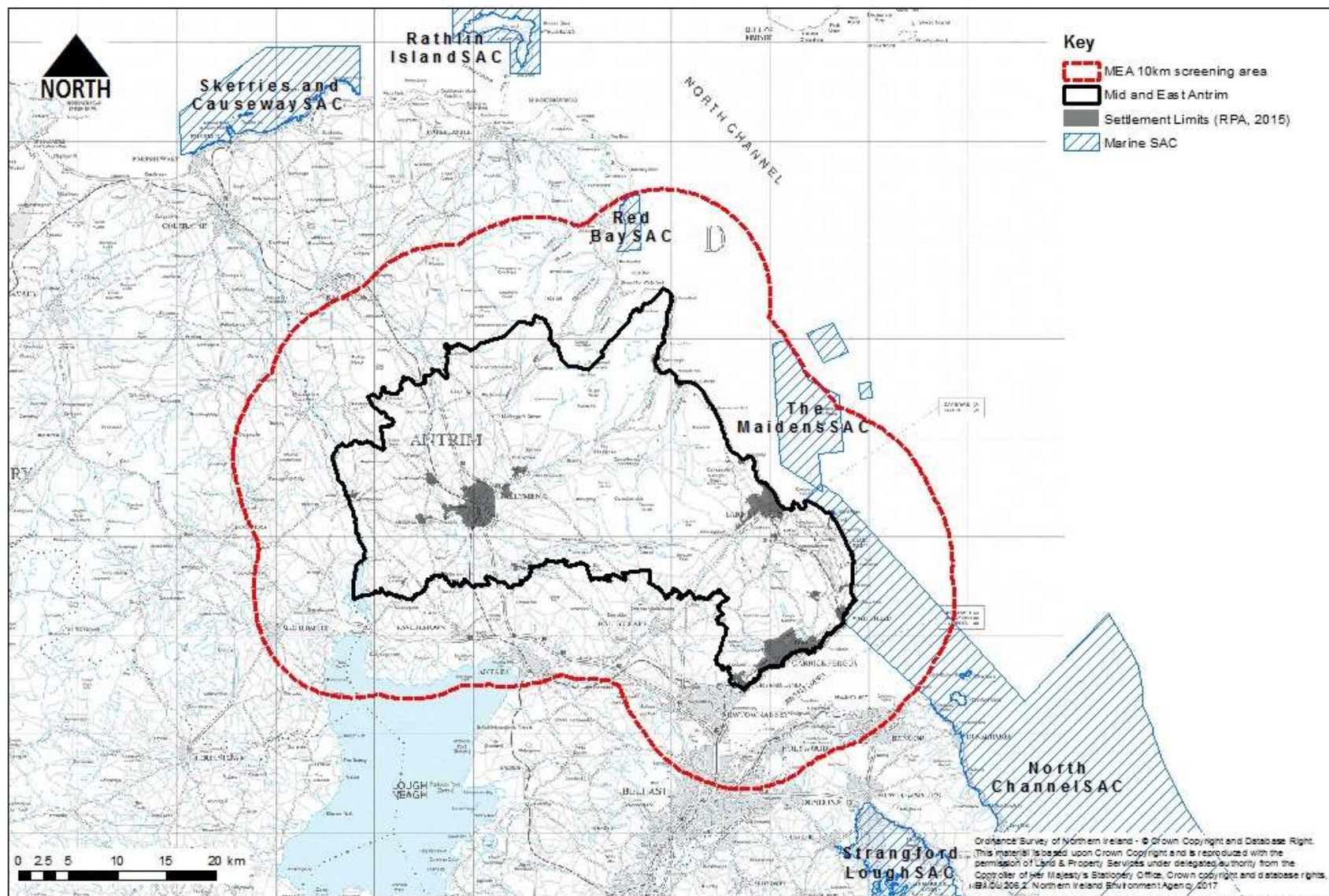
Map 2: SACs in relation to Mid and East Antrim Borough Council



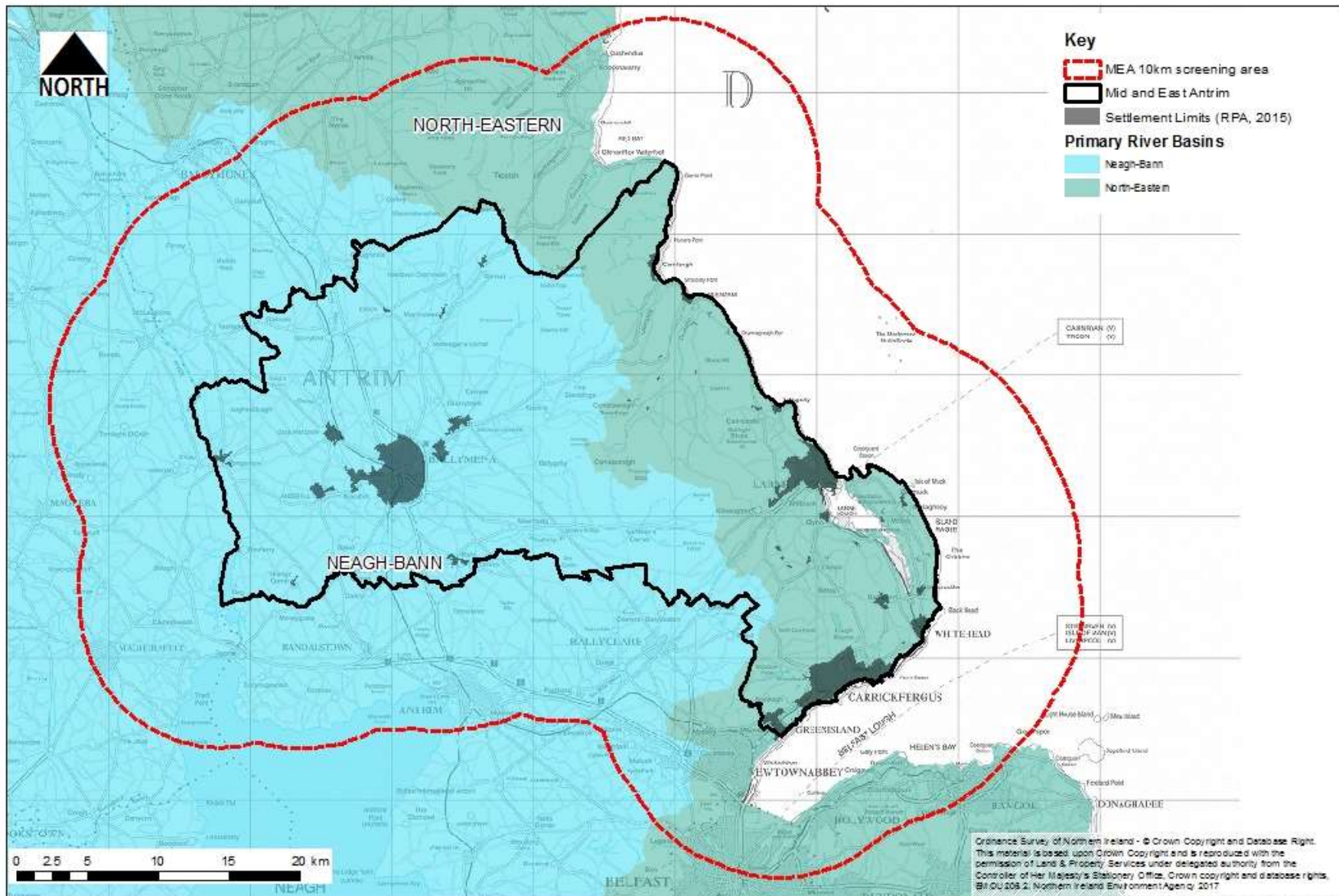
Map 3: Ramsar Sites in relation to Mid and East Antrim Borough Council



Map 4: Marine SACs in relation to Mid and East Antrim Borough Council



Map 5: Major Catchments within the Mid and East Antrim Borough 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

Mid and East Antrim Borough Council - LDP Plan Strategy 2030 – Screening of Plan Strategy Proposals and Policies

Plan Proposal/Policy	Criteria	Screening	Screening Comment
PART 1			
1.0 Introduction	NA	Out	Administrative text - introduces plan and its preparation
2.0 Setting the Context	NA	Out	Administrative text - policy context
3.0 District Profile	NA	Out	Administrative text - profile of District
4.0 Vision and Strategic Objectives			
4.1 Vision			
Plan Vision: “Mid and East Antrim will be shaped by high quality, sustainable and connected places for people to live, work, enjoy, invest and visit, so as to improve the quality of life for all”	A	Out	General statement of objectives.
4.2 Strategic Objectives			
Economic Objectives			
a) To provide a generous supply and choice of sites for business and employment uses so as to assist in promoting sustainable economic growth in Mid and East Antrim and in meeting the locational needs of particular sectors, including new and emerging sectors;	A	Out	General statement of objectives.
b) To support and sustain vibrant town centres in Ballymena, Larne and Carrickfergus;	A	Out	General statement of objectives.
c) To protect strategically important transportation assets and routes (including disused transport routes) and, where possible, to facilitate enhanced connectivity within Mid and East Antrim and between the Borough and other centres;	A	Out	General statement of objectives.

d) To support tourism as a key growth sector in Mid and East Antrim by facilitating opportunities for sustainable tourism development and by safeguarding key tourism assets from inappropriate development;	A	Out	General statement of objectives.
e) To facilitate sustainable economic development in the countryside, provided it is suitably located and is of an appropriate nature and scale for the rural context;	A	Out	General statement of objectives.
f) To facilitate the provision or upgrading of public utilities infrastructure (including water, wastewater, energy and telecommunications) to meet economic and community needs; and	A	Out	General statement of objectives.
g) To support the generation of energy, particularly from renewable sources, in a balanced way that takes due account of environmental impacts and on sensitive or vulnerable landscapes.	A	Out	General statement of objectives.
Social Objectives			
a) To support the role of main towns, small towns, villages, and small settlements in accordance with the LDP Spatial Growth Strategy and commensurate with their place in the settlement hierarchy;	A	Out	General statement of objectives.
b) To support rural communities by providing appropriate opportunities for sustainable development in the countryside;	A	Out	General statement of objectives.
c) To provide a sufficient supply of land for new mixed tenure housing in convenient locations to meet the anticipated housing need of around 7,500 dwellings for the period 2012 to 2030, including any identified special housing needs;	A	Out	General statement of objectives.
d) To deliver quality residential environments (including associated public open space and linkages to green infrastructure networks);	A	Out	General statement of objectives.

e) To facilitate confirmed needs for the development of new health, educational, recreational and community services at locations accessible to local communities through various modes of transportation;	A	Out	General statement of objectives.
f) To support, and where possible enhance, the recreation and leisure offer within Mid and East Antrim, including safeguarding and promoting access to the coast and to heritage assets;	A	Out	General statement of objectives.
g) To promote active travel and increased opportunities for walking and cycling while protecting existing active travel routes and networks; and	A	Out	General statement of objectives.
h) To facilitate regeneration initiatives, particularly where they will provide for quality public places and 'shared spaces' that are accessible to and valued by everyone, or where they improve the quality of life for disadvantaged local communities.	A	Out	General statement of objectives.
Environmental Objectives			
a) To protect, conserve and where possible, enhance environmental quality, biodiversity, and the natural processes underpinning the delivery of ecosystem services in Mid and East Antrim;	A	Out	General statement of objectives.
b) To protect areas of high quality landscape within the Borough, particularly those which are designated within the Antrim Coast and Glens Area of Outstanding Natural Beauty;	A	Out	General statement of objectives.
c) To protect sites designated for their nature conservation or scientific importance and to avoid harm to protected species;	A	Out	General statement of objectives.

d) To safeguard the unique character and amenity of our coastline (particularly the undeveloped coast), loughs and the main river corridors;	A	Out	General statement of objectives.
e) To protect, conserve and where possible enhance our historic environment, including the full suite of heritage assets which are associated with the historical evolution of Mid and East Antrim;	A	Out	General statement of objectives.
f) To avoid new development in areas known to be at significant risk from flooding, coastal change or land instability, taking account of increased vulnerability associated with climate change;	A	Out	General statement of objectives.
g) To contribute towards climate change mitigation and adaptation measures, where practicable through the planning system;	A	Out	General statement of objectives.
h) To promote and facilitate the use of energy, water and drainage, and mineral resources in an efficient and sustainable manner and to support initiatives for the reduction and recycling of waste;	A	Out	General statement of objectives.
i) To promote high quality design standards in all development so as to reflect local distinctiveness and further positive place-making; and	A	Out	General statement of objectives.
j) To focus significant new development in accessible locations particularly for public transport services and to promote integration between transportation and new development so as to reduce the need for travel and to reduce dependency upon travel by private car generally.	A	Out	General statement of objectives.
5.0 SPATIAL GROWTH STRATEGY AND COUNTRYSIDE STRATEGY			
5.1 Spatial Growth Strategy			
SGS1 Spatial Growth Strategy	A	Out	This is a general statement of aspirations to deliver sustainable development.

5.2 Settlement Hierarchy			
SGS2 Settlement Hierarchy	A	Out	This is a general statement. It is a strategic high-level setting out the settlement hierarchy within the plan.
5.3 Strategic Housing Allocation Strategy			
SGS3 Strategic Allocation of Housing to Settlements	I	In	This policy may have a likely significant effect on international sites.
SGS4 Protection of Zoned Housing Land	I	In	This policy may have a likely significant effect on international sites.
SGS5 Management of Housing Supply	I	In	This policy may have a likely significant effect on international sites.
5.4 Economic Development Strategy			
SGS6 Strategic Allocation of Land for Economic Development	I	In	This policy may have a likely significant effect on international sites.
5.5 Retail Strategy			
SGS7 Retail Hierarchy	A	Out	This is a general statement of policy which cannot have any effect on an international site. It is a strategic high-level policy setting out the retail hierarchy and providing a framework for delivering operational policies.
5.6 Tourism Strategy			
SGS8 Tourism Strategy	A	Out	Strategic high-level. Sets out the Tourism Strategy in account of the regional and local policy context and is informed by evidence base.
5.7 Transport Strategy			
Local Transport Study for Mid and East Antrim (LTS), prepared by DfI	C	Out	Strategic high-level. The Local Transport Strategy prepared by DfI will provide the transport strategy for the Borough. The detail and specific schemes will be contained within the Local Transport Plan (LTP), also to be prepared by DfI, and to be brought forward at LPP. The LTP will be subject to HRA.
5.8 Open Space Strategy			

SGS9 Open Space Strategy	A	Out	The policy is a strategic high-level policy for provision of open space with reference to other policies within the plan. The later OSL policies are screened individually below.
5.9 Countryside Strategy			
CS1 Sustainable Development in the Countryside	I	In	This policy may have a likely significant effect on international sites.
CS2 Special Countryside Areas	I	In	This policy may have a likely significant effect on international sites.
CS3 Areas of Constraint on High Structures	I	In	This policy may have a likely significant effect on international sites.
CS4 Rural Landscape Wedges	I	In	This policy may have a likely significant effect on international sites.
CS5 Antrim Coast and Glens Area of Outstanding Natural Beauty	I	In	This policy may have a likely significant effect on international sites.
CS6 Developed Coast (Belfast Lough Shore)	I	In	This policy may have a likely significant effect on international sites.
CS7 Local Landscape Policy Areas	I	In	This policy may have a likely significant effect on international sites.
CS8 Protection of Main River Corridors	I	In	This policy may have a likely significant effect on international sites.
5.10 Land Instability and Coastal Erosion			
CS9 Development at Risk from Land Instability or Coastal Erosion	I	In	This policy may have a likely significant effect on international sites.
PART 2			
6.0 General Policy for all Development			
GP1 General Policy for all Development	I	In	This policy may have a likely significant effect on international sites.
7.0 Sustainable Economic Growth			
7.1 Economic Development			

ECD1 Economic Development in Settlements	I	In	This policy may have a likely significant effect on international sites.
ECD2 Retention of Economic Development Land	I	In	This policy may have a likely significant effect on international sites.
ECD3 Development incompatible with Economic Development Uses	F	Out	The policy is a strategic high level policy to avoid incompatible development. In itself the policy cannot lead to any development or change.
ECD4 Economic, Agricultural and Forestry Development in the Countryside	I	In	This policy may have a likely significant effect on international sites.
7.2 Retailing and Town Centres			
RET1 Retail in Town Centres	I	In	This policy may have a likely significant effect on international sites.
RET2 Retail Impact Assessment	I	In	This policy may have a likely significant effect on international sites.
RET3 Retail in Villages, Small Settlements and Local Centres	I	In	This policy may have a likely significant effect on international sites.
RET4 Rural Shops and Roadside Service Facilities	I	In	This policy may have a likely significant effect on international sites.
7.3 Tourism			
TOU1 Safeguarding of Tourism Assets	D/F	Out	This policy is a general environmental/safeguarding protection policy and one that cannot lead to development or other change.
TOU2 Tourism Development in Settlements and Tourism Opportunity Zones	I	In	This policy may have a likely significant effect on international sites.
TOU3 All Tourism Development in the Countryside	I	In	This policy may have a likely significant effect on international sites.

TOU4 Tourist Amenities in the Countryside	I	In	This is a policy listing the general criteria for testing acceptability of proposals. Through reference to TOU3 this policy must also meet the General Policy and accord with other provisions of the LDP. It is not spatially specific but could theoretically be relevant to schemes which might impact upon international sites directly or through indirect effects such as disturbance from recreation. Further assessment of this policy is required.
TOU5 Hotels, Guest Houses and Tourist Hostels in the Countryside	I	In	This policy may have a likely significant effect on international sites.
TOU6 Self Catering Accommodation in the Countryside	I	In	This policy may have a likely significant effect on international sites.
TOU7 New and Extended Holiday Parks in the Countryside	I	In	This policy may have a likely significant effect on international sites.
TOU8 Major Tourism Development in the Countryside – Exceptional Circumstances	I	In	This policy may have a likely significant effect on international sites.
7.4 Minerals Development			
MIN1 Mineral Development – Extraction and Processing of Hard Rock and Aggregates	I	In	This policy may have a likely significant effect on international sites.
MIN2 Valuable Minerals	I	In	This policy may have a likely significant effect on international sites.
MIN3 Hydrocarbons	I	In	This policy may have a likely significant effect on international sites.
MIN4 Areas of Constraint on Mineral Development	I	In	This policy may have a likely significant effect on international sites.
MIN5 Area of Salt Reserve, Carrickfergus	I	In	This policy may have a likely significant effect on international sites.
MIN6 Development at Risk of Subsidence due to past or present underground mineral extraction	I	In	This policy may have a likely significant effect on international sites.

MIN7 Peat Extraction	I	In	This policy may have a likely significant effect on international sites.
MIN8 Restoration and Management of Mineral Sites	I	In	This policy may have a likely significant effect on international sites.
8.0 Building Sustainable Communities			
8.1 Housing			
HOU1 Quality in New Residential Development in Settlements	I	In	This policy may have a likely significant effect on international sites.
HOU2 The Conversion or Change of Use of Existing Buildings to Flats or Apartments	I	In	This policy may have a likely significant effect on international sites.
HOU3 Residential Extensions and Alterations	I	In	This policy may have a likely significant effect on international sites.
HOU4 Protected Town Centre Housing Areas	A	Out	This is a general statement of policy which cannot have any effect on an international site.
HOU5 Affordable Housing in Settlements	I	In	This policy may have a likely significant effect on international sites.
HOU6 Housing Mix (Unit Types and Sizes)	I	In	This policy may have a likely significant effect on international sites.
HOU7 Adaptable and Accessible Homes	I	In	This policy may have a likely significant effect on international sites.
HOU8 Travellers Accommodation	I	In	This policy may have a likely significant effect on international sites.
HOU9 Replacement Dwelling	I	In	This policy may have a likely significant effect on international sites.
HOU10 Dwelling on a Farm Business	I	In	This policy may have a likely significant effect on international sites.
HOU11 Dwelling for Non-Agricultural Business Enterprise	I	In	This policy may have a likely significant effect on international sites.

HOU12 New Dwelling in Existing Clusters	I	In	This policy may have a likely significant effect on international sites.
HOU13 Ribbon/Infill Development	I	In	This policy may have a likely significant effect on international sites.
HOU14 Personal and Domestic Circumstances	I	In	This policy may have a likely significant effect on international sites.
HOU15 Residential Caravans and Mobile Homes	I	In	This policy may have a likely significant effect on international sites.
HOU16 Affordable Housing in the Countryside	I	In	This policy may have a likely significant effect on international sites.
8.2 Open Space, Sport and Leisure			
OSL1 Protection of Open Space	D/F	Out	This policy is a general environmental/safeguarding protection policy. It also constrains change of use therefore in itself cannot lead to development or other change.
OSL2 Greenways	I	In	This policy may have a likely significant effect on international sites.
OSL3 New Open Space Provision	I	In	This policy may have a likely significant effect on international sites.
OSL4 Public Open Space in New Residential Development	I	In	This policy may have a likely significant effect on international sites.
OSL5 Sport and Outdoor Recreation Facilities	I	In	This policy may have a likely significant effect on international sites.
OSL6 Community Growing Spaces and Allotments	I	In	This policy may have a likely significant effect on international sites.
OSL7 Cemeteries and Burial Space	I	In	This policy may have a likely significant effect on international sites.
8.3 Health, Education, Community and Cultural Facilities			
COM1 Education, Health, Community and Cultural Facilities	I	In	This policy may have a likely significant effect on international sites.

9.0 Transportation			
9.1 Transportation			
TR1 Access to Public Roads	I	In	This policy may have a likely significant effect on international sites.
TR2 Access to Protected Routes	I	In	This policy may have a likely significant effect on international sites.
TR3 New Transport Schemes	I	In	This policy may have a likely significant effect on international sites.
TR4 Disused Transport Routes	A	Out	This is a general statement of policy which cannot have any effect on an international site.
TR5 Active Travel	A	Out	This is a general statement of policy promoting provision of active travel opportunities which cannot have any effect on an international site.
TR6 Parking and Servicing	I	In	This policy may have a likely significant effect on international sites
TR7 Provision of Car Parks	I	In	This policy may have a likely significant effect on international sites.
9.2 Flood Risk and Drainage			
FRD1 Development within Floodplains	I	In	This policy may have a likely significant effect on international sites.
FRD2 Protection of Flood Defence and Drainage Infrastructure	A	Out	This is a general statement of policy which cannot have any effect on an international site.
FRD3 Management of Development in regard to Surface Water Flood Risk	I	In	This policy may have a likely significant effect on international sites.
FRD4 Sustainable Drainage (SuDS)	I	In	This policy may have a likely significant effect on international sites.
FRD5 Artificial Modification of Watercourses	I	In	This policy may have a likely significant effect on international sites.

FRD6 Development in Proximity to Controlled Reservoirs	I	In	This policy may have a likely significant effect on international sites.
9.3 Renewable Energy			
RE1 Renewable Energy Development	I	In	This policy may have a likely significant effect on international sites.
9.4 Telecommunications and Electricity Infrastructure			
TEI1 Telecommunications and Electricity Infrastructure	I	In	This policy may have a likely significant effect on international sites.
9.5 Water and Wastewater Infrastructure			
WWI1 Development Relying on Non-Mains Wastewater Infrastructure	I	In	This policy may have a likely significant effect on international sites.
9.6 Waste Management			
WMT1 Environmental Impact of a Waste Management Facility	I	In	This policy may have a likely significant effect on international sites.
WMT2 Waste Collection and Treatment Facilities	I	In	This policy may have a likely significant effect on international sites.
WMT3 Waste Disposal Sites	I	In	This policy may have a likely significant effect on international sites.
WMT4 Development in the vicinity of a Waste Management Facility	I	In	This policy may have a likely significant effect on international sites.
WMT5 Land Improvement	I	In	This policy may have a likely significant effect on international sites.
10.0 Stewardship of our Built Environment and Creating Places			
10.1 Historic Environment			
HE1 Archaeological Remains and their Settings	I	In	This policy may have a likely significant effect on international sites.
HE2 Historic Parks, Gardens and Demesnes	I	In	This policy may have a likely significant effect on international sites.

HE3 Listed Buildings - Change of Use or Extension/Alteration or Conversion of a Listed Building	I	In	This policy may have a likely significant effect on international sites.
HE4 Listed Buildings - Demolition of a Listed Building	I	In	This policy may have a likely significant effect on international sites.
HE5 Development affecting the Setting of a Listed Building	I	In	This policy may have a likely significant effect on international sites.
HE6 Conservation Areas	I	In	This policy may have a likely significant effect on international sites.
HE7 Areas of Townscape Character	I	In	This policy may have a likely significant effect on international sites.
HE8 Unlisted Locally Important Building or Vernacular Building	I	In	This policy may have a likely significant effect on international sites.
HE9 Enabling Development for the Conservation of Heritage Assets	I	In	This policy may have a likely significant effect on international sites.
10.2 Advertisements			
AD1 The Control of Advertisements	I	In	This policy may have a likely significant effect on international sites.
10.3 Place-Making			
SFA1 Strategic Focus Areas	G	Out	This relates to place-making and good design in existing urban areas and in itself there can be no conceivable effect on any international sites.
11.0 Safeguarding our Natural Environment			
11.1 Natural Heritage			
NAT1 European and Ramsar Sites – International	M	In	This policy is intended to avoid or reduce harmful effects on international sites. NAT1 applies to all development under the LDP.
NAT2 Species Protected by Law	D	Out	This policy is a general environmental/safeguarding protection policy. Affords additional protection to some site selection features such as hen harrier.

NAT3 Sites of Nature Conservation Importance – National	D	Out	This policy is a general environmental/safeguarding protection policy.
NAT4 Sites of Nature Conservation Importance – Local	D	Out	This policy is a general environmental/safeguarding protection policy.
NAT5 Habitats, Species or Features of Natural Heritage Importance	D	Out	This policy is a general environmental/safeguarding protection policy.
Appendices			
APPENDIX A: Broad methodology for Strategic Housing Allocation	NA	Out	Guidance
APPENDIX B: Tourist Amenities in the Countryside - Sustainable Assessment	NA	Out	Guidance
APPENDIX C: Landscape Design Consideration for Holiday Parks	NA	Out	Guidance
APPENDIX D: Guidance for New Residential Developments in Settlements	NA	Out	Guidance
APPENDIX E: Definition of an Established Residential Area	NA	Out	Guidance
APPENDIX F: Residential Space Standards	NA	Out	Guidance
APPENDIX G: Guidance for Residential Extensions and Alterations	NA	Out	Guidance
APPENDIX H: Protected Routes within Mid and East Antrim	NA	Out	Guidance
APPENDIX I: Flood Risk	NA	Out	Guidance
APPENDIX J: Historic Environmental Maps	NA	Out	Guidance
APPENDIX K: Advertisements	NA	Out	Guidance

