

## Section B. Your Details

Q1. Are you responding as individual, as an organisation or as an agent acting on behalf of individual, group or organisation?

Please only tick one (Required)

- Individual  
 Organisation  
 Agent

Q2. What is your name?

Title

First Name (Required)

Last Name (Required)

Email

## Section C. Individuals

Address Line 1 (Required)

Line 2

Line 3

Town (Required)

Postcode (Required)

## Section D. Organisations

If you have selected that you are responding as an organisation, there are a number of details that we are legally required to obtain from you.

Organisation / Group Name (Required)

Your Job Title / Position (Required)

Organisation / Group Address (if different from above)

Address Line 1 **(Required)**

RSPB NI, NIHQ

Line 2

Belvoir Park Forest, Belvoir Drive

Line 3

Town **(Required)**

BELFAST

Postcode **(Required)**

BT8 7QT

## Section E. Agents

If you have selected that you are responding on behalf of another individual, organisation or group there are a number of details that we are legally required to obtain from you.

Please provide details of the individual, organisation or group that you are representing. **(Required)**

### Client Contact Details

Title

First Name **(Required)**

Last Name **(Required)**

Address Line 1 **(Required)**

Line 2

Line 3

Town **(Required)**

Postcode **(Required)**

**Q2. Would you like us to contact you, your client or both in relation to this response or future consultations on the LDP?**

Please only select one.

Agent

Client

Both

## Section F. Soundness

In this section we will be asking you to specify which proposed modification you consider to be unsound. **This consultation is not an opportunity to add to previous representations or to make new comments on parts of the original draft Plan Strategy not subject to change.**

**Note:** **Complete this section in relation to one proposed modification only.** If you wish to inform us that more than one modification is unsound each additional response should be listed on a separate sheet.

**If you consider that the proposed modification is unsound and does not meet one or more of the tests of soundness below, you must indicate which test(s) you consider it does not meet, having regard to Development Plan Practice Note 6 available at:**

<https://www.pacni.gov.uk/sites/pacni/files/media-files/LDPexam%20-%20May%202017.pdf>

**Please note if you do not identify a test(s) your comments may not be considered by the Independent Examiner.**

### Which proposed modification are you commenting on?

**Please see over.**

## Mid and East Antrim Borough Council – Local Development Plan Draft Plan Strategy – Proposed Modifications Consultation

*A response from RSPB Northern Ireland, 05 March 2021*

### **Introduction**

The RSPB is UK's lead organisation in the BirdLife International network of conservation bodies. The RSPB is Europe's largest voluntary nature conservation organisation with a membership over 1 million, supported by over 11,000 of which live in Northern Ireland. Staff in Northern Ireland work on a wide range of issues, from education and public awareness to agriculture and land use planning.

We believe that sustainability should be at the heart of decision-making. The RSPB's policy and advocacy work covers a wide range of issues including planning and regional policy, climate change, energy, marine issues, water, trade and agriculture. As well as commenting on national planning policy issues. The RSPB's professional conservation and planning specialists engage with over 1,000 cases each year throughout the UK, including development plans and individual planning applications and proposals. We thus have considerable planning experience. The RSPB also makes over 100 planning applications a year on its own reserves and estate.

The RSPB firmly believes that planning, especially plan-making should seek to integrate the three pillars of sustainable development rather than balancing, as this could potentially result in environmental trade-offs.

No plan, programme or project should result in a significant direct impact upon important birds or bird habitats. The full suite of Environmental Assessments (SEA, EIA, HRA) should be used as tools to minimise environmental impacts. The Government and planning authorities should ensure that full protection is afforded to both designated and non-designated sites important for wildlife and biodiversity.

RSPB NI welcomes the opportunity to comment on the Mid and East Antrim Borough Council (MEABC) Local Development Plan (LDP) draft Plan Strategy (dPS) – Proposed Modifications.

## Response 1

### 5.0 Spatial Growth Strategy and Countryside Strategy

#### CS3 Areas of Constraint on High Structures

#### Proposed Modification Reference Number – PM-031

#### Page 19

#### General Comment

It is assumed that there is a typo in the section highlighted in yellow below, and that the text should read ‘**objective impact assessment**’ and not ‘objective assessment’ are currently stated, to be consistent with the text of the ‘Summary of Issue/Justification’ text.

#### Modification

Amend text to read ‘objective **impact** assessment’, so as to provide full clarity on type of assessment required. (Additional text **bold and underlined**).

|        |                             |                        |   |  |
|--------|-----------------------------|------------------------|---|--|
| PM-031 | <a href="#">MEA-DPS-006</a> | CS3 J&A<br>para 5.9.20 | Add new wording after para 5.9.20 of the J&A to indicate it is anticipated that most development proposals within an ACHS will be required to be accompanied by an objective impact assessment. | High structures and obtrusive types of development can be difficult to integrate into the landscape, particularly in landscapes that are visually highly sensitive. ACHSOD are, visually, some of the most sensitive areas within the Borough. Therefore, it is likely that most proposals within an ACHSOD will be required to be accompanied by an <b>objective assessment</b> that will aid Council’s analysis of any potential visual impact, with the level of detail being commensurate with the nature and scale of the proposal. Landscape and Visual Impact Assessments (LVIA) are one example of such an assessment. |
|--------|-----------------------------|------------------------|---|--|

Extract from dPS Schedule of Proposed Modifications January 2021

## Response 2

### 7.0 Sustainable Economic Growth

#### 7.4 Minerals Development

#### Policy MIN 4 Areas of Constraint on Mineral Development

#### Proposed Modification Reference Number – PM-089

#### Page 50

#### Unsound

- C4 Has the plan had regard to other relevant plans, policies and strategies relating to the council’s district or to any adjoining council’s district?

#### Details and Modification

The J&A wording of the proposed amendment could inadvertently render the scope of assessment of

proposals under Policy MIN 4 to just Criteria a-f in Policy MIN1, and Policy MIN8. This means that the wider policy assessment requirement statement within Policy MIN1 of ‘all proposals must meet the General Policy and accord with other provisions of the LDP’ has now been effectively omitted (as the text in draft Plan Strategy (as originally published) made reference to Policy MIN1 in its entirety).

Therefore, for consistency with the wording of other J&A paragraphs elsewhere within the draft Plan Strategy (e.g. paragraph 9.3.18), and to ensure robust and competent assessment under this Policy, the proposed amendment should include the additional policy qualification of **‘All proposals must meet the General Policy and accord with other provisions of the LDP’**. (Additional text **bold and underlined**).

| Policy MIN4 Areas of Constraint on Mineral Development |                                 |                      |   |  |
|--|---------------------------------|----------------------|---|--|
| Proposed Modification Reference Number                 | dPS Respondent Reference Number | Policy or Section    | Summary of Issue/Justification  | Proposed Change  |
| PM-089   | N/A                             | MIN4 J&A para 7.4.28 | Remove reference to a 'cautious approach' in line with Policy MIN2 proposed amendment and amend text to clarify that proposals permitted under the exceptions in Policy MIN4 also have to comply with a-f of Policy MIN1 and Policy MIN8. | In line with Policies MIN2 and MIN3, there will not be a presumption against the exploitation of valuable minerals within ACMD. <del>However, Council will apply a cautious approach in assessing such proposals and</del> permission, where it is necessary, will be dependent upon <del>full</del> compliance <del>with the protection of interests a-f in Policy MIN1 and Policy MIN8.</del> Where a potential site for valuable mineral or hydrocarbon exploitation falls within a Special Countryside Area and an ACMD, the special Countryside Area takes precedence.. |

Extract from dPS Schedule of Proposed Modifications January 2021

### Response 3

#### 7.0 Sustainable Economic Growth

#### 7.4 Minerals Development

#### Policy MIN 7 Peat Extraction

#### Proposed Modification Reference Number – PM-093

#### Page 50

#### General Comment

While RSPB NI welcomes the proposed modification as set out at PM-093, it does however reflect only part of the RSPB NI proposed modification to Policy MIN 7, as contained within our submission to the draft Plan Strategy (December 2019). Our reasoning and justification for the full modification (including tests of soundness) as set out in our previous submission to the draft Plan Strategy (pages 28-31) still remains valid.

## Response 4

### 9.0 Transportation, Infrastructure and Connectivity

#### 9.3 Renewable Energy

#### Policy RE1 Renewable Energy Development

#### Proposed Modification Reference Number – PM-130

Page 69

#### Unsound

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

#### Details and Modification

To ensure consistency with J&A Paragraph 9.3.18 of the draft Plan Strategy regarding proposals to extend the life of, repower or re-equip renewable energy developments, a final qualifying sentence at the end of the proposed modification on 'co-location' should be added as follows **'and will be subject to meeting this policy and any other relevant considerations'**. (Additional text **bold and underlined**).

|        |  |                        |   |  |
|--------|--|------------------------|---|--|
| PM-130 | <a href="#">MEA-DPS-041</a><br><a href="#">MEA-DPS-050</a> | RE1 J&A<br>para 9.3.18 | Insert additional paragraph to reference 'co-location'. | Other forms of energy generation and energy storage are now being considered on or adjacent to wind farms. The impacts of this additional infrastructure should be assessed, and considered in the design process, as should the benefits of co-locating these with the wind farm. In most cases, the impacts of co-located energy generation and storage systems are likely to be limited compared to the overall landscape and visual impacts caused by the wind farm. However, in all cases additional infrastructure should be designed and located to minimise impacts, especially if they include significant structures or are likely to add to the 'clutter' of the landscape. |
|--------|--|------------------------|---|--|

Extract from dPS Schedule of Proposed Modifications January 2021

## Response 5

### Technical Supplement 1 – Monitoring and Review

#### Monitor and Review

#### Proposed Modification Reference Number – PM-160

Page 89

#### Unsound

- C4 Has the plan had regard to other relevant plans, policies and strategies relating to the council's district or to any adjoining council's district?
- CE3 Are there clear mechanisms for implementation and monitoring?

## Details

While RSPB NI welcomes the inclusion of 'loss of open space' under Environmental Objective a), it is however concerned that the target trigger of no loss of existing open has not been carried across into the proposed modification, and is inconsistent with other proposed modification targets within Technical Supplement 1 – Monitor and Review – please see proposed modification reference numbers PM-161 and PM-162 for further details.

Similarly, while the review trigger inclusion is welcome, the additional wording added by Mid and East Antrim Council of 'on zoned open space' is somewhat onerous and could be subject to differing interpretation and therefore ineffective monitoring and review.

In this regard, the proposed amendment should make it clear that the review trigger point is **more than 1 application permitted in any one year on zoned open space across the plan area**. The wording as currently proposed could be interpreted that the review trigger is applied at the individual open space zoning level, which could potentially result in a situation whereby permissions have been granted on multiple open space zonings, but none of them individually exceed the review trigger, but when cumulatively accounted for across the entire plan area, then the review trigger is exceeded.

## Modifications

- (i) Target: **No loss of existing zoned open space** permitted in any one year across the plan area (Additional/revised text **bold and underlined**).
- (ii) Review Trigger is reworded as follows:  
More than 1 application permitted in any one year on zoned open space **across the plan area**. (Additional wording **bold and underlined**).

Signed:

[Redacted Signature]

Date:

05 March 2021