

## **Belfast LDP 2035: draft Plan Strategy Sustainability Appraisal**

### Overview

We're developing the new Local Development Plan (LDP) which is the land use plan for Belfast up to 2035. The plan will guide investment and set out policies and proposals for the use, development and protection of land across the city. Once adopted, the plan will be used to determine planning applications. Your opinion matters to us and we want to hear from you during the various stages throughout the preparation of the plan. While you can provide feedback using this form, we encourage you to use our online questionnaire via the Council's Consultation Hub at: <https://yoursay.belfastcity.gov.uk/>. The consultation closes on 15th November 2018.

### **What is the Plan Strategy?**

The Plan Strategy will be a strategic policy framework for the plan area as a whole across a range of topics. It will set out an ambitious but realistic vision for Belfast as well as the objectives and strategic policies required to deliver that vision. Establishing this strategic direction early in the plan process will provide a level of certainty on which to base key development decisions in the area as well as the necessary framework for the preparation of the Local Policies Plan. You can find out more about the Plan Strategy, and access all relevant documents, on the Council's website at: [www.belfastcity.gov.uk/LDP](http://www.belfastcity.gov.uk/LDP).

### **Sustainability Appraisal Incorporating Strategic Environmental Assessment (SA/SEA)**

A Sustainability Appraisal (SA) is a methodical process that is undertaken during the preparation of the Local Development Plan. It promotes sustainable development by assessing the extent to which the emerging plan will help to achieve the environmental, economic and social objectives.

A Strategic Environmental Assessment (SEA) is to ensure a high level protection of the environment and to integrate environmental considerations into the preparation and adoption of plans. Together, these processes seek to ensure that the options outlined in the draft Plan Strategy are the most appropriate and sustainable, having regard to the reasonable alternatives.

Both the SA and SEA are required in relation to the development plan documents, which comprise the Plan Strategy and Local Policies Plan.

## **Accessibility**

The relevant documents are available, on request, in alternative formats - Braille, audio, large print, easy read. The council will also consider requests to produce it in other languages. If you require the documents in these or other formats please contact us:

Belfast Planning Service Belfast City Council Cecil Ward Building

4-10 Linenhall Street Belfast

BT2 8BP

Telephone: 028 9050 0510

Email: [localdevelopmentplan@belfastcity.gov.uk](mailto:localdevelopmentplan@belfastcity.gov.uk)

## A. Data Protection

Belfast City Council is the Data Controller under the General Data Protection Regulation (GDPR) for the personal data it gathers for the purposes of sending regular email updates on the Local Development Plan from Belfast Planning Service.

The council accepts that you are providing your personal data on the basis of consent and are positively agreeing for the council to hold and further use it, and publish it for public scrutiny.

Any personal details that you provide the Council will be handled in accordance with the GDPR and Data Protection Act 2018. As such we will only use your data for the purposes that you have given this information for and will only be shared where necessary to provide the service that you are contacting us about. If you would like further information in regards please see the website [belfastcity.gov.uk/about/privacy](http://belfastcity.gov.uk/about/privacy)

The personal data is held and stored by the council in a safe and secure manner and in compliance with Data Protection legislation and in line with the council's Records Retention and Disposal Schedule.

If you wish to contact the council's Data Protection Officer, please write to:

Belfast City Council, City Hall Belfast, BT1 5GS or send an email to [records@belfastcity.gov.uk](mailto:records@belfastcity.gov.uk)

1 Please tick to confirm that you have read and understood the privacy notice above.

(Required)

Please select all that apply

I confirm that I have read and understood the privacy notice above and give my consent for Belfast City Council to hold my personal data for the purposes outlined.

**2 Do you consent for us to publish your response?**

To facilitate more open and transparent government, Belfast City Council would like your permission to publish your consultation response in the public domain. Should you prefer us to treat your submission as confidential - either by publishing it as an anonymous response or by not publishing it at all - please indicate accordingly.

(Required)

Yes, please publish my response with my name

Yes, please publish my response, but only include my organisation's name (for those responding on behalf of an organisation)

Yes, please publish my response, but do so anonymously

No, please do not publish my response (treat as confidential)



**C. Individual**

If you have selected that you are responding as an individual, please complete this Section, then proceed to Section F.

7 What is your address? Address Line 1 (Required)

Address Line 2

Address Line 3 (Required)

City

Postcode (Required)

## D. Organisation

If you have selected that you are responding as an organisational respondent, there are a number of pieces of information that we are legally required to gather from you.

8 If you are responding as a representative of a group or organisation, please complete this Section, then proceed to Section E.

Organisation (Required) RSPB NI, NIHQ, Belvoir Park Forest, Belvoir Drive, Belfast BT8 7QT

Your Job Title (Required) [REDACTED]

Organisation address (if different from above):

Address Line 1 (Required)

Line 2

Line 3

City

Postcode (Required)

## E. Agents

If you have selected that you are responding as an agent on behalf of other people/organisations, there are a number of pieces of information that we are legally required to gather from you.

9 Please provide details of the organisation or individual you are representing. The name of the organisation or individual you are representing: (Required)

Client contact details:

Title

First Name (Required)

Last Name (Required)

Address Line 1 (Required)

Line 2

Line 3

City

Postcode (Required)

Telephone number (Required)

Email (Required)

10 Would you like us to contact you, your client or both in relation to this response or future consultations on the LDP? (Required)

Please select only one item

Agent Client Both

## F. Plan, Policies and Programmes Review

We have undertaken a review of the plans, policies and programmes that may affect or influence the SA of the draft Plan Strategy. Appendix 4 of the Sustainability Appraisal of the Draft Plan Strategy 2035 Incorporating Strategic Environmental Assessment identifies all the plans and programmes that were considered. It provides a brief synopsis of the plan or programme, an outline of its scope and objectives, how it potentially relates to the LDP and whether it is likely to have in-combination effects. The Sustainability Appraisal of the Draft Plan Strategy 2035 Incorporating Strategic Environmental Assessment can be found via: [www.belfastcity.gov.uk/LDP](http://www.belfastcity.gov.uk/LDP) .

11 Are there other relevant policies, plans and programmes that will affect or influence the Local Development Plan/Sustainability Appraisal, which have not been included in the list?

(Required)

*Please select only one item*

Yes             No             Not sure/ Don't know

If 'Yes' please provide details here

The United Kingdom (UK) tier appears to be missing from the Plan, Policies and Programmes Review contained within Appendix 4.

Please refer to [Appendix A: Review of Other Plans, Programmes and Environmental Protection Objectives](#)<sup>1</sup> of the SEA undertaken for the Strategic Planning Policy Statement (SPPS) for further detailed in this regard.

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<sup>1</sup> [https://www.planningni.gov.uk/index/policy/spps/appendix\\_a\\_-\\_plans\\_programmes\\_environmental\\_protection\\_objectives.pdf](https://www.planningni.gov.uk/index/policy/spps/appendix_a_-_plans_programmes_environmental_protection_objectives.pdf)

## G. Baseline Information

The collection of baseline information is necessary to inform the SA. This information provides the current state of the social, economic and physical environment and identifies trends to indicate whether the situation is getting better or worse. It provides the context for assessing the sustainability of the options set out in the draft Plan Strategy.

The baseline information is set out in Appendix 5 Sustainability Appraisal of the Draft Plan Strategy 2035 Incorporating Strategic Environmental Assessment. It should be noted that the information reflects data collected from 2016 to 2018 and that the collection of baseline information will be updated on an ongoing basis.

**12** Do you think that the baseline data collected is appropriate i.e. at the right level and sufficient coverage with nothing missing?

(Required)

*Please select only one item*

Yes                     No                    Not sure/ Don't know

If 'No', please provide details here

Further baseline information should be included on local level and include reference to priority habitats (not just priority species). Full details of NI's priority habitats is available on the DAERA [website](#)<sup>2</sup>.

We would also recommend inclusion of the State of Nature Report<sup>3</sup>.

This report presents the very latest population data on a wide range of species to provide a single, authoritative statement on the changing state of nature in the UK and the UK Overseas Territories, including Northern Ireland.

RSPB NI's Reserve Window on Wildlife at Belfast Harbour (D2) should also be acknowledged for its nature conservation importance. Furthermore, RSPB NI upon request may be able to provide monitoring data which may be of assistance in both the SEA and HRA assessments.

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<sup>2</sup> <https://www.daera-ni.gov.uk/publications/northern-ireland-list-priority-habitats>

<sup>3</sup> Full Document [http://www.rspb.org.uk/Images/stateofnature\\_tcm9-345839.pdf](http://www.rspb.org.uk/Images/stateofnature_tcm9-345839.pdf)

Summary Document [http://www.rspb.org.uk/Images/summary\\_tcm9-345844.pdf](http://www.rspb.org.uk/Images/summary_tcm9-345844.pdf)

2<sup>nd</sup> Report 2016 <https://www.rspb.org.uk/our-work/conservation/projects/state-of-nature-reporting>

NI Report 2016 [https://www.rspb.org.uk/globalassets/downloads/documents/conservation-projects/state-of-nature/210-2470-15-16\\_stateofnature2016\\_northernireland.pdf](https://www.rspb.org.uk/globalassets/downloads/documents/conservation-projects/state-of-nature/210-2470-15-16_stateofnature2016_northernireland.pdf)

It is also important for the SEA to demonstrate the relationship between different topics (e.g. ecology and health), and we would also reference the following useful reports:

- (i) Wellbeing through wildlife, RSPB<sup>4</sup>
- (ii) Planning for a healthy environment – good practice guidance for green infrastructure and biodiversity Town & Country Planning Association, The Wildlife Trusts, July 2012

To ensure this SEA follows best practice and adds real value to the LDP, we would also recommend that the following documents are drawn upon:

- (i) RSPB, RTPI and CIEEM (2013) [Planning Naturally](#)<sup>5</sup>. Spatial planning with nature in mind: in the UK and beyond
- (ii) Countryside Council for Wales, English Nature, Environment Agency and RSPB (2004) Strategic Environmental Assessment and Biodiversity: Guidance for Practitioners.
- (iii) Collingwood, LUC, Levett-Therivel, Scott Wilson, TEC and C4S (2006) Working with the SEA Directive: Do's and Don'ts Guide to generating and developing alternatives.

### 13 Have we got the Sustainability Issues right?

Analysis of the baseline information has enabled several key sustainability issues (including environmental problems) to be identified. This provides an opportunity to develop sustainable plan objectives and options.

Table 6 of the Sustainability Appraisal of the Draft Plan Strategy 2035 Incorporating Strategic Environmental Assessment, identifies the set of key Sustainability Issues and describes the likely evolution of each key sustainability issue if the Belfast LDP were not to be adopted.

(Required)

*Please select only one item*

Yes                     No                    Not sure/ Don't know

If 'No', please provide details:

The inter-relationship between the different topics (e.g. ecology and health) has not been addressed within the draft Plan SEA, and there should be additional topic(s) to address the inter-relationship e.g. Green Infrastructure and Ecosystems Services. An ecosystems approach to the SEA is absent, its inclusion would therefore allow consideration of the extent to which the LDP (and its reasonable alternatives) delivers or affects Ecosystems Services (i.e. provisioning, regulating, cultural and supporting services).

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<sup>4</sup> [http://www.rspb.org.uk/Images/wellbeing\\_tcm9-132872.pdf](http://www.rspb.org.uk/Images/wellbeing_tcm9-132872.pdf)

<sup>5</sup> <https://www.rspb.org.uk/our-work/our-positions-and-casework/our-positions/land-use-planning/planning-naturally/>

Furthermore, there is no reference to materials assets within the sustainability issues section.

**14** Are there any other Sustainability Issues that should be included?

(Required)

*Please select only one item*

Yes           No           Not sure/ Don't Know

If 'Yes', please provide details:

Please refer to comment above in respect of question 13, which are equally applicable to this question.

## H. Sustainability Objective

A Sustainability Appraisal promotes sustainable development by assessing the extent to which the emerging plan will help to achieve identified environmental, economic and social objectives. These objectives were set out in the Sustainability Appraisal of the Draft Plan Strategy 2035 Incorporating Strategic Environmental Assessment.

**15** Have we got the Sustainability Objectives correct?

(Required)

*Please select only one item*

Yes                       No                      Not sure/ Don't Know

If 'No', please provide details:

The purpose of SEA Objectives is to ensure that the assessment process is transparent and robust, and that the LDP considers and addresses potential environmental effects.

The draft Plan Strategy SEA has combined the distinct SEA topics of Biodiversity, Flora and Fauna within a single 'Sustainability Objective' to 'maintain and enhance biodiversity assets and protect habits and species'. The effects of which gives limited regard to potential impacts on protected and priority species. As such, the SEA should set objectives that addresses either splitting the "ecological" issues up or being able to appropriately weight various elements.

Table 12 identifies a number of decision-making criteria to help inform the Council of what each objective is hoping to achieve, and goes on to state that these will be used when each option and alternative is appraised against the framework. However, RSPB NI, (in light of our preceding comments) is of the opinion that these decision-making criteria would be better identified as SA Objectives in their own right (as per the typical approach to SA objectives). The current approach therefore serves only to heighten the already limiting effects of a combining the SEA Topics of Biodiversity, Flora and Fauna within a single sustainability objective.

The inter-relationship between the different topics (e.g. ecology and heath) has not been addressed within the draft Plan SEA, and there should be additional topic(s) to address the inter-relationship e.g. Green Infrastructure and Ecosystems Services. An ecosystems approach to the SEA is absent, its inclusion would therefore allow consideration of the extent to which the LDP (and its reasonable alternatives) delivers or affects Ecosystems Services (i.e. provisioning, regulating, cultural and supporting services).

**16** Are there any other objectives that should be included (bearing in mind the need to keep the number of objectives manageable?)

(Required)

*Please select only one item*

Yes            No            Not sure/ Don't Know

If 'Yes', please provide details:

As noted above, the purpose of the objectives is to ensure that the assessment process is transparent and robust and that the LDP considers and address potential environment effects.

In the circumstances, it is recommended that all the decision-making criteria as shown in Table 12 are transferred into the corresponding SA Objectives in Table 11: The SA Framework. In addition, RSPB NI recommends that the following SA Objectives are included within Table 11 as follows:

- (i) Include green infrastructure and ecosystems services (the following has been extracted from the SPPS SEA by way of an example)
  - a. 'Preserve and enhance the ability of an area to provide ecosystem services such as carbon sequestration
  - b. Encourage multifunctionality of greenspace to provide numerous ecosystem services simultaneously
  - c. Encourage biophysical changes such as restoration of degraded land and enhanced connectivity of habitats and greenspace
  - d. Strengthen positive natural connections and interactions between different areas and regions
  - e. Encourage cultural and outdoor recreational tourism that is landscape and nature based
  - f. Improve knowledge and understanding of and connection with the natural environment'<sup>6</sup>
- (ii) SA Objective 10 - Restore or enhance wider habitats and populations of species under the public body Duty to Conserve Biodiversity
- (iii) SA Objective 11 – maintain and enhance the amount, range and quality of Ecosystem Services
- (iv) SA Objectives 13 and 14 – should include references to seascape and coastal areas; maintain and enhance designated sites and minimise light pollution and light spill.
- (v) SA Objective 15 – should also include a reference to minerals including maximising opportunities for the ecological restoration of redundant mineral sites.
- (vi) SA Objective 16 – should include minimise exposure to flood risk and droughts, and protect and enhance the status of aquatic and wetland ecosystems.

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<sup>6</sup>Table 2.2 SEA Objectives

[https://www.planningni.gov.uk/index/policy/spps/strategic\\_environmental\\_appraisal\\_-\\_environmental\\_report.pdf](https://www.planningni.gov.uk/index/policy/spps/strategic_environmental_appraisal_-_environmental_report.pdf)

- (vii) SA Objectives 18 and 19 – should include minimising the vulnerability of the environment (natural and built) and improve its resilience to impacts of climate change by for example future proofing new development and adaptation to coastal erosion.

**17** Should any objectives be re-worded or removed?

(Required)

*Please select only one item*

Yes           No           Not sure/ Don't Know

If 'Yes', please provide details:

See response to Q 16 above.

## I. Reasonable Alternatives

The SA Report undertakes an assessment of reasonable alternatives to the options contained in the draft Plan Strategy. This appraisal identifies the options considered and assesses the compatibility of each option against the SA objectives.

Appendices 7-12 of the Sustainability Appraisal of the Draft Plan Strategy 2035 Incorporating Strategic Environmental Assessment set out the results of this appraisal.

**18** Are there any alternatives that, in your opinion, are not viable?

(Required)

*Please select only one item*

Yes                      No                      Not sure/ Don't Know

If 'Yes', please provide details:

General commentary

The identification of alternatives, should be result in the identification of alternatives that are genuinely alternative and have significantly different environmental implications - not just slight variations on a 'business as usual' approach. Indeed, in our response to the Preferred Options Paper, we raised such a matter that a number of alternatives identified were not really such. In the circumstances, RSPB NI is of the view it is unsatisfactory to state that reasonable alternatives will be limited simply because the existing policy position is likely to remain unchanged. Moreover, one of the benefits of SEA is to look for more sustainable options, and if such generates policy contradictions, then Belfast City Council should be open to looking at alternatives.

**19** Are there any viable alternatives that may have been missed?

(Required)

*Please select only one item*

✓ Yes                      No                      Not sure/ Don't Know

If 'Yes', please provide details:

Please refer to our submission as part of the Preferred Options Paper consultation for further details (this will be attached to the email as part of the RSPB NI submission to the draft Plan Strategy).

**20** Are the mitigation measures identified appropriate?

*Please select only one item*

Yes                     No                    Not sure/ Don't Know

If 'No', please provide details:

ITU4 Renewable Energy needs to avoid sensitive sites – adverse impacts will not be permitted.

## J. Monitoring

Monitoring is intended to identify any unforeseen adverse effects of plan implementation at an early stage and implement the necessary remedial action. It should focus upon the likely significant effects identified by the SA and the mitigation measures proposed to offset these.

Monitoring allows the actual significant effects of the implementing the plan to be tested against those predicted in the SA. Monitoring measures have been proposed in the Sustainability Appraisal of the Draft Plan Strategy 2035 Incorporating Strategic Environmental Assessment. These may be narrowed down as the LDP process progresses and the likely effects can be identified with more certainty.

### 21 Are the monitoring arrangements and indicators correct?

(Required)

*Please select only one item*

Yes                     No                    Not sure/ Don't Know

If 'No', please provide details:

Development Plan Practice Note 04 Sustainability Appraisal incorporating Strategic Environmental Assessment (April 2015) states:

*‘monitoring should focus upon the likely significant effect identified by the SA and the mitigation measures proposed to offset or reduce significant adverse effects.*

*Monitoring measures should be clearly linked to the SA process, with particular reference to the sustainability objectives and issues identified Development Plan Practice Note 4 Sustainability Appraisal incorporating SEA April 2015 29 during the preparation of the SA Report. Monitoring allows the actual significant effects of the implementing the plan to be tested against those predicted in the SA. Therefore, where possible, monitoring should be based on indicators which have been used to describe the baseline, the objectives of the plan and the SA. The appropriate level at which to monitor will depend on the development plan document.*

*Where possible, a council may wish to use existing monitoring arrangements and information to reduce duplication of effort and maximise the efficient use of resources. As a council will be required to prepare an Annual Monitoring Report, this may also include the findings of monitoring any likely significant effects as a result of implementing the plan’ (paragraphs 13.1 -13.3).*

Against this background therefore caution must be exercised in avoiding a situation where monitoring amounts to simply monitoring trends in the baseline environment which would have occurred irrespective of the LDP.

It is also worth Belfast City Council referring to [SEA prepared for the SPPS](#)<sup>7</sup>, and in particular Sections 9.1.5, 9.1.5 and 9.2.1 – 9.2.6

Section 9.1.5 sets out a number of suggestions for the (then) DOE to monitor within LDPs adopted after the SPPS, it is therefore recommended that the SA includes those suggestions as set out at Section 9.1.5 as part of its overall monitoring:

- *‘Area of coastal lands identified in LDPs where development is restricted to exceptional circumstances due to unique amenity/ landscape value; nature conservation interest and archaeological/ historical potential.*
- *Area of coastal lands identified in LDPs where development should not be permitted as it is at risk from flooding, coastal erosion, or land instability.*
- *Area of flood plain identified in LDPs for conservation and enhancement of biodiversity.*
- *Area of flood plain identified in LDPs for flood control/ mitigation service.*
- *Area identified (which, because of their intrinsic amenity value, including landscape, natural heritage or archaeological), where there is a presumption against mineral development.*
- *Area of natural heritage features identified in LDPs.*
- *Area and length of ecological network identified in LDPs.*
- *Area of new Open Space provisioned for in LDPs for biodiversity.*
- *Area of brown-field sites identified in LDPs as part of an urban ecological network.*
- *Area of peatland identified in LDP as a carbon store.*
- *Number of Shoreline Management Plans commissioned to inform LDPs*<sup>8</sup>.

With specific regard to environmental indicators, this should include a reference to habitats, especially protected (including priority) habitats. This is in addition to the species reference already listed as an indicator.

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<sup>7</sup> [https://www.planningni.gov.uk/index/policy/spps/strategic\\_environmental\\_appraisal\\_-\\_environmental\\_report.pdf](https://www.planningni.gov.uk/index/policy/spps/strategic_environmental_appraisal_-_environmental_report.pdf)

<sup>8</sup> [https://www.planningni.gov.uk/index/policy/spps/strategic\\_environmental\\_appraisal\\_-\\_environmental\\_report.pdf](https://www.planningni.gov.uk/index/policy/spps/strategic_environmental_appraisal_-_environmental_report.pdf)

**22** Is there any information not present in the Sustainability Appraisal that, in your opinion, would be beneficial to monitor and could be monitored?

(Required)

*Please select only one item*

Yes                      No                      Not sure/ Don't Know

If 'Yes', please provide details:

General Commentary

Monitoring should also include the non-implementation of LDP policies as well as those which are implemented.

[Regulation 25 \(3\) of The Planning \(Local Development Plan\) Regulations \(Northern Ireland\) 2015](#)<sup>9</sup> makes the following provision:

*'Where a policy specified in a local development plan is not being implemented, the annual monitoring report must identify that policy and include a statement of—*

- (a) the reasons why that policy is not being implemented,*
- (b) the steps (if any) that the council intend to take to secure the implementation of it, and*
- (c) whether the council intend to prepare a revision of the local development plan to replace or amend the policy'.*

This will ensure the identification of any unforeseen adverse effects through the non- implementation of a LDP policy at an early stage and allow the necessary remedial action to be implemented.

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<sup>9</sup> <http://www.legislation.gov.uk/nisr/2015/62/regulation/25/made>

## **K. Conclusion**

23 Do you have any other comments on the SA Report?

*Please enter any comments*

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, around 13,000 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.

RSPB NI welcomes the opportunity to comment on the Belfast City Council (BCC) Local Development Plan (LDP) draft Plan Strategy Sustainability Appraisal incorporating Strategic Environmental Assessment.

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.