



## **FERMANAGH & OMAGH DISTRICT COUNCIL**

### **DRAFT PLAN STRATEGY RESPONSE**

This submission is prepared by the National Trust for Northern Ireland (NI). We are an independent conservation charity actively promoting the protection of natural, built and cultural heritage - for ever, for everyone.

We look after some of the most valued landscapes, stretches of coastline and built heritage in Northern Ireland, Wales and England. In NI, this includes our only World Heritage Site (WHS) at the Giant's Causeway; our highest mountain, Slieve Donard; the internationally important and beautiful Strangford Lough, and houses and gardens including Mount Stewart and Rowallane in Co. Down, the Belfast Hills of Divis and Black Mountain and Florence Court in Co. Fermanagh.

*We do this because places matter to people; our charity was first set up in order to ensure society didn't lose its much needed green open spaces in which to spend time and benefit from the outdoors, and that mission remains core to our work today.*

We have a significant interest in the natural environment and built heritage within the Fermanagh and Omagh District Council area, owning and managing some very special places including:

- Castle Coole;
- Florence Court;
- Crom Estate; &
- Tonregee Island

Access to green spaces has been documented in recent years as being a significant factor in public health and wellbeing, and we believe the new local development plan alongside the community plan have an important role to play in this regard.

Please see our comments below regarding the Draft Plan Strategy in terms of the policies. In some cases, we support the proposed policy and in other instances we suggest ways to make them more robust, consistent and effective. Where we are silent on a particular policy, we have no comments to make.

### **Furthering Sustainable Development (Policy SP01)**

<b>Response:</b>	<p>We welcome the reference to adapting to climate change in Policy SP01. The adaptation approach ties in with our Shifting Shores work.</p> <p>However, we suggest that this policy clearly sets out the demonstrable harm test in accordance with paragraph 5.72 of the Strategic Planning Policy Statement (SPPS). Proposed wording could be:</p> <p>“The Council will permit development proposals which further sustainable development and promote measures to mitigate and adapt to climate change, and which have regard to the local development plan and all other material considerations, unless the proposed development will cause demonstrable harm to interests of acknowledged importance. In such cases, planning permission should be refused.”</p> <p>The above revision would make the plan consistent with the SPPS and effective.</p>
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### **Affordable Housing in Settlements (Policy HOU03)**

<b>Response:</b>	<p>We support the principle for residential developments of 10 housing units or more, or on a site of 0.5 ha or more, to provide at least 10% of the units as non-distinguishable affordable housing where a need is established by the Housing Needs Assessment. Policy HOU03 should be included in the adopted Plan Strategy.</p>
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### **Shaping Our Houses and Homes (Policy HOU05)**

<b>Response:</b>	<p>The retain or enhance policy test set out in Policy HOU05 for residential development proposals is welcomed. We also support the rest of the criteria listed (b) – (i).</p>
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### **Public Open Space in New Residential Developments (Policy HOU06)**

<b>Response:</b>	<p>We support Policy HOU06 and the general requirement to provide 10% public open space within new residential developments of 25 or more units, or on sites of one hectare or more and 15% in larger schemes of 300 units or more, or on sites of 15ha or more. Policy HOU06 would be in accordance with government advice.</p>
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**Self-contained Flats in Converted Building (Policy HOU07)  
Annex Living (Policy HOU08)**

<p><b>Response:</b></p>	<p>Although Policy HOU07 is prior to the policies relating to housing in the countryside, it would be helpful if this policy explicitly clarified in the headnote that the flat conversion policy relates only to buildings within the settlement limit. This would avoid any potential ambiguity. Nevertheless, the draft plan should include policy to permit flat conversion of existing historic listed buildings within the countryside subject to complying with a list of policy criteria and without causing any adverse impacts.</p> <p>The flat conversion policy should also include additional criteria on having no adverse effect on:</p> <ul style="list-style-type: none"> <li>(i) the character of an established residential area including designated Areas of Townscape Character, Areas of Village Character and Conservation Areas; &amp;</li> <li>(ii) the character, principal components, archaeological, historical and botanical interest of historic parks, gardens or demesnes and their settings.</li> </ul> <p>This would improve the effectiveness and consistency of the plan in protecting sensitive areas from inappropriate flat conversions.</p> <p>Similarly, Policy HOU08 should also include the same additional criterion.</p>
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**Housing in the Countryside  
Rural Replacement Dwelling (Policy HOU09)**

<p><b>Response:</b></p>	<p>Whilst criteria (a)-(c) of Policy HOU09 generally accord with the SPPS, applying an additional criterion is recommended which stipulates that any proposed replacement should have no significant adverse effect on the character or appearance of the locality, or on the amenities of nearby residents or other land uses.</p>
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**Replacement of Other Rural Buildings (Policy HOU10)**

<p><b>Response:</b></p>	<p>In terms of the replacement of redundant non-residential buildings not suitable for conversion with a new dwelling (Policy HOU10), this scenario is not covered in the SPPS. The SPPS in its current form only allows for the replacement of existing dwellings.</p>
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	<p>As the SPPS is currently undergoing a review in terms of rural policy and renewable energy, it is difficult to ascertain at this stage if Policy HOU10 will be consistent with government advice.</p> <p>Nevertheless, the current wording of criterion (c) of Policy HOU10 implies that vernacular buildings not capable of reuse could be demolished and replaced if they make no important contribution to the heritage, appearance or character of the area.</p> <p>However, paragraph 6.1 of the SPPS recognises vernacular buildings as a built heritage asset. The SPPS states that their presence usually adds to the quality of our lives and promotes a sense of local distinctiveness which is an important aspect of the character and appearance of cities, towns, villages and the countryside. Allowing the replacement of a built heritage asset would clearly undermine the strategic objectives of the SPPS in securing their protection and conservation of the built heritage.</p> <p>Furthermore, later in the draft plan, Council will only support development proposals which affect a heritage asset or its setting where it is satisfactorily demonstrated how the proposals would conserve, protect and where possible enhance the significance of the asset or its setting (Policy HE01).</p> <p>Allowing under criterion (c) of Policy HOU10 the replacement of vernacular buildings whether they make an important contribution or not would clearly be at odds with Policy HE01. In order to conserve vernacular buildings, we therefore request that policy permitting the replacement of any vernacular building is omitted from the adopted plan strategy to ensure consistency across the plan.</p>
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**Redevelopment of Former Site for Dwelling (Policy HOU11)**

<p><b>Response:</b></p>	<p>The introduction of only two external walls having to be substantially intact under Policy HOU11 does not accord with the SPPS as government advice is that replacements are based on all four external walls being intact.</p> <p>Policy HOU11 could therefore lead to an excessive number of new houses across the whole countryside including Areas of Outstanding Natural beauty (AoNBs) which would negatively impact on the rural landscape. In any case this policy is inconsistent with the SPPS. We therefore recommend that the adopted plan strategy excludes this</p>
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	policy.
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**Protection of Open Space (Policy OSR01)**

<b>Response:</b>	<p>Paragraph 6.205 of the SPPS states that there will be a policy presumption against the loss of open space to competing land uses in local plans irrespective of its physical condition and appearance. Any exception to this general approach should only be appropriate where it is demonstrated that redevelopment would bring substantial community benefit that outweighs the loss; or where it is demonstrated that the loss of open space will have no significant detrimental impact.</p> <p>To be consistent with government advice and make the policy effective in protecting open space, Policy OSRO1 should explicitly state a general presumption against the loss of open space and any development resulting in the loss of open space will only be considered in exceptional circumstances. The Council will only support in a number of circumstances approach is less robust.</p> <p>The policy headnote should also explicitly point out that the presumption against the loss of existing open space will apply irrespective of its physical condition or appearance as per government advice.</p>
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**Intensive Sports Facilities (Policy OSR02)**

<b>Response:</b>	<p>Paragraph 6.207 of the SPPS states that the precise location of intensive sports facilities can be contentious, and by their very nature and scale can give rise to particularly complex planning considerations such as impact on amenity, and sustainability issues. Such facilities shall be located within settlements in order to maximise the use of existing infrastructure. As an exception, a sports stadium may be allowed outside of a settlement, but only where clear criteria is established, which can justify a departure from this approach.</p> <p>Government advice is therefore that sports stadiums are only allowed in exceptional cases. Whilst the local plan provides policy criteria, Policy OSR02 should also explicitly state that the applicant must demonstrate specific locational need in order to make the policy effective.</p> <p>In addition, we suggest that the following criteria is added:</p>
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	<p>'there is no adverse impact on the setting of the settlement'.</p> <p>This would enable Policy OSR02 to take into account paragraph 6.71 of the SPPS which states that 'development in the countryside must not mar the distinction between a settlement and the surrounding countryside, or result in urban sprawl.</p>
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**Outdoor Recreation in the Countryside (Policy OSR03)**

<b>Response:</b>	<p>Whilst we generally support Policy OSR03, this policy should also include the following criteria:</p> <ul style="list-style-type: none"> <li>• It will have no significant adverse impact on features of importance to natural or built heritage.</li> <li>• It will have no significant adverse impact on visual amenity and can integrate into the landscape.</li> </ul> <p>The above would strengthen the effectiveness of the policy.</p>
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**Protection of Lough Shores (Policy OSR04)**

<b>Response:</b>	<p>Our property, Crom Estate, is set on the shores of Upper Lough Erne, and is likely to fall within the lough shore policy area.</p> <p>One of our most important nature conservation areas, Crom Estate is open to our members, visitors and tourists. It has a visitor centre, campsite, children's play area, glamping pods, holiday estate cottages, walking and cycling trails, floating jetty, ancient woodland, tranquil islands and Old Crom Castle.</p> <p>Whilst we support policy to avoid excessive or inappropriate development along the lough shores and protecting the nature conservation significance of the lough shore is of paramount importance, restricting development proposals to water-based type facilities and minor works at Crom estate may be too excessive considering it's an existing established visitor attraction. Sensitive subordinate visitor related or operational type proposals at this established area should be permitted subject to having no adverse impact on biodiversity, visual impact along the shoreline, built heritage etc.</p>
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### **Development adjacent to a Main River (Policy OSR05)**

<b>Response:</b>	We welcome the criteria proposed for developments on sites adjacent to a main river, in particular (a), (b) and (e).
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### **Farm Diversification (Policy IB05)**

<b>Response:</b>	Policy IB05 is consistent with government advice which we endorse subject to such proposals (reuse of existing farm buildings) having no adverse impact on the character of sensitive rural landscapes.
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### **Agricultural and Forestry Development (Policy IB06)**

<b>Response:</b>	<p>We welcome that Policy IB06 relates to established active farms and such proposals must be necessary. However, we suggest that the policy should include a criterion that development should not have an adverse impact, individually or cumulatively on visual amenity, landscape and biodiversity.</p> <p>We also welcome policy highlighting that proposals for intensive farming or animal husbandry must demonstrate that they do not result in significant adverse environmental effects. Assessment of individual and cumulative impacts should also be a prerequisite.</p>
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### **Protection of Tourism Assets and Tourism Development (Policy TOU01)**

<b>Response:</b>	Policy TOU01 reflects paragraph 6.262 of the SPSS in terms of tourism assets. We fully support this policy and the requirement to consider individual and cumulative impacts of existing and approved developments. We also endorse the policy to protect the loss of tourism developments.
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### **Tourism Development (Policy TOU02)**

<b>Response:</b>	<p>Government advice is that planning authorities must carefully manage tourism development in the countryside which is necessary in the interests of rural amenity, wider sustainability objectives and the long term health of the tourism industry.</p> <p>The guiding principle should be to ensure policies facilitate appropriate tourism development in the countryside (such as appropriate farm diversification schemes, the re-use of rural buildings and appropriate redevelopment and</p>
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expansion proposals for tourism purposes) (Paragraph 6.260 of the SPPS).

Government advice also directs Councils to produce policies that permit major tourism development in the countryside in exceptional circumstances. Central government also lists criteria.

Hotels, guest houses and tourist hostels are directed to within settlements with a sequential test applied to those on the periphery (It would be helpful if the adopted plan strategy defines periphery).

Self-catering accommodation particularly where tourist amenities and accommodation have become established or likely to be provided as a result of tourism initiatives are also mentioned in the SPPS.

In light of government's advice to carefully manage tourism development in the countryside, Policy TOU2 should be definitive of what is appropriate or inappropriate in the countryside.

To strengthen the policy and to reflect the ethos of the SPPS in conserving our rural landscape, we suggest that the beginning of the policy for the countryside section takes the following approach:

"Proposals for *sustainable* tourist development in the countryside will *only* be permitted outside of Special Countryside Areas and the Lough shores in any of the following circumstances:

- (1) Major tourism development which will be of exceptional benefit to the tourism industry, which requires a countryside location due to its size or site specific or functional requirements..."

We also note that there is an inconsistency with Policy TOU02 and Policy IB05. Policy TOU02 is silent on self-catering accommodation conversion proposals on farms. The omission implies that Council's intention is that such self-catering accommodation proposals have to either show that they are located at an existing and established tourist hub or that it is to be run in association with the tourist amenity or asset. If that's the case, then Policy TOU02 would in its current form be inconsistent with Policy IB05 and paragraph 4.23 of the draft plan which clearly states that appropriate farm diversification proposals could include tourist accommodation.

	<p>We also note criterion (b) refers to siting tourism development at tourism hubs. We support tourism hubs but separate criteria-based policy for tourism hubs would be useful and in particular should include a requirement that individual and cumulative impacts of a tourist development proposal on sensitive rural landscapes and on built or natural heritage assets are assessed.</p> <p>Paragraph 6.254 of the SPPS defines sustainable tourism development as balancing the needs of tourists and the tourism industry with conserving the tourism asset. Policy TOU02 should apply the same terminology for consistency and specify at the outset that only sustainable tourism developments would be granted.</p>
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**Hotels, Guest House and Hostels in the Countryside (Policy TOU03)**

<b>Response:</b>	<p>It is suggested that Policy TOU03 is revised at the beginning to state that “proposals for hotels, guest houses or tourist hostels will <i>only</i> be permitted in the countryside in the following circumstances...” This would strengthen the policy.</p> <p>There should also be criteria that such development must not have an adverse visual effect on the landscape and on the character of the rural area or on features of nature conservation significance.</p>
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**Holiday Parks, Touring Caravan and Camping Sites (Policy TOU04)**

<b>Response:</b>	<p>We recommend that the start of Policy TOU03 is revised at the beginning to state that “proposals for hotels, guest houses or tourist hostels will only be permitted outside of Special Countryside Areas and Lough shores in the following circumstances...” This would strengthen the policy.</p>
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**Minerals Development (Policy MIN01)**

<b>Response:</b>	<p>The SPPS states that there should be a general presumption against minerals development in identified areas often referred to as Areas of Constraint on Minerals Development (ACMD). However, where a designated area such as an Area of Outstanding Natural Beauty (AONB) covers expansive tracts of land, the local plan should carefully consider the scope for some minerals development that avoids key sites and would not unduly compromise the integrity of the area as a whole or threaten</p>
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to undermine the rationale for the designation (Paragraph 6.155 of the SPPS).

Paragraph 6.164 recognises exceptions could be justified within an area of constraint where the proposed operations are limited to short term extraction and the environmental/amenity impacts are not significant.

In light of government advice, we propose that Policy MIN01 is re-worded to set a clear presumption against mineral development in ACMD and only in exceptional circumstances should such proposals be allowed.

At least the wording 'one or more of the following criteria' should be replaced with 'the following criteria must be met' as at least two of the criteria has to be met rather than just one.

### **Peatland**

Fermanagh and Omagh district has a vast expanse of active peatlands (both raised bogs and blanket bog) and unimproved wet grasslands, much of which is non-designated. Both peatlands and unimproved rush pastures provides the district with a huge carbon sink. Appropriate management of this resource through the local plan can make a huge contribution to climate change mitigation.

Paragraph 4.81 of the draft plan recognises that the process of commercial peat extraction decimates extensive areas, damaging its biodiversity and water storage functions and releasing the carbon stored in the peat. The plan states that the Council considers this practice should no longer be permitted in the interests of nature conservation and climate change.

Whilst we welcome the reference in Policy MN01 that commercial peat extraction will not be permitted under this policy, policy should clearly state that peat extraction will not be permitted within or outside Areas of Constraint on Mineral Development.

Furthermore, separate policy should be provided to protect peatland areas from inappropriate development in the interests of nature conservation and climate change.

### Hydrocarbon Extraction (Policy MIN04)

<b>Response:</b>	<p>Government advice is that there should be a presumption against gas exploitation (fracking) until there is sufficient and robust evidence on all environmental impacts.</p> <p>Council's policy concurs with government advice; we therefore strongly agree with Policy MIN04.</p>
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### Heritage Assets (Policy HE01)

<b>Response:</b>	<p>We support Policy HE01 which accords with the SPPS.</p>
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### Archaeology (Policy HE02)

<b>Response:</b>	<p>Policy HE02 replicates the policy requirements of paragraphs 6.8 and 6.9 of the SPPS. We therefore endorse this policy.</p>
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### Listed Buildings & their Settings (Policy HE03)

<b>Response:</b>	<p>The above policy conveys government advice as per paragraphs 6.13 and 6.15 of the SPPS. However, the word 'normally' should be removed to avoid any ambiguity.</p>
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### Conservation Areas (Policy HE04)

<b>Response:</b>	<p>We generally support the criteria-based approach of Policy HE04 but the following points should also be considered which reflect paragraphs 6.18 and 6.19 of the SPPS:</p> <ul style="list-style-type: none"><li>• Insert an additional bullet point that states that the character and appearance of the Conservation Area must be preserved or enhanced;</li><li>• Add a bullet point on how the development proposal should not result in environmental problems such as noise, nuisance or disturbance; &amp;</li><li>• Include an additional bullet point that the development proposal should conform with the Conservation Area design guide.</li></ul> <p>Also, to strengthen the policy in protecting Conservation Areas, the first bullet in the policy headnote should include height and legibility as further characteristics of adjoining</p>
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	buildings that should be respected.
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**Areas of Townscape/Village Character (ATCs / AVCs) (Policy HE05)**

<b>Response:</b>	<p>The spirit of the ATC/AVC policy is supported but recommend that two further bullet points are included:</p> <ul style="list-style-type: none"> <li>• The development proposal conforms with supplementary design guidance.</li> <li>• There is no detrimental impact on the setting of the area and there is no significant loss of key views within, into and out of the ATC.</li> </ul>
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**Historic Parks, Gardens and Demesnes (Policy HE06)**

<b>Response:</b>	<p>Policy HE06 generally ties in with government advice but suggest that the reference in the policy clarification section ‘particular account should be taken of the impact of the proposal on the archaeological, historical or botanical interest of the site’ which is referred to in paragraph 6.17 of the SPPS, should be a separate criterion within the policy headnote to allow those issues to be given adequate weight when assessing future proposals.</p> <p>The criterion could be worded as ‘the development would not adversely impact on the archaeological, historical and botanical interest of the Historic Park, Garden or Demesne.’</p> <p>Citing the SPPS, the integrity and overall quality and setting of the site including its original design concept and other associated features, including contribution to local landscape character, should where possible be maintained (paragraph 6.17). A separate criterion on a development proposal not having an adverse impact on the integrity and overall quality and setting of the Historic Park, Garden and Demesne should be included within Policy HE06.</p>
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### **Local Landscape Policy Areas (LLPAs) (Policy HE07)**

<b>Response:</b>	We support the LLPAs policy.
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### **Enabling Development (Policy HE08)**

<b>Response:</b>	In order to be consistent with government advice, the headnote for Policy HE08 should also highlight that enabling development would only be allowed in exceptional circumstances where it would be in the over-riding public benefit to the conservation of the significant place and its sustainable future use (as per paragraph 6.26 of the SPPS).
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### **Unlisted Locally Important/Vernacular Building Conversion (Policy HE09)**

<b>Response:</b>	We express support for Policy HE09 but suggest that the policy should explicitly highlight that extensions, alterations or modifications should have no adverse impact on the locally important/vernacular building.
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### **Nature Conservation (Policy NE01)**

#### **Protected Species (Policy NE02)**

#### **Biodiversity (Policy NE03)**

<b>Response:</b>	<p>We fully support Policies NE01, NE02 and NE03. However, we suggest that the exact wording of paragraph 6.180 of the SPPS is applied to strengthen the policy test for protected species (Policy NE02). For instance, in exceptional circumstances a development proposal that is likely to harm protected species may only be permitted where:</p> <ul style="list-style-type: none"><li>- There are no alternative solutions; and</li><li>- It is required for imperative reasons of overriding public interest; and</li><li>- There is no detriment to the maintenance of the population of the species at a favourable conservation status; and</li><li>- Compensatory measures are agreed and fully secured.</li></ul>
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### Sperrin AONB (Policy L01)

<b>Response:</b>	<p>We support the presumption against developments that would negatively impact the distinctiveness of the Sperrin AONB and the recognition of individual and cumulative impacts.</p> <p>However, AONBs are designated not only for distinctive landscape character but also for their wildlife importance and rich cultural and architectural heritage (refer to paragraph 6.186 of the SPPS).</p> <p>The SPPS continues to state that development proposals in AONBs must be sensitive to the distinctive special character of the area and the quality of their landscape, heritage and wildlife.</p> <p>The policy should therefore be expanded upon to apply a series of robust policy tests for the Sperrin AONB to cover its special distinctive character, quality of landscape, heritage and wildlife, for example:</p> <ul style="list-style-type: none"><li>(a) Openness of the landscape and its sensitivity to development;</li><li>(b) Maintain a sense of remoteness, wildness and tranquillity;</li><li>(c) interdependency between the special qualities of the landscape and the natural functioning of the environment taking into account internationally and nationally important nature conservation sites and associated ecosystems, species and habitats;&amp;</li><li>(d) Maintain the significance of archaeological and built heritage assets and their settings within the AONB.</li></ul> <p>The policy headnote makes no mention of proposals taking account of the relevant Landscape Character Assessment and the Sperrin AONB Management Plan and/or local design guide. (Note Paragraph 6.188 of the SPPS). This should be included within the policy headnote to provide consistency with the SPPS.</p>
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### Special Countryside Areas (SCAs) (Policy L02)

<b>Response:</b>	We fully endorse the separate robust policy for SCAs.
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**Areas of High Scenic Value (AoHSV) (Policy L03)**

<b>Response:</b>	Policy L03 is fully supported.
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**Floodplains (Policy FLD01)**

**Surface Water (Policy FLD02)**

**SuDS (Policy FLD03)**

**Culverting of Watercourses (Policy FLD05)**

<b>Response:</b>	<p>We fully support all four above listed policies as they accord with government advice.</p> <p>In particular, we welcome that major applications and/or proposals on land susceptible to surface water flooding will be required to provide SuDS.</p>
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**Renewable and Low Carbon Energy Generation (Policy RE01)**

<b>Response:</b>	<p>We generally support the draft criteria-based policies for wind and solar including an assessment of cumulative impacts. We also are pleased to see that solar developments will not be permitted within AoNBs, AoHSVs and SCAs.</p> <p>However, to make the policy more effective and to avoid any detriment to the region's cultural and natural heritage assets, further rigorous policy tests on heritage and landscape considerations should be applied to wind turbine proposals across the Council area such as:</p> <ul style="list-style-type: none"><li>(i) no unacceptable adverse effects on long and medium range views to and from sensitive landscapes, such as Lagan Valley AONB; and</li><li>(ii) no unacceptable adverse effects on important recognised outlooks and views from or to heritage assets where these are predominantly unaffected by harmful visual intrusion, taking into account the significance of the heritage asset and its setting.</li></ul> <p>Notwithstanding this, criterion (c) of Policy RE01 should at least include reference to built heritage interests and their settings.</p>
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	<p>The Wind Energy Strategy in Appendix 7 states that the landscape objective of Cuilcagh and Marlbank LCA is to maintain it as a landscape with no wind turbines (page 260 – para 2.3.2) whereas then the plan suggests there is residual capacity for very localised small-scale development in lowland fringes. This is an inconsistency of the plan; the landscape objective should take precedence.</p> <p>Page 254 makes reference to the Arney Lowlands flatter landscape could accommodate medium sized turbines (50&lt;80m turbines) as they would be seen in a more open and less complex landform. These larger turbines should be sited away from the sensitive landscape of Florence Court to the south of the LCA. In order to be effective in protecting the built heritage asset of Florence Court and its important setting, it is requested that ‘setting’ is referenced in this sentence to read ‘these larger turbines should be sited away from the sensitive landscape of Florence Court and its setting to the south of the LCA.</p>
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**Disused Transport Routes (Policy TR06)**

<b>Response:</b>	We express support for this policy.
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**Habitats Regulation Assessment**

<b>Response:</b>	<p>In relation to the Habitats Regulation Assessment (HRA), the importance of the European protected Marsh fritillary butterfly in the Fermanagh and Omagh district has not been highlighted. The HRA needs to recognise the Marsh fritillary butterfly as European protected species.</p> <p>It must be noted that the flower-rich grasslands and marginal uplands of the Fermanagh and Omagh district are important for the Marsh fritillary butterfly, an Annex II species under the Habitats Directive. This species (which is also protected under the Wildlife Order (NI) 1985), breeds and feeds on non-designated wet grasslands and heathland. Evidence shows that the Marsh fritillary requires large areas of suitably managed, well connected habitat in order to maintain a sustainable population. See link for more info:</p> <p><a href="https://www.daerani.gov.uk/sites/default/files/publications/">https://www.daerani.gov.uk/sites/default/files/publications/</a></p>
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[daera/EFS%20%28H%29%20Species%20Specific%20Advice%20Marsh%20Fritillary%20-%20NEW.pdf](#).

Table 2 of the HRA lists potential development impacts to be assessed in relation to International sites and refers to loss fragmentation, damage of habitats and / or species. Table 2 refers to the potential loss of habitat for selection features beyond International sites and gives examples of swan fields or salmon spawning and nursery. The Habitat loss section (p57) also provides example of loss of foraging area. The only reference to Marsh fritillary (and it's larval / caterpillar stage foodplant, Devil's-bit scabious) is as an LBAP priority within the Sustainability Appraisal; requires more prioritisation within the LDP process.

We welcome that the HRA will be added to and finalised following public consultation of the draft Plan Strategy. Before finalising the HRA, relevant plans will be reviewed to assess potential in combination effects.

Page 17 Climate change: *“Climate change is therefore not assessed as an impact that the draft Plan Strategy directly contributes to. The Council will permit development proposals which further sustainable development and promote measures to mitigate and adapt to climate change, and which accord with the Local Development Plan and other material considerations. It recognises the importance of sustainable building practices in de02 and the need to protect carbon stores by not permitting commercial peat extraction in MIN1.* As touched upon earlier, the Plan could go further in protecting active peatlands from inappropriate developments.

**Renewable Energy:** We note that the HRA acknowledges that the SPA may be a significant constraint to wind energy development because of their high value for conservation purposes. We would also like to highlight that the Marsh fritillary butterfly, an Annex II species may also be present on land suitable for renewable energy.

**Ecological pathways:** The ecological pathways section (p37) focuses on hydrological links. We would like to highlight that the non-designated wet grasslands and heathlands of Fermanagh and Omagh act as ecological pathways for the Marsh fritillary butterfly.

**Monitoring and Review:** this section of the HRA (p50) states that *“the plan will be monitored annually. It is intended to monitor the number, extent and condition of areas of natural environment assets in indicator 25”.* DAERA's six

	<p>year cycle is referred to as a monitoring tool, but no further details. If annual monitoring is proposed, we suggest more details are required.</p>
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**Further Comment**

<p><b>Response:</b></p>	<p>The FODC Biodiversity Audit (2014) states that of the 481 priority species, 216 (Source: FODC Biodiversity Audit 2014) occur in the Council area. However, the list that is provided in the Countryside Assessment is not the List of Priority Species as provided under the WANE Act published on the DAERA website. It appears to be an inventory of records which exist and includes a number of common bumblebees which are not priority species such as Buff-tailed bumblebee (<i>Bombus terrestris</i>) and White-tailed bumblebee (<i>Bombus lucorum</i>). The priority species list is available and should be referred to: <a href="https://www.daera-ni.gov.uk/sites/default/files/publications/doe/northern-ireland-priority-species-list.pdf">https://www.daera-ni.gov.uk/sites/default/files/publications/doe/northern-ireland-priority-species-list.pdf</a></p> <p>Whilst the Biodiversity Strategy is appended in the Strategic Environmental Assessment (SEA), there is no reference in the draft plan to the Biodiversity Duty which places a statutory duty on public bodies to conserve biodiversity under The Wildlife and Natural Environment Act (Northern Ireland) 2011. Following publication of a revised Biodiversity Strategy in July 2015, the DAERA published a guidance document to assist public bodies in fulfilling their biodiversity duty.</p>
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As an important local stakeholder we welcome the opportunity to provide this response to the Fermanagh and Omagh Draft Plan Strategy.

We look forward to continued engagement and working with Fermanagh and Omagh District Council around modifications to the draft Plan Strategy and if required attendance at the independent public examination.

**For further information, please contact:**

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