



Derry City & Strabane  
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DERRY CITY & STRABANE DISTRICT COUNCIL

# LOCAL DEVELOPMENT PLAN (LDP) 2032



## DRAFT PLAN STRATEGY

Evidence Base Paper EVB 21: Natural Environment, December 2019

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## **DERRY CITY AND STRABANE DISTRICT COUNCIL**

### **LOCAL DEVELOPMENT PLAN (LDP) 2032**



### **EVIDENCE BASE PAPER EVB 21**

### **NATURAL ENVIRONMENT**

This Document is one in a series which comprises the evidence base that informs the preparation of the Derry City and Strabane District Local Development Plan (LDP 2032) Plan Strategy.

It builds upon the suite of thematic Topic Papers prepared and published alongside the LDP Preferred Options Paper (POP), which established the May 2017 baseline position and identified the key issues that needed to be addressed by the LDP.

This Natural Environment Evidence Base paper updates the baseline POP position and sets out the evidence base that has informed the strategy, designations and policies within the draft LDP Plan Strategy. Evidence has been informed by feedback from public consultation, discussions with Elected Members, input from statutory consultees, stakeholder groups, from other Departments within the Council, liaison with adjoining Councils and through the iterative Sustainability Appraisal process.

The Evidence Base is published as a ‘supporting document’ in accordance with Regulation 15(a) of the Planning (LDP) Regulations (NI) 2015.

<b>CONTENTS</b>		<b>Page</b>
1)	<b>Introduction to Paper</b>	<b>3</b>
2)	<b>Legislative and Policy Context</b>	<b>4</b>
3)	<b>Background and Statistical Data</b>	<b>15</b>
4)	<b>Preferred Options Paper Stage</b>	<b>41</b>
5)	<b>Key Considerations</b>	<b>46</b>
6)	<b>Draft Plan Strategy Stage</b>	<b>50</b>
7)	<b>Sustainability Appraisal</b>	<b>58</b>
8)	<b>Equality Impact Assessment</b>	<b>59</b>
9)	<b>Rural Needs Impact Assessment</b>	<b>59</b>
 <b>Appendices</b>		
	<b>Current Designations in the District</b>	<b>60</b>
	<b>Description of Ramsar, SPAs &amp; SACs</b>	<b>61</b>
	<b>Environmental Designations in Derry City and Strabane District</b>	<b>62</b>
	<b>Review of Areas of Local Nature Conservation and Amenity Importance – Derry Area Plan 2011</b>	<b>63</b>

## **1.0 Introduction to paper**

- 1.1 The information presented in this paper has assisted the Council in developing an informed and innovative approach to setting clearly defined aims and objectives for the management of the Natural Environment. It has taken account of the Council's overall objectives for the District as well as local circumstances in relation to the Natural Environment
- 1.2 This paper sets out the Council's strategy for the Natural Environment. It also sets out the main evidence base and legislation / policy framework which has influenced our strategy and in turn the operational policies set out in the LDP Draft Plan Strategy.
- 1.3 This paper will cover the Natural Environment and provides an assessment of how existing planning policies take account of the Regional Development Strategy (RDS), Strategic Planning Policy Statement (SPPS), Sustainability Appraisal themes and DCSDC objectives through the proposed LDP objectives.
- 1.4 This Paper relates to the natural environment and particularly to our designated areas – European, National and Local designations. Whilst there is obviously overlap, it also deals with the wider landscape characteristics of our District.

## **2.0 Legislative and Policy Context**

- 2.1 The richness of our natural environment both in terms of landscape, natural environments and biodiversity across the Derry City and Strabane District is recognised in the significant number of international and regionally designated important sites. We are the custodians of our District and it is our responsibility to protect them for future generations.
- 2.2 At many levels, development can potentially adversely impact on our environment - both terrestrial and marine. Accordingly it is incumbent on all those involved in the planning process to ensure that any potential environmental impacts, whatever their scale, are identified to enable potential effects to be considered, avoided or mitigated for. To ensure that this process is done in a consistent, transparent, informed and proportionate manner, an environmental statutory framework of European Directives, national and regional legislation and policy has been developed. It is worth stressing that the relevant European environmental Directives and their associated processes are specialist areas of expertise with associated costs and risk of legal challenge if not undertaken correctly.
- 2.3 This Paper provides a background to this framework, its interrelationship and resulting commitments on the Development Plan and Development Management process, the various legally required environmental assessments and appraisals; and finally outlines, these environmental obligations as well as the various evidence gathering exercises and assessments which have informed our draft designations and policies
- 2.4 Protecting and enhancing the environment requires a joined-up approach across a range of different policy areas. There is a wide range of international, national and regional legislation and associated policies. Those considered to be of most relevance to this topic area are set out below:

### **Legislation**

#### **European Legislation & International Conventions**

- 2.5 The relevant European statutory framework is as follows:

The Birds Directive - 1979 EC Directive on the Conservation of Wild Birds.  
Environmental Impact Assessment (EIA) Directive - 2014  
The Habitats Directive - 1992 EC Directive on the Conservation of Natural Habitats and of Wild Fauna and Flora.  
Water Framework Directive – 2000

Strategic Environmental Assessment (SEA) Directive 2001  
Marine Strategy Framework Directive - 2008

### **European Designations / International Conventions**

2.6 The relevant European / International designated sites arising from the above legislation are as follows:

European sites - Special Protection Areas (SPA's)  
European sites – Special Areas of Conservation (SAC's)  
International Convention networks – Ramsars

### **National Legislation**

2.7 The relevant UK and NI legislation for transposing EC Directives in relation to natural environment is as follows:

- The Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (the 'Habitats Regulations') transpose the Birds Directive and the Habitats Directive into NI legislation
- The Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2012 apply the EIA Directive to the planning process in Northern Ireland (under review – there was a recent public consultation for 2014 amendments by DfI).
- The Water Environment (Water Framework Directive) Regulations (NI) 2003 transposes the Water Framework Directive.
- The Environmental Assessment of Plans and Programmes Regulations (NI) 2004 transpose the SEA Directive into NI legislation.
- The UK Marine Strategy Regulations 2010 transposes the Marine Strategy Framework Directive into UK legislation.
- Climate Change Act (2008) aims to reduce UK greenhouse gas emissions by 2050 and to make provision for adaptation to climate change. (This is a key theme within the GI Plan).
- The Local Government Act (NI) 2014 introduced the creation of a Community Plan by local authorities to improve the long-term social, economic and environmental well-being of the district.
- The Access to the Countryside (NI) Order 1983 provides powers for local authorities to assert Public Rights of Way, enter into access agreements and record maps of Public Rights of Way. (This is a key theme within the GI Plan).

## 2.8 Other relevant UK and NI legislation is as follows:

- The Wildlife (NI) Order 1985
- Nature Conservation and Amenity Lands (NI) Order 1985
- Planning (NI) Order 1991 – Tree Preservation Orders
- Environment (NI) Order 2002 – for designating ASSI's
- The Wildlife and Natural Environment (NI) Act 2011
- UK Marine & Coastal Access Act 2009
- The Marine Act (Northern Ireland) 2013

### Regional Planning Policy

2.9 **Regional Development Strategy 2035 (RDS):** The RDS sets out the spatial strategy of the Executive. Regionally the guidance in the RDS includes to reduce our carbon footprint and facilitate mitigation and adaptation to climate change whilst improving air quality (RG9); to conserve, protect and, where possible, enhance our natural environment (RD11); and promote a more sustainable approach to the provision of water and sewerage services and flood risk management (RG12). Spatial Framework Guidance (SPG) 9 sets out the key concepts for the protection and enhancement of the quality of the setting of Londonderry City and the North West and its environmental assets.

2.10 **PPS2 (2013) – Natural Heritage:** This Policy Statement furthers the Executive's commitment to sustainable development and to conserving and where possible enhancing and restoring our natural heritage.

2.11 **Strategic Planning Policy Statement (SPPS) (September 2015):** Under the provisions of the SPPS, in the preparation of Local Development Plans (LDPs) and in the determination of planning applications, planning authorities should apply the precautionary principle when considering the impacts of a proposed development on national or international significant landscape or natural heritage resources.

### Current Area Plans

2.12 **Derry Area Plan 2011:** Chapter 4 contains the relevant text for the plan and its natural environment. The plan defines 'Areas of High Scenic Value' as well as 'Areas of Local Nature Conservation and Amenity Importance' at various locations. Policies regarding landscape requirements and development adjacent to rivers and open water bodies are also contained.

2.13 **Strabane Area Plan 1986-2001:** Section 19.0 contains relevant text for environmental protection and conservation. The SAP 1986-2001 states the

conservation of the natural and man-made environments has been a major consideration in the formulation of all policies and proposals

### **Other Key Influencing Documents**

- 2.14 **Derry City and Strabane District's Inclusive Strategic Growth Plan 2017-2032:** Our Community Plan (Derry City and Strabane District Council, 2017) aims to improve social, economic and environmental well-being and long-term objectives for the District. It contains many key actions for the environment including stronger environmental stewardship.

### **Derry City and Strabane District Green Infrastructure (GI) Plan**

- 2.15 Development pressures associated with new development can take a variety of forms on our natural heritage assets. They can include habitat loss, fragmentation and disturbance, drainage of bogs, pollution, light pollution on protected species and the spread of Invasive Alien Species (IAS) through poor spoil management. In addition, climate change is a global driver for natural heritage and landscape change. Over coming years, its impact will soon become readily apparent on our District's landscape, biodiversity, coastal and tidal stretches unless we begin to mitigate and adapt for such changes through sustainable development.
- 2.16 In response to these pressures, Council published in 2019 its Green Infrastructure Plan (GI) which places an emphasis on the creation, enhancement and promotion of green infrastructure to improve quality of life, health, biodiversity and the development of greenways. The GI Plan links with Council's Community Plan mission and aims to:  
*'To improve the social, economic and environmental well-being of the city and district and to do so in a sustainable way'.*  
Moreover, the GI Plan incorporates a Climate Adaption Plan (CAP), the first of its kind in Northern Ireland which will address the main risks to the North West from current and projected climate change including increased rainfall, heat, rising sea levels and extreme weather events. Actions will include enhanced resilience of Council services and local communities to withstand the effects of climate change, as well as improved partnership working with agencies and stakeholders to mitigate against the effects of increased rainfall and flooding.
- 2.17 This Green Infrastructure Plan was developed as part of the evidence base generated for the District's Local Development Plan 2032. The GI Plan reviews the existing green infrastructure (green and blue spaces), identifies gaps in provision and investigates opportunities to improve the green infrastructure. It outlines the strategic vision, aims and priorities for the District to 2032



## **Current Natural Heritage Assets and Designations in our District**

- 2.18 The importance of our natural environment is reflected in the Regional Development Strategy (RDS) 2035 which sets out guidance for the conservation, protection and enhancement of our natural environment. It also recognises the contribution it makes to improving health and well-being and in promoting economic development. Similarly, the SPPS sets out our commitments to meeting international (including European), national and local responsibilities and obligations, and encourages that a precautionary approach is adopted when considering the impacts of development on national or international landscape or natural heritage resources.
- 2.19 Our District comprises a wealth of outstanding landscapes which includes mountains, river valleys and rolling farmland. These landscapes provide a rich resource of productive agricultural land, habitats for nature conservation, archaeological and historical features and remains, which illustrate ways in which the land has provided for human occupation and activity in the past. Our countryside remains the home and livelihood for a considerable part of our population, farmers and non-farming families, living in our many rural communities. Our unique natural heritage is a valuable resource that can be used for cultural, educational and leisure purposes, supporting our tourism industry and economy and enhancing the quality of life and well-being of our citizens.
- 2.20 More specifically, biodiversity provides a range of benefits from nature which are commonly referred to as ‘ecosystem services’. These serve a number of important functions such as supporting the productivity of agriculture, forestry, fisheries, water purification and climate moderation. It also contributes to quality of life by providing a valuable utility to people directly through their appreciation of nature and landscapes or through their enjoyment of a type of recreation that depends on a functioning ecosystem such as angling, water sports or hunting. The natural environment can also act as a stimulus for job creation in rural areas, particularly in the recreation and nature tourism sectors.
- 2.21 Many of our finest areas are protected by a variety of landscape designations to ensure that our natural environment retains its special characteristics, delicate ecosystems and unique biodiversity (Fig.1). Among these designations are Lough Foyle Protection Area (SPA), River Faughan and River Foyle Special Areas of Conservation (SAC), and the wetlands and wildlife found on the Ramsar sites of Lough Foyle and Fairywater Bogs which are home to priority species such as bats, Atlantic Salmon, Red Squirrels, Lapwings and Otters. There are many Areas of Special Scientific Interest (ASSIs) located throughout the District including those at Strabane Glen, Baronscourt, Corbylin

Wood and the River Faughan. While the Northern Ireland Environment Agency (NIEA) has principal responsibility for the designation of sites that are of nature conservation importance, Council as the responsible authority has to ensure their protection from inappropriate development.

- 2.22 In addition, there are many more valuable assets located throughout the District, including those which are not given special protection. Nature Reserves at Ness and Ervey Wood, Killeter Forest and Prehen Wood, civic parks and open spaces all require similar attention so that we can sensitively manage and utilise these assets to their full potential.
- 2.23 However, there is a growing concern internationally that much biodiversity has been lost in recent decades due to pressures associated with new development, transport infrastructure, intensive farming practices, drainage of bogs, commercial forestry plantations, wind turbine farms, peat cutting which have cumulatively led to habitat loss and fragmentation. Consequently, many species are now living in smaller, fragmented pockets of their previous habitat range and becoming increasingly more vulnerable to population decline. Other significant influencing factors include pollution which is a driver of biodiversity loss on both land and in aquatic ecosystems, climate change and the spread of Invasive Alien Species (IAS) outside their natural habitats.
- 2.24 In response to these pressures, Council has recently produced a Green Infrastructure Plan (GI) which places an emphasis on the creation, enhancement and promotion of green infrastructure to improve quality of life, health, biodiversity and the development of greenways. Moreover, the GI Plan incorporates a Climate Adaption Plan (CAP), the first of its kind in Northern Ireland which will address the main risks to the North West from current and projected climate change including increased rainfall, heat, rising sea levels and extreme weather events. Actions will include enhanced resilience of Council services and local communities to withstand the effects of climate change, as well as improved partnership working with agencies and stakeholders to mitigate against the effects of increased rainfall and flooding.
- 2.25 The LDP PS sets out how Derry City and Strabane District Council will positively plan to accommodate growth within the District by delivering development that sustains and enhances biodiversity in line with both Council's Strategic Inclusive Growth Plan and Green Infrastructure Plan (GI Plan). The Council's LDP Strategy for the Natural Environment is to recognise the existing International (including European), National and Regional and Nature designations and to minimise habitat loss and fragmentation of habitat species and priority habitats. The Council will also designate a series of Special Countryside Areas (SCAs) as the highest tier of local landscape designation

and a series of Local Landscape Policy Area (LLPAs) across the District. Policies will be brought forward to support these designations which will seek to manage the type and amount of development which will be permitted in each of these designated areas.

### **Nature Conservation Designated Sites within our District**

2.26 The following main designations are detailed in Appendix 1 & 3.

- 1 International (Ramsar) site,
- 6 European (SPA's / SAC's) designated sites,
- 27 ASSI's,
- 3 National Nature Reserves,
- 4 Local Nature Reserves,
- 7 Areas of Local Nature Conservation and Amenity Importance (defined within the DAP2011)

<https://www.daera-ni.gov.uk/topics/biodiversity-land-and-landscapes/protected-areas>

### **Landscape Character within our District**

2.27 Our District's landscape provides a rich resource of productive agricultural land, settlements, sites for nature conservation and archaeological and historical features. It also provides for many recreational needs and has the potential to become an increasingly important tourist asset.

2.28 Landscapes of national importance have merited designations as Areas of Outstanding Natural Beauty (AONB). A significant part of the Sperrin AONB (re-designated / extended in 2008) lies within the District. The purpose of designation is to protect and conserve the scenic qualities of the area and promote their enjoyment. Within the Council area, the following landscapes are designated / defined:

- Sperrin AONB (part of)
  - Areas of High Scenic Value (AoHSV) at:
  - Both banks of the Foyle, north of the City;
  - Both banks of the Foyle, south of the City; and
  - Faughan Valley, south east of Drumahoe to Burntollet Bridge.

2.29 All of the NI landscape has been classified by the Northern Ireland Landscape Character Assessment (NILCA or ERM Study, 1999-2000). This uses accepted systematic methods of landscape character assessment. The NI landscape has been subdivided into 130 different landscape character areas, each with a

distinctive character, based upon local patterns of geology, land form, land use, cultural and ecological features. (See Paper 3 for further details.)

- 2.30 The Northern Ireland Regional Landscape Character Assessment (NIRLCA) Report (see link below) and provides an evidence base which can be used by planners, developers and the public. The NIRLCA provides a strategic view of the landscape, which can be complemented by more detailed local studies in future. It aims to draw together information on people and place, and the combinations of nature, culture and perception which make each part of Northern Ireland unique. This report comprises 26 Regional LCA's covering all of NI. Whereas the former Derry and Strabane council areas would have contained (in part or in full) 18 LCA's, the new Council District now contains 5 (in part or in full) Regional LCA's.
- <http://doeni.maps.arcgis.com/apps/MapJournal/index.html?appid=dee491ff43c0415fbb986f74c92f39a9>

- 2.31 Derry District includes parts of the Sperrin Mountains, the exposed moorland summits of Loughmore Hills, the deep wooded valleys of the River Faughan system and the lower reaches of the scenic River Foyle, where it flows into Lough Foyle. Strabane District also includes parts of the Sperrin Mountains, Killeter Forest, Monegal Bog, Baronscourt, the deep wooded valleys of the Owenkillew River, Glenelly River, and the upper reaches of the scenic River Foyle. The district has the longest valley (Glenelly Valley) and largest coniferous woodland (Killeter Forest) in Northern Ireland.
- 2.32 A review of the District's landscape and seascape has been undertaken as part of the preparation of the LDP PS and is published along with the PS documents. A Development Pressure Analysis undertaken as part of the LDP PS preparation (EVB 6c) has also underpinned policy development.

### **Rivers**

- 2.33 Derry District has 3 rivers that enter Lough Foyle – Foyle, Faughan and Muff. The Foyle and Faughan rivers are particularly significant, because they support Atlantic salmon, brown trout and sea trout. Part of the Foyle estuary and the whole of the Faughan estuary fall within the SPA, ASSI and Ramsar designations of Lough Foyle. These estuaries and tidal rivers provide essential spawning sites for the following priority species shad, European smelt and lampreys. Also, the rivers provide an important habitat for otters, kingfishers and sand martins.
- 2.34 Strabane District has several rivers, which flow to the River Foyle. The River Foyle constitutes the focus of the Lower Foyle Catchment, as it flows from its confluence of rivers Mourne and Finn to Derry. Burn Dennet and Glenmornan

rise in the Sperrins and flow west to the River Foyle. The River Finn rises in Co. Donegal and flows east to Strabane to join with the River Mourne. The River Mourne is a transitional river, constituting the middle section of the Foyle catchment, extending from its origins where the River Strule and River Derg meet near Ardstraw, to its confluence with the River Finn and the formation of the River Foyle at Strabane. The River Derg rises in the Killeter Uplands and flows to its confluence with the Strule River near Ardstraw. The River Strule is the upper main spine of the Foyle catchment, originating in Omagh, flowing north to its confluence with the River Derg. It is fed by two major tributaries, the Owenkillew River located east of Newtown Stewart and the Fairy Water, north west of Omagh. The Glenelly River originates in the Sperrin Mountains and flows to the Owenkillew River.

- 2.35 In addition to the designated sites, the other 'ordinary' land, urban and rural, is also very important to protect and enhance, for its own beauty and bio-diversity. The LDP will therefore also consider all such land.

### **Statutory Framework and Interrelationship with the LDP**

- 2.36 Combined with the comprehensive coverage of European Directives, is a legal requirement on any planning authority to ensure that plans, programmes and projects likely to have significant effects on the environment are made subject to an environmental assessment, prior to their approval or authorisation. Consultation with the public is a key feature of environmental assessment procedures. The level of environmental assessment must be proportionate to the scale of the plan, programme or project proposed.

### **Local Development Plan Obligations**

- 2.37 The Planning Act (Northern Ireland) 2011 now places a statutory duty on those planning authorities producing a LDP to undertake a Sustainability Appraisal (SA). This incorporates the principles of sustainable development when preparing such plans and assesses not just the potential environmental impacts of the plan but any economic and social impacts as well. (See Paper 4 for further details.)
- 2.38 To assess the environmental implications, the SA will incorporate a Strategic Environmental Assessment (SEA). The objective of SEA is to provide for a high level of protection of the environment and to contribute to the integration of environmental consideration into the preparation and adoption of plans and programmes with a view to promoting sustainable development.
- 2.39 SEA must be carried out in conjunction with, and parallel to, the development of any plan and integrated with the plan process. Under the provisions of the

SEA Directive and the Regulations, an Environmental Report is published with the draft plan and must be taken into account before the adoption of the LDP.

- 2.40 Under the provisions of the Habitats Regulations, plan-making authorities are required to undertake an Appropriate Assessment for any development plan (or development proposal) which either individually, or in combination with other plans or projects, is likely to significantly affect a European Site such as a SPA or SAC.
- 2.41 The purpose of an Appropriate Assessment is to assess the impacts of a land-use plan against the conservation objectives of a European site. The purpose of an appropriate assessment is to ascertain whether the plan is likely to adversely affect site integrity. Where significant negative effects are identified, alternative options should be examined to avoid any potentially damaging effects. This Appropriate Assessment will be prepared by SES on behalf of the Council.
- 2.42 The SPPS states that in plan-making councils should take full account of the implications of proposed land use zonings, locations for development and settlement limits on natural environment features and landscape character within or adjoining the plan area. Natural environment features and designated sites should be identified as part of the plan-making process. Where appropriate, policies should be brought forward for their protection and / or enhancement. LDPs should also identify and promote the design of ecological networks throughout the plan area which could help reduce the fragmentation and isolation of natural habitats through a strategic approach. It states that LDPs should seek to protect and integrate certain features of the natural environment when zoning sites for development through 'key site requirements'. In addition LDPs should seek to identify and promote green and blue infrastructure where this will add value to the provision, enhancement and connection of open space and habitats in and around settlements.

## Marine Consideration

- 2.43 In recent years, legislation has been introduced to ensure that for the first time marine activities and resources within our marine waters are planned and managed in a coherent manner. The following three interlocking pieces of legislation have been introduced to help deliver the UK vision of having “clean, healthy, safe, productive and biologically diverse oceans and seas”:

UK Marine and Coastal Access Act (MCAA) 2009

UK Marine Strategy Regulations 2010

The Marine Act (Northern Ireland) 2013

- 2.44 In addition, the UK Marine Policy Statement (MPS) 2011 is the framework for preparing Marine Plans and taking decisions affecting the marine environment. Of particular relevance, is the legislative requirement that all public authorities taking authorisation or enforcement decisions that affect or might affect the UK marine area to do so in accordance with the MPS unless relevant considerations indicate otherwise. Accordingly, in future, Council will not only have those legal implications in relation to terrestrial planning but also for marine matters as well.

### **3.0 Background and Statistical Data**

- 3.1 Derry City and Strabane District comprises a mixture of landscapes which include mountains, river valleys and rolling farm land. These landscapes provide a rich resource of productive agricultural land, habitats for nature conservation, archaeological and historical features and remains which illustrate ways in which the land has provided for human occupation and activity in the past. Our countryside remains the home and livelihood for a considerable part of our population, farmers and non-farming families, living in our many rural communities. Additionally, our countryside provides for many recreational needs including activities such as fishing, photography, walking and festivals and has the potential to become an increasingly important tourist asset.
- 3.2 Landscapes of national importance have merited designations as Areas of Outstanding Natural Beauty (AONB). The landscapes within the District include part of the Sperrin Mountains, re-designated as an AONB in 2008. The purpose of the designation is to protect and conserve the scenic qualities of the area and promote their enjoyment. The AONB forms a backdrop to much of the district in the centre and east, with the mountain valleys of the Glenelly and Owenkillew rivers lying below an expanse of open moorland.
- 3.3 Landscape Character Assessment (LCA) is the process of identifying and describing variation in the character of the landscape. LCA documents identify and explain the unique combination of elements and features that make landscapes distinctive by mapping and describing character types and areas.
- 3.4 The consideration of landscape character is an integral part of land-use planning, and will be significant in the preparation of the Local Development Plan (LDP). We are bound by the European Landscape Convention (ELC) which came into force in the UK in 2007 and which encourages the protection, management and planning of landscapes. Landscape issues can vary in scale from loss of boundaries or perceived inappropriate rural design associated with housing applications to large scale consideration when developing possible new rural policy as part of the LDP preparation or large solar or wind farm applications in upland areas within a designated AONB.

#### **Countryside and Landscape - Policy Context for LDP**

- 3.5 Regional Development Strategy 2035 (RDS): The RDS sets out the spatial strategy of the Executive. The RDS 2035 places a statutory duty on the LDP to 'take account' of it. RG11 sets out guidance on the recognition and conservation of local identity and distinctive landscape character. Spatial Framework Guidance (SFG) 9 sets out the key concepts for the protection and



enhancement of the quality of the setting of Derry City and the North West and its environmental assets. SFG 13 states the aim is to sustain the overall strength of the rural community living in small towns, villages, small rural settlements and the open countryside. It also states that the application of the principles of sustainable development must be at the heart of future rural development.

3.6 Similarly, the LDP must take account of the Sustainable Development Strategy, the **Strategic Planning Policy Statement (SPPS)** and any other policies or advice in guidance issued by the DOE such as landscape character assessments.

3.7 **Strategic Planning Policy Statement 2015 (SPPS):**

Within the SPPS the countryside is recognised as one of our greatest assets, with its highly valued landscapes, an outstanding coastline, a complex variety of wildlife, rich built and cultural heritage, for the ecosystem services it provides, and for its sense of place and history. In addition to its role and function as a recreational and tourist asset the countryside also supports our important agricultural industry, offers potential opportunities for sustainable growth in new sectors, and is home to a considerable rural population. For the purpose of this EVB the countryside is defined as land lying outside of settlement limits as identified in the LDP.

3.8 The SPPS recognises the need to maintain and enhance the attractiveness of the countryside as a place to invest, live and work, the countryside requires a sustainable approach to new development, consistent with the Regional Development Strategy 2035 (RDS).

3.9 The policy objectives for development in the countryside are to;

- a) manage growth to achieve appropriate and sustainable patterns of development which supports a vibrant rural community;
- b) conserve the landscape and natural resources of the rural area and to protect it from excessive, inappropriate or obtrusive development and from the actual or potential effects of pollution;
- c) facilitate development which contributes to a sustainable rural economy; and
- d) promote high standards in the design, siting and landscaping of development.

3.10 In producing the LDP, the SPPS states that the Council should bring forward a strategy for sustainable development in the countryside together with appropriate policies and proposals that must reflect the aims, objectives and

policy approach of the SPPS, tailored to the specific circumstances of the plan area.

- 3.11 All development in the countryside must integrate into its setting, respect rural character, and be appropriately designed. Development in the countryside must not mar the distinction between a settlement and the surrounding countryside, or result in urban sprawl.
- 3.12 Some areas of the countryside exhibit exceptional landscapes, such as mountains, stretches of the coast or lough shores, and certain views or vistas, wherein the quality of the landscape and unique amenity value is such that development should only be permitted in exceptional circumstances. Where appropriate these areas should be designated as Special Countryside Areas in LDPs, and appropriate policies brought forward to ensure their protection from unnecessary and inappropriate development. Local policies may also be brought forward to maintain the landscape quality and character of Areas of High Scenic Value.
- 3.13 The LDP process will play an important role in identifying key features and assets of the countryside and balancing the needs of rural areas and communities with the protection of the environment. It will take into account existing Landscape Character Assessments. The LDP will also include an environmental assets appraisal and landscape assessment which will provide the evidence base for the purposes of bringing forward an appropriate policy approach to development in the countryside.
- 3.14 PPS2 (2013) – Natural Heritage: This Planning Policy Statement furthers the Executive's commitment to sustainable development and to conserving and where possible enhancing and restoring our natural heritage. The objectives of this Planning Policy Statement are:
- to seek to further the conservation, enhancement and restoration of the abundance, quality, diversity and distinctiveness of the Region's natural heritage;
  - to further sustainable development by ensuring that biological and geological diversity are conserved and enhanced as an integral part of social, economic and environmental development;
  - to assist in meeting international (including European), national and local responsibilities and obligations in the protection and enhancement of the natural heritage;
  - to contribute to rural renewal and urban regeneration by ensuring developments take account of the role and value of biodiversity in

supporting economic diversification and contributing to a high quality environment;

- to protect and enhance biodiversity, geodiversity and the environment; and
- to take actions to reduce our carbon footprint and facilitate adaptation to climate change.

3.15 PPS21 (2010) - Sustainable Development in the Countryside: sets out planning policies for development in the countryside. The objectives of PPS 21 are:

- to manage growth in the countryside to achieve appropriate and sustainable patterns of development that meet the essential needs of a vibrant rural community;
- to conserve the landscape and natural resources of the rural area and to protect it from excessive, inappropriate or obtrusive development and from the actual or potential effects of pollution;
- to facilitate development necessary to achieve a sustainable rural economy; including appropriate farm diversification and other economic activity; and
- to promote high standards in the design, siting and landscaping of development in the countryside.

3.16 Derry Area Plan 2011: Chapter 4 contains the relevant text for the Plan and its natural environment. The plan defines 'Areas of High Scenic Value' as well as 'Areas of Local Nature Conservation and Amenity Importance' at various locations. Policies regarding landscape requirements and development adjacent to rivers and open water bodies are also included. The Plan designated a Green Belt around Derry and Countryside Policy Areas at Bonds Glen, Ness Woods, Ervey Woods and the Foyle Estuary. The strategic objectives of these Green Belts are:

- to prevent the unrestricted sprawl of large built-up areas;
- to prevent neighbouring settlements from merging;
- to safeguard the surrounding countryside;
- to protect the setting of settlements; and
- to assist in urban regeneration.

3.17 The strategic objectives of Countryside Policy Areas are:

- a) to protect areas of countryside under pressure from development;
- b) to protect the visual amenity of areas of landscape quality; and
- c) to maintain the rural character of the countryside.

The introduction of PPS 14: Sustainable Development in the Countryside (2007) took precedence over the policy provisions of these designations, which in turn was subsequently superseded by PPS21.

- 3.18 Strabane Area Plan 1986-2001: Section 19.0 contains relevant text for environmental protection and conservation. The SAP 1986-2001 states the conservation of the natural and man-made environments has been a major consideration in the formulation of all policies and proposals. The plan recognises that the rural areas surrounding individual settlements require protection from urban sprawl and ribboning. One of the objectives of the Plan is to prevent urban sprawl, ribbon development and coalescence of settlements and minimise the encroachment of development onto high quality agricultural land.
- 3.19 The Plan designated a green belt around Strabane and Sion Mills. The Plan also identified Highway Policy Areas arterially from Castlederg and between Donemana and Artigarvan. As before these have been superseded by PPS21 regional policy. The Plan designates an Area of Mineral Constraint to the east of the District. The Plan (at time of publication) stated that there were 12 quarries actively being worked, the largest concentration is in the lower Burndennett Valley. The Plan states that the Department will support in principle the continued production from areas which are already being exploited however permissions where granted will carry conditions to minimise environmental disturbance.
- 3.20 The District is particularly rich in natural heritage resources and contains important wildlife habitats. All of the habitats are of major importance based on individual habitat and species diversity and rarity.
- 3.21 Priority Habitats include the following:
- Bogs: lowland raised bog, blanket bog, lowland heathland, upland heathland and montane heath
  - Coastal: saline lagoons, sea-grass beds, sub-tidal sands and gravels, coastal saltmarsh and inter-tidal mudflats.
  - Hedgerows
  - Rivers & Streams
  - Woodland: Oak woodlands, wet woodlands, mixed woodlands and non-native woodlands
  - Urban and garden: Urban parks, Parkland.
- 3.22 Priority Species include the following:
- Atlantic salmon;
  - Bats;

- Bumblebee;
- Curlew, Lapwing & Whooper swan;
- Otter;
- Purple moor grass;
- Red Squirrel.

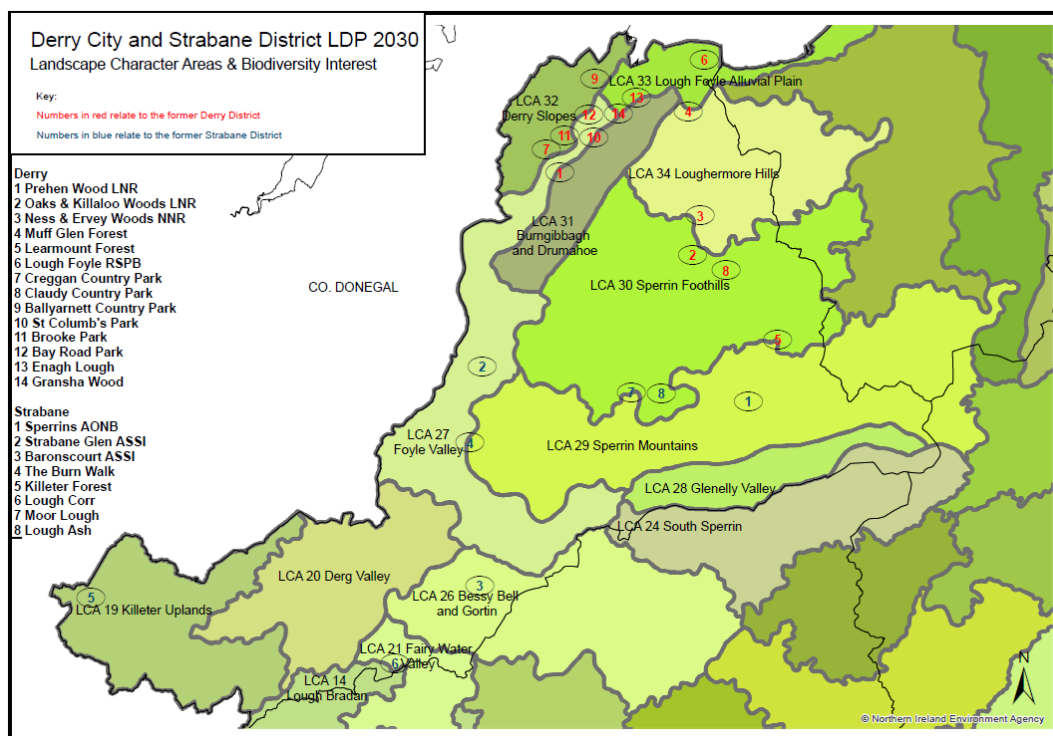
### **Main Landscape Designation: Sperrin AONB**

3.23 The Sperrin AONB is one of eight AONBs in Northern Ireland and covers a substantial area of the centre and east of the District. It is the largest of the AONBs, with an approximate area of 118,206 hectares. Lying in the heart of Northern Ireland the Sperrin AONB encompasses a largely mountainous area of great geological complexity. Designated first in 1968 under the 1965 Amenity Lands Act, and latterly in 2008 under the 1985 Nature Conservation and Amenity Lands Order (NCALO) with a revised boundary, it covers an area of 118,206 hectares and stretches from the Strule Valley in the west to the perimeter of the Lough Neagh lowlands in the east. The NCALO designation is much more orientated towards positive management. Its aim is to develop and facilitate partnerships that deliver conservation of the natural and built environment and enhanced recreation provision, in an efficient, effective and inclusive manner.

### **Landscape Character Assessment**

3.24 The current guidance on NI landscape is set out in the NI Landscape Character Assessment (NI LCA, 2000) published by the DOE. Using accepted, systematic methods of landscape character assessment, the NI countryside was subdivided into 130 different landscape character areas (LCAs), each with a distinctive character, based upon local patterns of geology, land form, land use, cultural and ecological features. For each LCA, the key characteristics were described and an analysis of landscape condition and its sensitivity to change was made. There were 14 of those LCAs identified for the former Derry and Strabane Districts (several overlap namely LCA 27, 29, 30 and 31). See <https://www.daera-ni.gov.uk/articles/landscape-character-northern-ireland>

**Map 1: LCAs in Derry and Strabane District**



3.25 In addition to the above-mentioned regional report, an individual Landscape Character Assessment Research Report was published in 1999 for each of the 26 Local Government Districts. The Derry report detailed its 7 LCAs and the Strabane report had 11 LCAs. See Map at Appendix 1. For each landscape character area, a description of 'key characteristics' and an analysis of 'landscape condition' and 'sensitivity to change' was prepared. An overview of the 14 LCAs relevant to our District is as follows:

### Former Strabane District

3.26 **LCA 14. Lough Bradan** extends from NE Fermanagh to the Lough Bradan Forest in West Tyrone. The area is characterised by valleys and steep drumlins on the lowlands, with a transition to an undulating sandstone plateau. In lowland areas, there is an alternating pattern of forest and marginal pastures, dissected by small rivers which link the areas of bog, damp woodland and meadow which lie between the drumlins. The patchwork of small, angular field's breaks down to scrub and open grazing on the fringes of the moorland. The upland has a simpler landscape pattern, with rough grazing, peat cutting and large forestry plantations such as that of Lough Bradan Forest. Land quality in the lowlands varies considerably. The well drained land around the Glendarragh Valley is intensively farmed as grassland; however; the sandstone soils are of poorer quality and forestry has become increasingly important, taking over former land uses.

- 3.27 **LCA 19. Killeter Uplands** are found to the far west of Tyrone. The uplands have a broad rounded landform, which seem diminished in scale as they are dominated by exclusive conifer plantations. Peat cutting is an influence in the more accessible areas. The upper reaches of the Mourne Beg River and the Derg flow within broad, shallow valleys. A remote landscape with a few roads and virtually no settlements. Small farms and their associated buildings are scattered along the roads but larger settlements are concentrated at the principal bridges crossing the river.
- 3.28 **LCA 20. Derg Valley.** The river Derg flows eastwards from the Killeter Uplands to join the Strule River near Ardstraw. The market town of Castlederg is at the principal crossing point in the centre of the Derg Valley. The broad valley is enclosed by an undulating landscape of rounded hills many of which are capped with open moorland. The summits to the north of Castlederg have a particularly exposed character and are separated by extensive areas of blanket bog and marginal farmland. Areas of very small geometric pastures divided by stone walls and overgrown hedgerows are found on the steeper slopes and in parts of the valley where drainage is poor. Elsewhere on the valley floor the fields are often large with drainage ditches alongside the hedgerows and embankments enclosing the river. Fields are enclosed by both stone walls and hedgerows and there are many hedgerow trees. Small farms and their associated buildings are scattered along the roads but larger settlements are concentrated at the principal bridges crossing the river. The stone mill buildings at Ardstraw are a distinctive riverside feature.
- 3.29 **LCA 21. Fairy Water Valley.** Only northern tip – the Fairy water flows eastwards from the foot of Bolaght Mountain in West Tyrone to meet the Strule near Omagh. The fairy water valley includes the broad marshy vale of the fairy water and the undulating branching valley of the Drumquin River to the south. Settlement is sparse in the Fairy Water Valley and there are derelict cottages on some edges of the marsh, surrounded by the remnants of small pastures.
- 3.30 **LCA 24. South Sperrin** includes the upland river valley of the Owenkillew and Owenreagh Rivers and the broad ridges to the south of the Glenelly valley. The broad upland ridges of the Sperrins in this area form a backdrop to the valley landscapes. The skyline is open with upland grasses and rocky screes on the slopes leading to the summits. There is a linear settlement pattern with small farmsteads strung out at regular intervals along the valley roads. EHS NI LCA Report 2000 considered that this landscape would be sensitive to any large scale development which could be prominent in views from the surrounding ridges.

- 3.31 **LCA 26. Bessy Bell and Gortin.** The Bessy Bell and Gortin landscape is a distinctive, scenic and much visited part of the North West; the twin peaks of Bessy Bell and Mary Gray form a gateway to the south of the Sperrins. These peaks are divided from the principal Sperrins range by the scenic valley of the River Strule which flows northwards from Omagh towards the Foyle. From the confluence with Cappagh Burn to Newtownstewart, the Strule River meanders within a deeply incised wooded channel with the road on a river terrace alongside. The valley to the west of Bessy Bell is dominated by the woodlands and deer park of the Baroncourt Estate. Overall this is a highly accessible and scenic landscape. While the majority of this LCA lie within the Sperrins AONB, Bessy Bell and the adjacent Baroncourt Estate are classified as part of the Sperrins Foothills Area of Scenic Quality
- 3.32 **LCA 27. Foyle Valley (both districts).** The Foyle Valley follows the border with Co Donegal to the south of Derry before turning eastwards at Strabane to follow the meandering course of the river Mourne and the Strule. It is steeply enclosed to the east by the slopes of the hills to the west of the Sperrins range. It continues to the east of Newtownstewart and includes the lower reaches of the Owenkillew River. The character of the river channel varies from an open sheet of water between agricultural fields to the north of Ballymagorry, to an incised, wooded channel to the south of Strabane. Stone bridges are a feature of the river valley, which is highly accessible as local roads follow the low terraces towards the margins of the valley floor. The valley is well-settled, and the towns of Newtownstewart, Sion Mills and Strabane are on the banks of the Mourne and the Strule. The steep valley slopes of the margins of the Sperrins are also sensitive to change as they form a backdrop to river valley views and are part of the landscape setting for Newtownstewart, Sion Mills and Strabane.
- 3.33 **LCA 28. Glenelly Valley.** The Glenelly Valley is often regarded as one of the most idyllic in Northern Ireland. The Glenelly River flows westwards along a long linear glen to the south of Sawel Mountain. The verdant valley landscape contrasts with the expansive windswept moorland above and has a hidden, secretive character. The valley is relatively narrow and enclosed by steep ridges. The slopes are gently undulating and divided into pastures and oak woodlands by stone walls and hedgerows. Settlements are typically small; buildings are clustered in traditional ‘clachans’ and in more scattered farmsteads. They nestle in sheltered locations and are connected by steep, narrow roads which follow the contours, with sudden sharp bends and small stone bridges where they cross the narrow valleys and gullies on the side of the slopes. Overall the Glenelly valley is highly valued for its heritage and scenic beauty and is designated as part of the Sperrins AONB. It is an extremely sensitive landscape with significant archaeological sites and a historic field pattern.



- 3.34 **LCA 29. Sperrin Mountains (both districts).** The Sperrin Mountains form a spine across the North West and a backdrop to views. The steeper summits average 500m, while the highest peak, Sawel Mountain rises to 678m. The Sperrins have a dramatic mountainous appearance, the ridges have a broad rounded profile, leading to summits with a rocky pointed silhouette. Summits have extensive areas of bog supporting acres of heather and rushes. The bogs are punctuated by small, rounded loughs, the source of many streams. This open mountain AONB landscape is extremely sensitive to change since even relatively small elements in the landscape are visible over long distances. The most significant pressures for change are from conifer plantations, mineral / quarrying extraction and windfarms on the upper slopes, and built development on the valley slopes.
- 3.35 **LCA 30. Sperrin Foothills (both districts).** The Sperrin Foothills lie to the north and west of the Sperrins and include the rounded summits of Slievekirk, Eglishe and Crookdoish and the river valley systems of the Burn Dennet and Faughan rivers. At the centre of the valleys of Burn Dennet and parts of the River Faughan, where the river flows within a pronounced cutting, the valley sides and riverbanks are clothed in dense woodland. Fast-flowing streams have eroded deep, winding valleys, carving the landscape into rounded, dome-shaped hills. It is a dynamic landscape, with neat, rolling farmland, steep wooded valleys and rounded caps of moorland on the summits of the higher hills. Angular branching roads often form a dense network with farms and houses scattered alongside. Donemana is the largest settlement in the area, but there are numerous small settlements on the mid slopes of valleys; most are at junctions related to stone bridges over rivers. The EHS LCA (2000) considered there was significant pressure for development within this LCA and cited inappropriate modern bungalows of non-rural design. Sand and gravel pits are common on the edges of the valleys, where glacial moraine provides an available source. There are many examples of such quarries which form visual scars in the landscape.
- 3.36 **LCA 31. Burngibbagh and Drumahoe (both districts).** The Burngibbagh and Drumahoe LCA includes the long, linear valley system of the Burngibbagh and the lower Faughan River and its enclosing ridges. The valley lies to the east of Derry and is parallel to the River Foyle. The northern part of the valley which contains the lower Faughan River, has a more open character, with larger fields and a relatively wide, unenclosed valley floor. The southern part of the valley, which contains the relatively small Burngibbagh River, has a more secluded character. The fields here are smaller and there are numerous trees, which increase in density towards the valley floor. The valley landscape is relatively sensitive because it is in a highly accessible area; the ridgetops to the west also

form part of the wider landscape setting of Derry City. The Burngibbagh section of the valley, to the south, is particularly sensitive as it is relatively undeveloped.

### **Former Derry District**

- 3.37 **LCA 32. Derry Slopes.** The West Derry Slopes LCA lies between the River Foyle and the border with Co Donegal. They encompass the northern and eastern slopes of Minkey Hill and the southern ridge of Scalp Mountain in Donegal. The area is dominated by the city centre and the built up areas on the western banks of the Foyle. The area is highly influenced by the city, with a relatively fragmented landscape character; fields and farms are surrounded by housing estates and commercial units. The urban fringe is relatively devoid of tree cover and the larger industrial buildings are prominent. The banks of the River Foyle are the most scenic and sensitive parts of this landscape, together with the steep eastern slopes of Minkey Hill which plummet down to the river. These slopes and the river corridor are prominent in views to the city from the east bank of the Foyle and contribute to the landscape setting of the city.
- 3.38 **LCA 33. Lough Foyle Alluvial Plain.** The Lough Foyle Alluvial Plain stretches along the shores of Lough Foyle from Enagh, on the eastern fringes of Derry, to the mouth of the River Roe. The sandsand gravels of the alluvial plain originated as glacial outwash from the melting glaciers inland. The pattern of the landscape on the alluvial plains varies from a geometric, large scale arable mosaic to a small-scale patchwork of rough pastures. Generally the area has an open character, particularly when overlooked from higher terrain. The coastal plain is backed by a low ridge, the recently upgraded A2 and the coastal railway raised on a steep embankment. The InVista plant at Maydown is very visible for miles around and the City of Derry Airport at Longfield is also a major local land use. The area is therefore extremely accessible and has been under considerable pressure for industrial and residential development. It is visually sensitive as it is overlooked from the coastal road.
- 3.39 **LCA 34. Loughermore Hill.** The Loughermore Hills are bounded to the west and south by the Rivers Faughan and Foreglen and to the east, by the River Roe. They overlook Lough Foyle to the north. The Loughermore Hills rise to 396m (Loughermore) with the surrounding hills averaging 280m. They are broad rounded ridges with shallow valleys and gently undulating slopes. This is a relatively homogenous landscape with a simple large scale pattern of moorland, bog and the conifer plantations of Loughermore Forest on the upper slopes. Peat cutting is an influence in the more accessible areas. The open moorland has an exposed, windswept character, but there are abrupt contrasts in the dark, enclosed landscape of the conifer plantations which cover extensive areas. The shapes of the plantations, and in particular the character of their

edges, have a strong visual influence. There are tracts of deciduous woodland in the gullies and steeper valleys on the margins of the Hills – those within the steep valley of the Burntollet River are particularly attractive and are managed as the Ness Wood and Ervey Wood Country Parks respectively. Overall, much of the landscape is inaccessible and the most significant pressure for change is from conifer plantations, transmission masts and windfarms. The open character and scale of the summits therefore makes them sensitive to change.

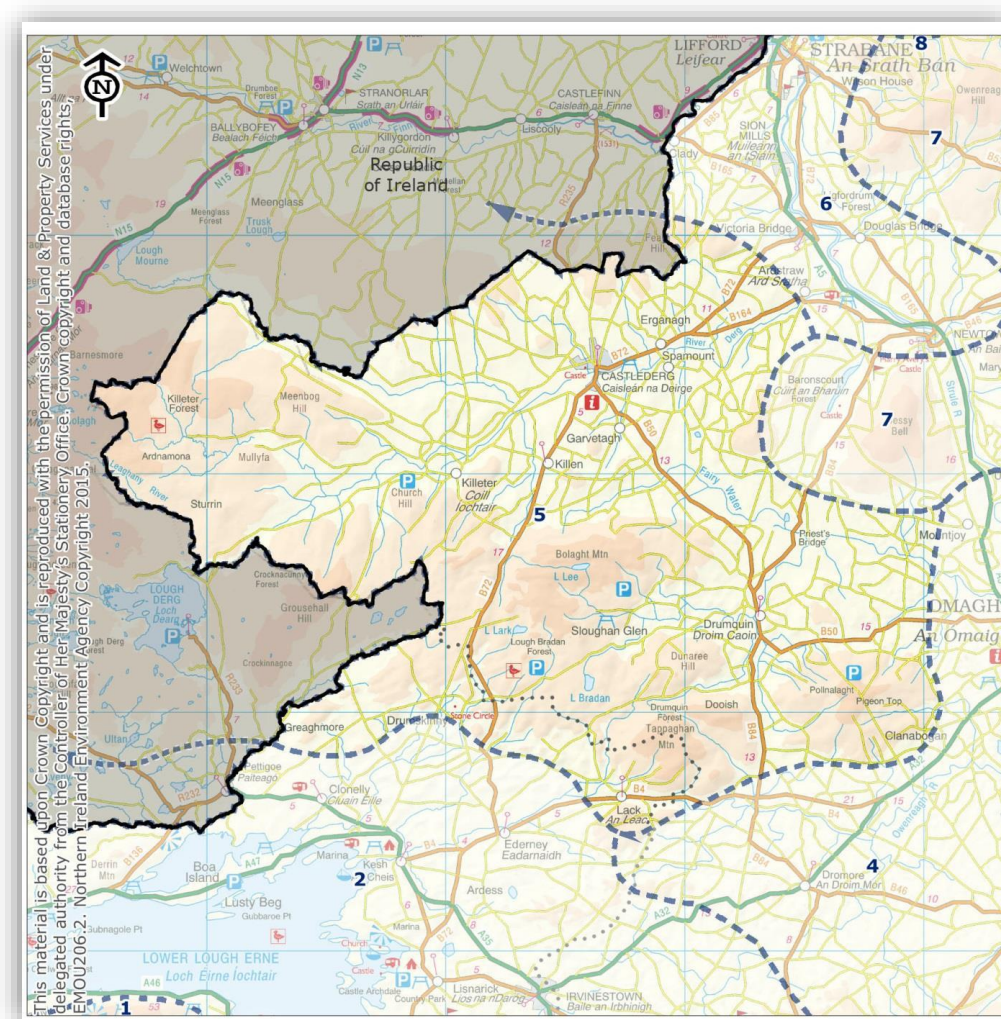
### **Northern Ireland Regional Landscape Character Assessment (NIRLCA)**

- 3.40 The purpose of the Northern Ireland Regional Landscape Character Assessment (NIRLCA) is to provide an evidence base which can be used by planners, developers and the public. It will enable people to make informed, decisions concerning the management of Northern Ireland's landscapes. The NIRLCA provides a strategic view of the landscape, which can be complemented by more detailed local studies in future. It aims to draw together information on people and place, and the combinations of nature, culture and perception which make each part of Northern Ireland unique. This draft report from April 2015 comprises 26 Regional LCAs covering all of NI. Whereas the former Derry and Strabane council areas would have contained (in part or in full) 18 LCAs, the new council District now contains 5 (in part or in full) Regional LCAs. These are discussed in detail below. See <https://www.daera-ni.gov.uk/articles/landscape-character-northern-ireland>.

#### **RLCA 5: West Tyrone Hills and Valleys.**

- 3.41 A distinct upland ridge extends into Northern Ireland from Donegal, from Killeter Forest to Pollnalaght. The broad upland valleys of the Derg and Fairy Water are closely associated with these hills, forming a rural and relatively remote landscape of marginal farming. The ridge and the associated valleys are increasingly becoming the focus of wind turbine development.

**Map 2: RLCA 5 West Tyrone Hills and Valleys: The northern half of this RLCA is with the District**



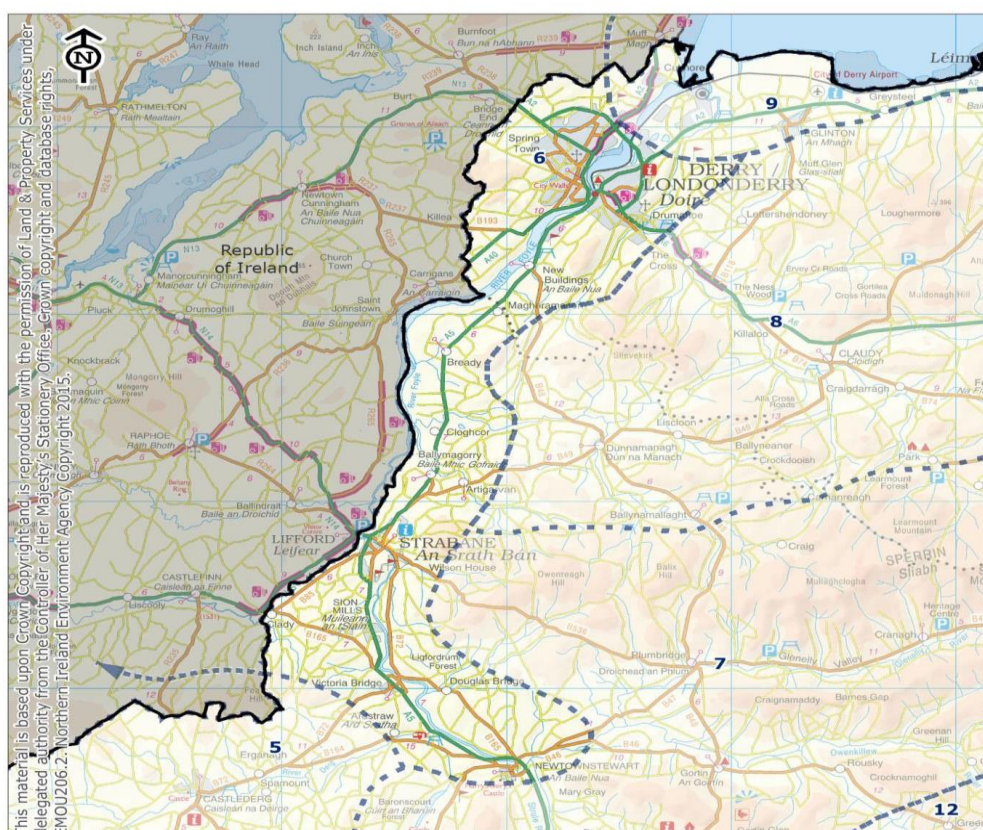
### Key Characteristics

- 3.42 Low, broad and rounded moorland covered and afforested hills, occasionally merging into plateaux, with associated river valleys draining to the east. Occasionally more prominent hills adjoin lowland areas, such as Dooish, Mulltufa and Pollnalaght. A sparsely populated rural area, though with farmed and settled valleys. Exposed upland grazing and peat bogs. The most extensive coniferous plantations in Northern Ireland at Killeter and Lough Bradan Forests. A gold mining operation is active at Cavanacaw on the slopes of Pollnalaght.
- 3.43 Remote and somewhat isolated western region of County Tyrone, associated with the pilgrimage to Lough Derg, where there are picnic and parking facilities in the commercial forest, within the Republic of Ireland. Wind farms and commercial forests reduce the sense of tranquillity in this otherwise undeveloped landscape. Extends across the border into the Republic.

## RLCA6: Foyle Valley

- 3.44 The Foyle forms the Northern Ireland border, but flows through a broad valley which extends both sides of this boundary. The city of Derry/Londonderry has an essential setting in the wooded river valley. South of Strabane the valley narrows to Newtownstewart where its character changes to an upland valley in the Sperrins. The Foyle system unites these landscapes, well known as a salmon river, and a key transport route.

**Map 3: RLCA6 Foyle Valley – This LCA is wholly located within the north western corner of the District**



## Location and Setting

- 3.45 The Foyle Valley is located on the north-west edge of Northern Ireland and is bordered along its east boundary by the Sperrins and lower hills to the south. The valley continues southwards to Newtownstewart where the River Strule emerges from the Sperrins, and south-west along the River Derg. The western part of the valley extends into the County of Donegal in the Republic of Ireland. The Foyle Valley follows the course of the Foyle River upstream from Derry/Londonderry to Strabane where it branches into the River Finn and Mourne River: the former flows from Donegal, the latter splits again to form the Derg flowing towards Castlederg, and the Strule through Newtownstewart with the slopes of Sperrins enclosing the valley to the east.

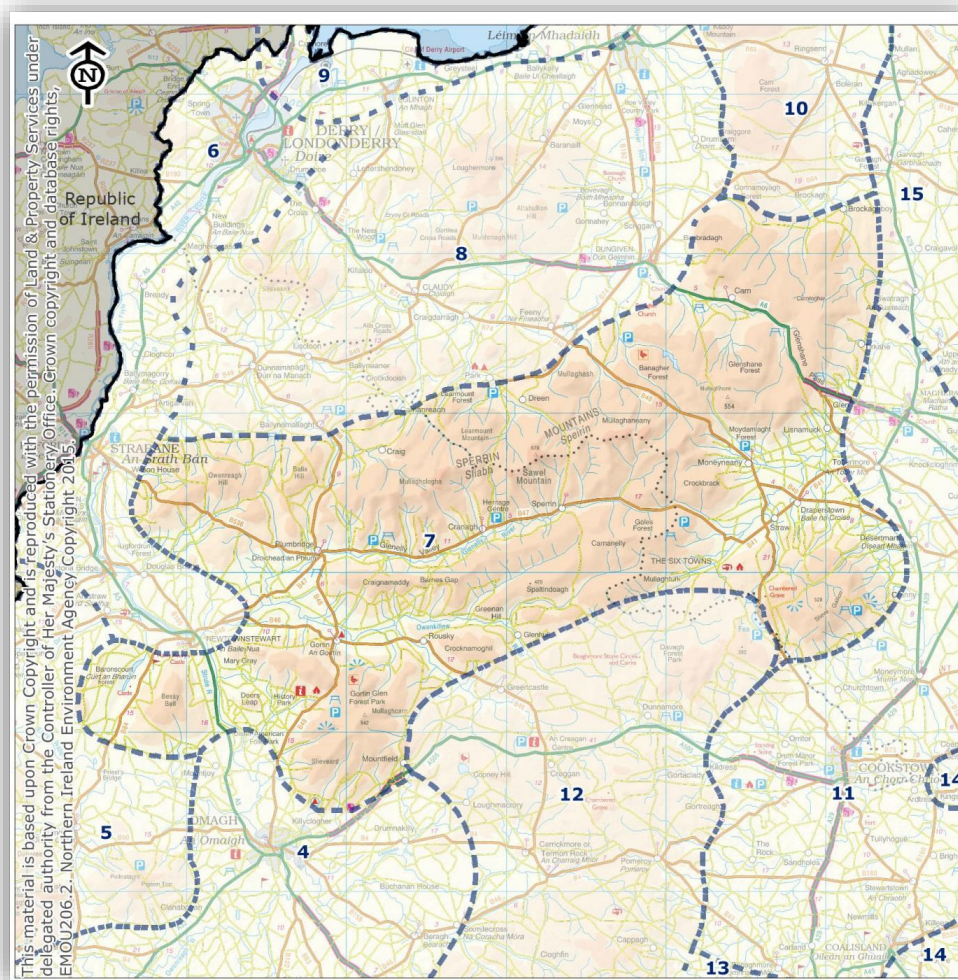
### **Key Characteristics**

- 3.46 Mainly flat valley floor with gently undulating side slopes, bounded by the Sperrin Hills and River Foyle on either side, becoming more markedly steeper to the east. Areas of conifer forests are found on the higher slopes particularly on Bessy Bell and Owenreagh Hill to the south and east respectively. On the lower lands towards the valley floor there are important mixed and broadleaf forests including oak woods such as Prehen Wood. Widespread regular field pattern which becomes more enclosed extending towards the lower hills of the Sperrins to the east. Embanked course of the Foyle, forming broad alluvial areas of high-quality farmland. The main transport routes follow the course of the river valley south from the city of Derry/Londonderry to Strabane and beyond. A settled landscape with increasing rurality further south but limited tranquillity due to transport routes, gravel quarrying and a series of riverside villages and towns. Derry has a multi-layered history and an essential landscape setting on the banks of the Foyle. The city is arranged around the river, and flanked by deciduous woodland.
- 3.47 In recent years several wind farms have been built on the hills to the east of the Foyle, including Bessy Bell, which can be viewed from many locations in the valley. Extraction of glacial sands and gravels is ongoing at several quarries near Artigarvan. The Foyle has long been Northern Ireland's most important salmon river. It remains an important salmon fishery, though salmon numbers are reported to be declining. Embankments line the lower sections of the Foyle, which is tidal as far as Strabane, holding back the river from flooding the low-lying meadows which form some of the best farmland in this area.
- 3.48 Development pressure is a feature of large settlements, with likely demand for future commercial and residential development on the outer edges of Derry/Londonderry.

### **RLCA7: Sperrins**

- 3.49 The principal mountain range of the north-west, the Sperrins comprise some of the wildest and most rugged terrain in Northern Ireland. The main ridges, divided by the scenic Glenelly valley, are surrounded by a series of outliers including Bessy Bell and Mullaghcarn above the River Strule, Slieve Gallion in the east, and Benbradagh across the Glenshane Pass. The boundaries follow the main east-west ridges of the Sperrins, separating them from the lower hills to north and south.

**Map 4: RLCA7 Sperrins – The entire LCA apart from the south western corner is within the District**



- 3.50 The Sperrins are the principal mountain range of the north west of Northern Ireland. The RLCA covers the uplands and valleys focused on the spine of the Sperrin Mountains which runs from west to east. The mountains begin at the detached hill of Bessy Bell above Newtownstewart, and continue to the east and north east through the area surrounding Mount Sawel, the highest peak in the range, and across the Glenshane Pass to Benbradagh and Carntogher. The RLCA also covers the westward outlying peak of Slieve Gallion and the valley around Draperstown.
- 3.51 The Sperrins are characterised by a spine of mountains which runs from Owenreagh Hill in the west to Carntogher in the north-east, along with outlying hills. Many of the peaks of the range are over 500m with the more dramatic summits towards the north including the highest, Sawel Mountain (678m) and Mullaghaneany (627m). The broad rounded ridges surrounding these higher peaks are prevalent throughout the entire RLCA with moorland features and bog land also found extensively. Gortin Glen and the surrounding upland area

towards Mary Gray and the outlying Bessy Bell act as a gateway to the Sperrins to the south west with the A5 the key route to the north west from Omagh to the south. The Strule cuts between these projections forming a scenic valley with Bessy Bell particularly prominent in the landscape despite its relatively diminutive stature (420m).

- 3.52 To the north east of Mullaghaneany the Sperrins join with the bold basalt escarpment of Benbradagh dominating the head of the Roe Valley. The conifer plantations at Banagher and along the Glenshane Pass contrast with the surrounding open moorland. The Glenshane Pass provides the main corridor of access from the north-west towards Belfast and the east. The screes of Mullaghmore are a prominent feature above Draperstown, within the farmed upper Moyola valley. Slieve Gallion is the most easterly peak of the Sperrins, with distinctive ladder fields on its flanks, and provides views from its eastern slope over the surrounding area to Lough Neagh to the east and beyond to Mount Slemish in the north east.
- 3.53 There are multiple fast running streams throughout the slopes and gullies have resulted in places sometimes becoming deep and branching. The Glenelly Valley cuts through the RLCA from east to west from Mullaghaneany to Plumbridge. The river has cut deep into the softer deposits and meanders between steep ridges which combine with to give the area a hidden quality which is at odds with the expansive nature of the uplands area surrounding on either side. Glenelly is recognised as a scenic route of particular quality. To the south beyond the broad rounded ridge of Cragnamaddy the Owenkillew River has formed another upland valley to the north of Crocknamoghil which in comparison is much more open. There are many areas of ancient woodland, though most of these are very small in extent.

### **Key Characteristics**

- 3.54 The more elevated Sperrin Mountains are characterised by expansive swathes of moorland with coniferous forest plantations contrasting harshly with the windswept broad summits which give an open character to these areas. Hedgerows and stone walls become more prevalent moving away from the higher grounds giving a more interconnected feeling at these locations.
- 3.55 The higher peaks to the northern part of the RLCA where the main ridge is formed are distinctively more mountainous with knife-like projections and rocky summits beyond broad ridges. These mountains provide the backdrop for many of the views from the lower hills in the area. Given the elevated position of the landform and the low-lying nature of much of the surrounding area particularly to the east and west expansive are provided over the Moyola Valley towards Lough Neagh and beyond the River Foyle into Donegal. Fast flowing streams

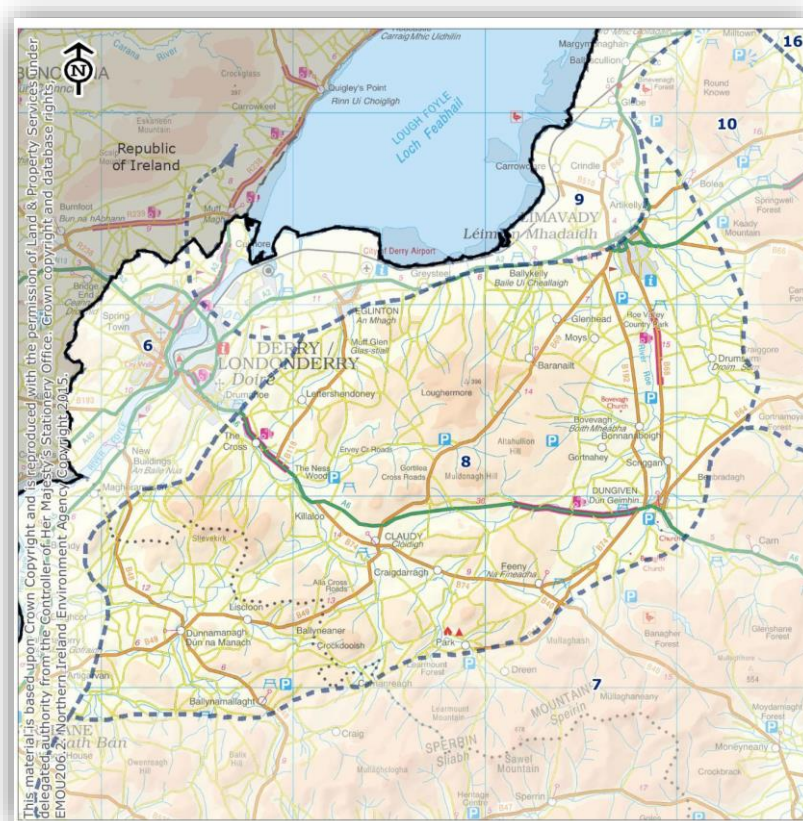


throughout the RLCA have resulted in the formation of deep steeply sided gullies and valleys in places with tree cover becoming much denser along the floors of valleys. Main transport routes and settlements are confined to the valleys surrounding the mountains, including the Strule, Glenelly, Owenkillew, Douglas and Moyola Rivers and their tributaries. The Glenshane Pass is the main crossing of the Sperrins itself and is an extremely busy route. Bessy Bell the westward outlier of the Sperrins range is a distinctive landmark in the area given its isolated position beyond the main ridge and the deep wooded Strule Valley which separates it from Slieveard. Similarly Slieve Gallion is a major presence from the lowlands to the east. The Sperrins are a sparsely settled area with a high degree of remoteness and tranquillity. The mountains and upper glens have significant wildness character arising from their inaccessibility, and are a dark sky resource.

### RLCA8: North Sperrin Hills and Valleys

- 3.56 This complex series of hills, plateaux and valleys occupies the area between the Sperrins and Lough Foyle. The broad Roe Valley lies below the basalt ridge to the east, and gives access to the smaller and more intricate valleys around Claudy and Dunnamanagh. To north and west the hills overlook the Foyle with Donegal beyond.

**Map 5: RLCA8 North Sperrin Hills and Valleys – The western half of this LCA is with the District**



- 3.57 The North Sperrin Hills and Valleys RLCA is located in the north west of Northern Ireland beginning in the east towards the settlement of Limavady and the Roe Valley progressing westerly over the lower hills of the Sperrins towards the edge Foyle Valley. The RLCA falls mainly within County Londonderry with the south westerly corner passing into County Tyrone. The central area of the area is defined by the hills surrounding Loughermore which is bounded to the west and south by the Rivers Faughan and Foreglen respectively and to the east, by the River Roe. To the north the hills overlook the low lying flood plain of Lough Foyle.
- 3.58 The North Sperrins Hills and Valleys is characterised by the series of varied hills and valleys which cover the area between the Foyle Valley in the west and the Binevenagh Ridge to the east. The landscape is interspersed with streams flow from the Sperrins through steep, narrow valleys that become broader to the north. Many of the upper valleys are wooded, with limited settlement. Small villages are located lower down, with an increase in settlement towards the north. A patchwork of small fields and dense broadleaf tree cover lines these valleys. To the east, the broader valley of the River Roe is shallow, and dominated by the basalt hills to its east. This more open settled landscape moves gradually from upland character to an open pastoral valley with limited tree cover and man-made embankments.
- 3.59 The River Faughan and its tributaries have been designated as an ASSI and SAC. Other important ASSIs within the RLCA include Ness and Ervy Woods, Lisnaragh and Loughermore Mountain.

### **Key Characteristics**

- 3.60 Southern part of the RLCA is defined by lower foothills of the Sperrins where steeper narrower valleys have been formed by the fast running streams in the area. In the north the upland areas of the Loughermore Hills convey a sense of isolated moorland interspersed intermittently with coniferous plantations and bog land. In contrast to the higher number of small settlements nestled in the valleys to the south, these upland areas display little evidence of being populated with small holdings limited towards the margins. The summits of the hills throughout the RLCA are for the most part rounded, becoming slightly broader and plateau-like across the Loughermore area. The meandering River Roe flows through a broad flattish valley where the floodplain field pattern changes from small marginal plots in the upper valley to large, geometric fields downstream. Hedgerows are prevalent throughout the valley though few trees and little enclosure. Other valleys are narrower and more wooded, such as the Burntollet and River Faughan, which have an intimate character. Country parks in the area provide recreational access to the countryside, though more frequented by locals than visitors.

### RLCA9: Lough Foyle Coast and Dunes

- 3.61 The unique coastal flats fronting Lough Foyle include Magilligan Point and the reclaimed ‘polders’ around the lough shore. This area is defined by the lough and the backdrop of the Inishowen peninsula to the north, and by the Binevenagh Ridge which rises to the east forming an essential relationship recognised by AONB designation. A predominance of arable land makes this area stand out, as well as its use as a key route along the north coast.

#### Map 7: RLCA9 Lough Foyle Coast and Dunes – Part of the western third of this RLCA falls within the District, up to the City of Derry Airport



### Key Characteristics

- 3.62 An open, flat coastal landscape, formed of alluvial deposits and sand dunes, creating a low-lying exposed character. The sea itself is an enclosed lough and thus generally sheltered, with much more powerful waves on the outer coast of Magilligan. Reclaimed land with long 19th-century sea walls enclosing open arable farmland with large fields. Well-developed sand dune systems along Magilligan strand, echoed in the distinctive curving pattern of field boundaries between the dunes and the Roe Estuary. Extensive mud flats within the tidal lough attract large numbers of seabirds and are protected accordingly. Site of important industrial sites to the west at Maydown, Strathfoyle and Eglinton towards the city of Derry/Londonderry due to interconnectivity and the flat nature of the landscape. The main transport corridors in the area run parallel

to the coastline connecting the more populous west from Derry/Londonderry through to Ballykelly to the more remote east surrounding Magilligan. The dramatic cliff edge of Binevenagh dominates the landscape above the low lying coastal plains, being prominent in views across the lough from the Foyle. The relationship between Magilligan and Binevenagh is essential to the perception of both areas.

To the north, the backdrop of the Inishowen uplands is less distinctive but remains ever-present in views, containing and sheltering the lough.

### **Location and Setting**

- 3.63 Lough Foyle Coast and Dunes RLCA is located on the north-west coast of Northern Ireland beginning at the edge of the city of Derry/Londonderry in the west and taking in the coastal area which surrounds Lough Foyle up to the extremely flat alluvial plain around Magilligan Point. The area is bounded to the south by the Loughermore Hills extending between Derry/Londonderry and Limavady, and by the cliff edge of Binevenagh further to the east. The Roe Estuary divides the Magilligan Strand area in the east from rest of the coastline around Lough Foyle. The River Faughan is of importance to salmon and trout and the estuaries and Lough Foyle have been designated as a Special Protection Area (SPA) given the areas importance to Whooper swan, Light-Bellied Brent goose and Bar-Tailed Godwit. The Lough Foyle Area of Special Scientific Interest (ASSI) has been designated within the RLCA due to interest in the intertidal and upper beach functions of the shore and river around the lough, as well as the network of sand dunes in the area. The floodplain north of Derry/Londonderry is a key area of commercial development, with large-scale buildings located between Strathfoyle and Eglinton. City of Derry Airport is also in this area, and has aspirations for growth.

### **Marine Consideration**

- 3.64 In recent years, legislation has been introduced to ensure that for the first time marine activities and resources within our marine waters are planned and managed in a coherent manner. The following three interlocking pieces of legislation have been introduced to help deliver the UK vision of having “clean, healthy, safe, productive and biologically diverse oceans and seas”:

#### **UK Marine and Coastal Access Act (MCAA) 2009**

#### **UK Marine Strategy Regulations 2010**

#### **The Marine Act (Northern Ireland) 2013**

- 3.65 In addition, the UK Marine Policy Statement (MPS) 2011 is the framework for preparing Marine Plans and taking decisions affecting the marine environment. Of particular relevance, is the legislative requirement that all public authorities taking authorisation or enforcement decisions that affect or might affect the UK

marine area to do so in accordance with the MPS unless relevant considerations indicate otherwise. Accordingly, in future, Council will not only have those legal implications in relation to terrestrial planning but also for marine matters as well.

### Areas of Development Pressure

- 3.66 The Development Pressure Analysis published as part of the LDP PS has identified areas where significant development pressure has occurred and / or where local rural character is under threat of significant change. An outcome of the Development Pressure Analysis has been to enable the Council to consider its options regarding countryside policy in the LDP. The options for controlling development pressure in the countryside has included introducing Special Countryside Areas (SCAs), Areas of High Landscape Importance (AHLIs) Greenbelts, Development Pressure Areas and Wind Energy Capacity Areas (WECAs) and where relevant and appropriate these have been introduced as part of the PS.
- 3.67 It is important to note that other forms of development such as agriculture, mineral extraction and industrial type development can have an impact upon the visual amenity and character of the countryside as well. A broad over view of the development pressure from both single rural dwellings and wind energy development indicates that, in general, areas which were designated as AONB, ASSI, Ramsar, Greenbelt, CPA have experienced less development pressure. As a consequence areas without any designation have faced more pressure. The findings of the pressure analysis will inform the specific boundaries at the LPP stage.
- 3.68 The following methodology provides a framework for assessing landscape sensitivity.

**Table 1: Sensitivity Descriptor**

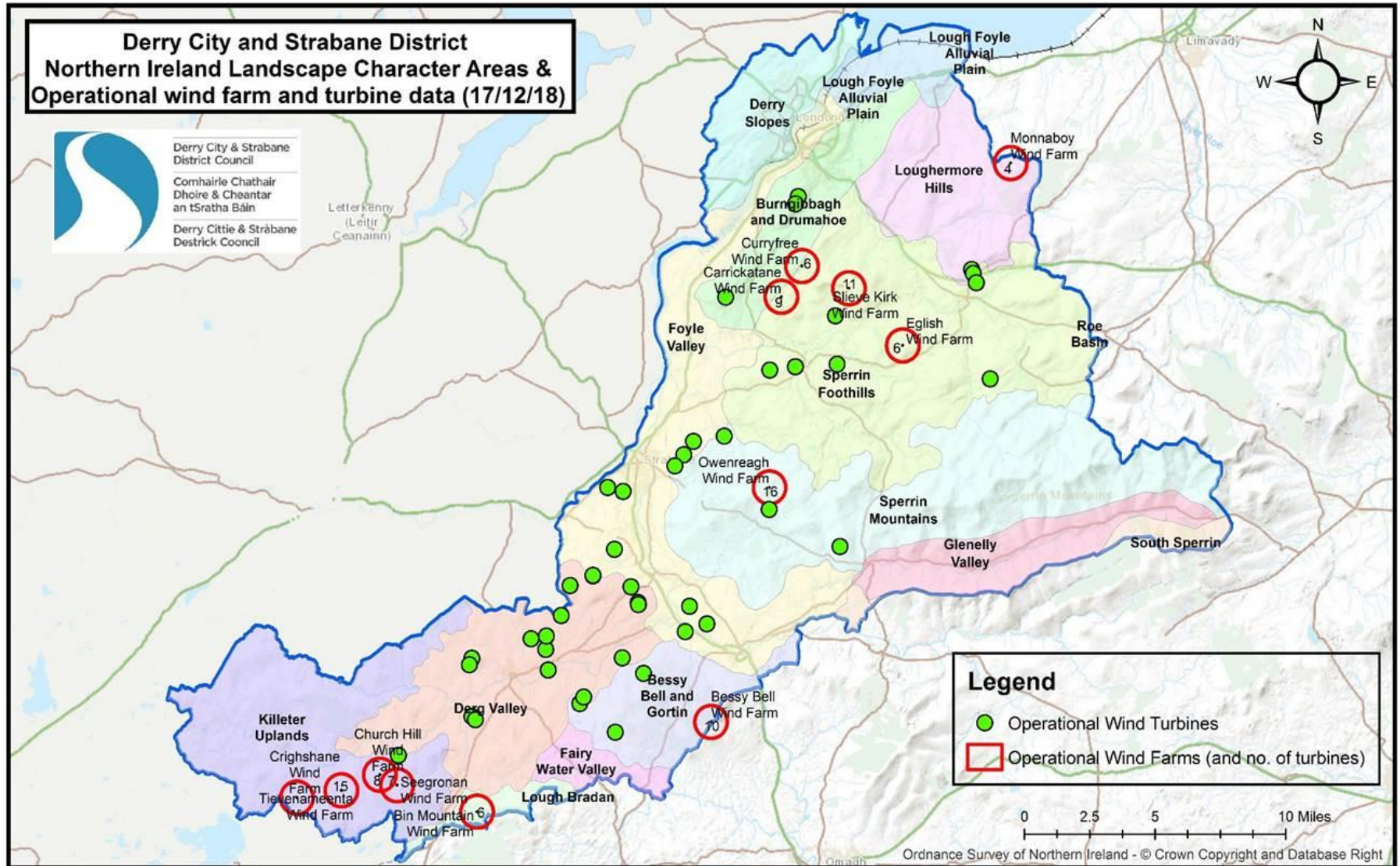
Sensitivity	Colour Coding	Sensitivity Descriptor
High		Landscape is very vulnerable to change and would be adversely affected by wind energy development which would result in a significant change in landscape and visual characteristics and values.
Medium		Landscape may be vulnerable to change and could possibly be adversely affected by wind energy development which could result in a significant change in landscape and visual characteristics and values.
Low		Landscape is not vulnerable to change and would not be adversely affected by wind energy development, and which would not result in significant change in landscape and visual characteristics and values.

**Table: 2 LCA / RCLA & Wind Energy Sensitivity**

NI LCA 1999 description	NI RLCA 2015 description	PPS 18 SPG Sensitivity
14-Lough Braddon 19 – Killeter Uplands 20 – Derg Valley 21-Fairy Water Valley 26-Bessy Bell & Gortin	5-West Tyrone Hills (approx. 70%)	14
		19
		20
		21
		26
20- Derg Valley 26- Bessy Bell & Gortin 27 – Foyle Valley 29- Sperrin Mountains 30- Sperrin Foothills 31 – Burngibbagh & Drumahoe 32- Derry Slopes	6-Foyle Valley (100%)	20
		26
		27
		29
		30
		31
		32
24-South Sperrin 26-Bessy Bell & Gortin 27-Foyle Valley 28-Glenelly Valley 29-Sperrin Mountains 30-Sperrin Foothills	7-Sperrins (approx. 50%)	24
		26
		27
		28
		29
		30
27- Foyle Valley 29- Sperrin Mountains 30-Sperrin Foothills 31- Burngibbagh & Drumahoe 33- Lough Foyle Alluvial Plain 34-Loughermore Hills	8-North Sperrins Hills & Valleys (approx. 60%)	27
		29
		30
		31
		33
		34
31- Burngibbagh & Drumahoe 32-Derry Slopes 33-Lough Foyle Alluvial Plain 34- Loughermore Hills	9-Lough Foyle Coast & Dunes (approx. 25%)	31
		32
		33
		34

## Wind Energy and Landscape

- 3.69 The aim of the LDP's renewable energy policies are to facilitate the siting of renewable energy generating facilities in appropriate locations within the built and natural environment to contribute to Northern Ireland's renewable energy targets and to realise the benefits of renewable energy.
- 3.70 In relation to wind energy development, the siting of such development can often be contentious. Landscape sensitivity to wind energy development is the extent to which the inherent character and visual amenity of a landscape are vulnerable to change due to wind energy development.
- 3.71 Landscape sensitivity to wind energy development depends on many factors. Each landscape has its own sensitivities, depending on its landform and landcover as well as on a range of other characteristics and values including, for example, enclosure, visibility, condition, scenic and perceptual qualities, natural and cultural heritage features and cultural associations. Importantly, sensitivity depends on landscape character as well as on landscape values.
- 3.72 It should be noted that within many of our LCA's there is considerable variation in sensitivity across the area, reflecting the fact that the LCA's are broad character or identity areas. The overall sensitivity level of a LCA is indicative of the relative overall sensitivity of each LCA. A high sensitivity level does not necessarily mean that there is likely to be no capacity for wind energy development within the LCA and conversely a low sensitivity level does not mean there are no constraints to development.





## 4.0 Preferred Options Paper Stage

- 4.1 The LDP allows a consideration of how we want our future natural environment to look, as we seek to positively promote appropriate development and the protection of our natural environment. It is necessary to consider how to look after our natural environment assets and how such features can affect our LDP designations, zonings, proposals and policies.
- 4.2 In preparation of the LDP, the Council has undertaken an extensive round of engagement with all the key stakeholders. This began with Preferred Options Paper (POP), the first formal engagement process and followed by selected stakeholder engagement sessions, Member Round-Table Discussions and Senior Management input. The following sections chronologically sets out how the process has evolved:-
- 4.3 The evidence base provides an overview of the legislation / policy and how the natural environment designations should be considered in the LDP PS; a summary of the natural environment / heritage features in the District; then to consider how these can affect our LDP designations, zonings, proposals and policies.
- 4.4 The POP was launched in May 2017. The Council’s preferred option for Natural Environment was that the existing designated sites and protected species are identified and protected, with policies as per the SPPS.

	<b>Option 1</b>	<b>Option 2</b>	<b>Option 3</b>
<b>A - Natural Environmental</b>	Existing designated sites / protected species are identified / protected, with Policies as per SPPS. Other habitats, species or features of natural heritage importance will also be protected in line with the SPPS	In addition to Option 1, designate additional local designations and preclude inappropriate development likely to have significant adverse impacts on such sites	Protect only those currently designated sites / protected species and accommodate development in all other locations

4.5 20 POP representations were received in relation to Natural Environment within Derry and Strabane District – from Government Departments such as DEARA and DfI, Councillors, community groups such as Woodland Trust, RSPB, Foyle Civic Trust, River Faughan Anglers. The main points raised were:-

- DAERA, Natural Environment Division disagrees with preferred Option for Natural Heritage (prefer Option 2 instead).
- DAERA, Natural Environment Division reference to lack of SUDs in POP.
- DAERA, Natural Environment Division highlights the need to protect undeveloped coast.
- DAERA, Natural Environment Division highlights the need to undertake a Landscape Character Assessment;
- DAERA, Natural Environment Division concerned over scale of enhanced opportunities in relation new dwellings in the countryside;
- DAERA, Natural Environment Division consider that reference is needed to peat, woodland, their carbon storage role and climate change needed.
- RSPB feels that there is a lack of emphasis on natural environment despite it being one of NIs and DCSDCs greatest assets.
- Woodland Trust / Forestry Service considers that policy / guidelines should not permit development on ancient or long established woodland sites.
- SSE Electricity prefers current planning policy SPPS / PPS18 / PPS2 rather than LDP imposing area wide prohibitions;
- **RSPB** Potential zonings in the LDP should have full regard to natural heritage;
- RSPB - Ecological networks should be promoted;
- RSPB Consider that there is a need LDP must afford protection to local designations such as SLNCIs and the current provisions of PPS 2 should be carried across in full into the LDP.
- Other Habitats, Species or Features of Natural Heritage Importance should be referenced.
- RSPB consider a need for Buffer zones around national designated sites for inclusion in the interests of creating a hinterland into which nature can expand and the current provisions of PPS 2 carried across in full into the LDP to include AONB. International Designations – Buffer zones around designated sites should be considered for inclusion and the current provisions of PPS 2 carried across in full into the LDP;
- Neighbouring Councils feel that there is a need to co-operate on Sperrin AONB policy development.
- RSPB consider that existing PPS 2 should be adopted in full as it provides an important ‘catch all’.

- An individual highlighted the need to protect biodiversity, achieve high quality architecture, urban design, conservation and landscape architecture, strengths of existing urban, heritage assets, natural heritage, interconnected physical environment, squares, parks.

### **Consultee Liaison (February / March 2018)**

4.6 Following the Preferred Options (POP), letters were sent to relevant consultees in February / March 2018 asking their views relating to Natural Environment:

- **DAERA / NIEA Natural Environment Division**

Need to include further detail in evidence base regarding NI Priority Habitats and Species, active peatland, ancient and long established woodland, earth science and wetlands within Council area. Data contained on NIEA Webviewer. Consider that policies for protection in PPS 2 are adequate. Supportive of SLNCIs and additional woodland protection and tree policy.

**LDP PS Action:** PS evidence base will draw on data contained on NIEA Webviewer. Many of the PPS 2 policies will be transposed into PS. SLNCIs not considered to be an effective mechanism in the protection of nature conservation assets and policy NE 3.

- **Woodland Trust**) – Supports a woodland policy and robust policy wording.

**LDP PS action:** Specifically referenced in policy NE 3.

- **Woodland Trust / Prehen Historical & Environmental Society** – Keen to ensure that this Plan is more robust than the DAP 2011 in the protection of trees and woodlands and other natural environment features.

**LDP PS action:** Such features have been specifically referenced in Policies NE 1-3 and supporting J&A.

- **RSPB**

Consider that the Plan needs to consider all priority habitats and species and biodiversity across the District in the Plan and also reflected also in the evidence base.

**LDP PS action:** Specifically referenced in policy.

- **River Faughan Anglers and Enagh Youth Forum** – Impact of Mobuoy on River Faughan and natural environment generally.

**LDP PS action:** This specific issue would be beyond the direct remit of the LDP PS. However the LDP will seek to ensure all appropriate protection is afforded to all designated sites, including our protected rivers, as a result of development seeking permission.

- **Internal Council Section (Biodiversity)** – Highlights the need to embed principles of Green Infrastructure Plan such as biodiversity, climate change, blue and green infrastructure into the LDP. Not in favour of SLNCISs and considered that the Areas of Local Nature Conservation and Amenity Importance in the Derry Area Plan 2011 should be replaced with Local Landscape Policy Areas (LLPAs).

**LDP PS action:** PS has embedded reference to GI Plan within NE Chapter. PS will not be bringing forward SLNCI's as proposals / designations in the Plan as they have performed weakly both in terms of protecting local sites and at PAC Appeals. LLPAs are considered a more suitable protective local designation for such features which contain a range of natural, heritage and landscape features.

### **Selected Stakeholder Engagement Session (May 2018)**

- 4.7 30<sup>th</sup> May 2018 – (Lough Agency, Woodland Trust & Prehen Historical & Environmental Society, and Council Biodiversity reps) overall satisfaction with proposed approach after relevant discussions and clarification.

### **Member Round-Table Discussion (April 2018)**

- 4.8 Individual Members of the Committee raised a number of key issues at a Member RTD meeting in April 2018 which include the following issues:
- **Neighbouring Local Development Plans** - Officers need to be aware of the natural hinterlands and areas of influence of settlements, which may lie across boundaries.
  - **Natural Environment** – Concerns about protecting local sites with a perceived Natural Heritage value (species or habitat) importance.

**LDP Response:** In relation to the first point, regard to this has been had and will be considered further at the LPP stage for each settlement. In response to the second point, Officers informed Members that while such areas are important, designation in the LDP does not bring about statutory protection. i.e. a woodland can be designated as locally important but only a TPO will physically protect the trees and accordingly the wildlife that use them as habitat. The often remote location of such ancient / long established woodlands reduces the potential risk of their being at risk from development. Such important woods have now been referenced in LDP PS policy NE 3.

## **Senior Planners / Development Management Input**

- 4.9 DM have no major issues with the current policy provisions of PPS2. However, they consider that there is some scope to tailor specific policies to take account of local circumstances such as would be the case with the NH 6 (AONB) within the PPS.

### **LDP PS Response / Action:**

A specific Landscape section with relevant policies as been included within the Natural Environment Chapter setting out enhanced landscape polices. This has been underpinned with a Landscape Review which highlights the importance of our AONB asset across a range of activities.

## 5.0 Key Considerations

- 5.1 All the relevant policy and guidance has been considered in the development of the Natural Environment Chapter for the LDP PS. This Chapter acknowledges the importance of both our District's Natural Environment along with its significant landscape. Both are inextricably linked and drive our District's biodiversity which gives rise to the wealth of International, European and National designations to be found in our District.
- 5.2 Accordingly the proposed strategy of the LDP PS will reflect the regional strategy as set out in the RDS and the SPPS (see Evidence Base for further details). The strategy has also been influenced by the aims of the District's Strategic Growth Plan which seeks to enhance our natural environment through biodiversity action planning and landscape scale conservation projects to protect and enhance our natural environmental assets.
- 5.3 We have also taken account of the POP representation, Members inputs and consultee responses in reaching the conclusions in the strategy and policy wording of the PS. Our consideration has also been enhanced by the undertaking of a Landscape Character Review. It clarifies the relevance of previous LCA studies undertaken in the past by DOE, NIEA and DAERA and also highlights any new / emerging forces of change in our landscape / seascape that need to be considered as part of the LDP PS preparation. The key Natural Environment considerations raised were:
- Requested adherence to existing SPPS & PPS 2 policy to maintain policy direction and ensure protection of designated sites (International, European, National etc) from development;
  - Ensure an appreciation of our District's landscapes are integrated into PS preparation;
  - Ensure an integration of climate change is considered and suitable District adaptation measures, where relevant, are considered for policy inclusion, including protection for carbon storage habitats;
  - Consider protection measures for locally important sites that contain natural conservation interest;
  - Deliver adequate protection for our District's Ancient / Long Established woodlands;
  - Hydrological / natural environment impacts of Mobyoy dump on adjoining protected sites;
  - Ensure effective liaison between adjoining Council's in regard to future AONB protection.

**The LDP consideration based on the evidence is as follows:**

- 5.4 The LDP PS strategy closely follows the wording and policy direction as set out in the SPPS and PPS 2. Given the scientific nature of natural environment consideration and the role of expert consultees it is considered appropriate to follow closely the existing policy wording and J&A to ensure the protection for our range of designated sites, priority habitats and species.
- 5.5 A Landscape Character Review has been undertaken for the District which validates previous Central Government studies and also highlights emerging issues since their undertaking. The Review highlighted the cross cutting importance to our District of our landscape in regard to climate change, ecological corridors, biodiversity, as well as tourism and local economy. The visual impact of wind farms along with the cumulative impact of individual single turbines was also considered in terms of landscape capacity. The Review considered that while particular areas were reaching capacity in the SW of the District and were visually dominant along stretches of the skyline adjacent to the A2 and A5, it would not be appropriate to designate blanket bans on these areas. To do so would be contrary to the objectives of the SGP. It is considered prudent to suggest a case by case determination for such applications in such areas and ensure landscape protection is effectively factored into the determination process.
- 5.6 LDP officers have liaised closely with the Council's Climate officer and are satisfied that the thrust of the Council's Climate Adaptation Plan is adequately contained within the Chapter. The protection and future safeguarding of our carbon storage habitats – woodlands and upland peatlands are key considerations and have been given enhanced reference within the proposed Chapter and policy NE 3.
- 5.7 It is considered that by closely replicating the relevant SPPS / PPS policy direction, the safeguarding of local sites and any protected species they may contain has been adequately addressed by NW1 & NE 1, 2 & 3. The rationalisation of protection currently provided by the DAP for such local sites has also been reviewed and future policy direction is set out in the Chapter to withdraw the Areas of Local Nature Conservation and Amenity Importance (AoLNCAI) and designate these and other such appropriate sites as Local Landscape Policy Areas (LLPA'S). The exact boundaries of such designations will be brought forward at the LPP stage. It is considered the LLPA designations will maintain the protection of the intrinsic features of such sites while still permitting a degree of appropriate development;

- 5.8 Following discussions with the Woodland Trust and in recognition of the important reserves at a NI level of the scarce Ancient / Long Established Woodland that still survive in our District, Policy NE3 contains a specific reference to their need for protection from development both on or adjacent to relevant locations.
- 5.9 While considered a significant issue, the potential for pollution from and any future restoration of the Mobuoy illegal dump is outside the operational remit of the LDP PS. The PS aims to appropriately protect the hydrologically sensitive and protected Faughan River and its landscape setting.
- 5.10 Council officers have liaised with adjoining Councils through the Sperrin Forum to seek to ensure that the protection and future management of the Sperrin AONB is addressed in a holistic and complimentary manner.
- 5.11 In summary, the LDP Natural Environment Strategy will closely align with the direction of the RDS and the SPPS by protecting, conserving and enhancing the diversity and distinctiveness of the District's natural heritage and landscape / seascape. It will seek sustainable development and apply the precautionary principal when considering the impacts of proposed development on European / International / Nationally protected sites and landscapes.
- 5.12 The following designations are proposed to give effect to the following policies:

**Special Countryside Areas (SCA) in relation to the Sperrin AONB (relate to Policy NE 5)**

- 5.13 Council proposes designating the open mountain landscape of the Sperrin AONB which contains the high summits (approximately 310 meters and above elevation) as Special Countryside Areas. These upland area contains the more remote, exposed and undeveloped portions of the AONB which are significant in views within our District. They tend to contain natural upland heathland / grassland that is not subject to intensive agricultural practices. The Council seeks to keep such relatively natural upland areas free from all forms of inappropriate development that could in any way comprise their intrinsic appeal. The larger SCA designation covers the upland parts of the central Sperrin AONB within our District. A smaller upland outlier is designated to the west of the main SCA designation. A third linear SCA is designated to include the corresponding lands above 310 ms on the southern side of the Glenelly Valley which rise up to the District boundary with Fermanagh and Omagh District. A similar SCA protection is afforded to the AONB within that District.



**11 x Areas of High Landscape Importance (AHLI) to cover key coastal, river valley and settlement settings in our District.(relate to Policy NE 6)**

- 5.14 Council considers that there is a need for an appropriate LDP PS designation to protect those landscapes which, while not meeting the standards for national AONB designation, are none the less considered especially significant within our District.

**Local Landscape Policy Areas (LLPA). Will be finalised at LPP stage but policy is being introduced to set future plan strategy in relation to LLPA's being used to replace the existing AoLNCAI (Appendix 2) in the current DAP in addition to those LLPAs to be subsequently identified and included as part of settlement analysis in the forthcoming LPP.**

- 5.15 Current International / European / National designations in the District are 2 Ramsar sites, 1 Special Protection Area (SPA), 25 Areas of Special Scientific Interest (ASSIs), 3 National Nature Reserves, and the Sperrin Outstanding Area of Natural Beauty (AONB). These will included in the LDP. A detailed schedule of these designations is contained in the Natural Environment Evidence Base.

## 6.0 Draft Plan Strategy Stage

- 6.1 Policies have been developed in line with regional policy, the Strategic Growth Plan and specific consultee and Member feedback. Feedback from consultees has been taken account of in the proposed policies. The policies reflect Members' concerns / input.
- 6.2 The Council's LDP Strategy for the Natural Environment is to protect, restore, enhance and conserve the abundance, quality, diversity and distinctiveness of the District's natural heritage and its associated landscape and seascape. In addition, it will further sustainable development by ensuring that natural heritage and associated biodiversity is conserved and enhanced as an integral part of social, economic and environmental development. The Council will apply the precautionary principle when considering the impacts of a proposed development on national or international / European protected natural heritage assets or landscapes.
- 6.3 The proposed policy development for the Natural Environment policies is as follows:
- NE 1 Nature Conservation Sites:**
- 6.4 This policy is an amalgamation of Policies NH 1, 3 & 5 within PPS 2. This was done for terms of clarification and conciseness and does not reduce the tone or emphasis as provided in PPS2. It also aligns with the SPPS. The DM review concluded that the PPS 2 policies are effective in providing nature conservation protection.
- NE 2 Protected Species and their Habitats:**
- 6.5 This policy aligns with the provisions of PPS 2 and SPPS. While reworded for clarity, it does not reduce the tone or emphasis as provided in PPS2.
- NE 3 Biodiversity or Features of Natural Heritage Importance:**
- 6.6 This policy aligns with the provisions of PPS 2 and SPPS. While reworded for clarity, it does not reduce the tone or emphasis as provided in PPS2. The only additional amendment is a specific reference to ancient / long established woodland and the use of the wording "wholly exceptional". This is a strengthening in terms of recognition and policy wording and reflects latest policy best-practice from elsewhere; it addresses the Woodland Trust POP response and meeting liaison.
- NE 4 Development Adjacent to Main Rivers and Open Water Bodies:**
- 6.7 This replicates Policy ENV 9 from the Derry Area Plan. It strengthens the strategic commitment of the LDP to protect the character, views and access to such features in relation to development proposals. It also serves to further protect the tidal sections of the main rivers, in line with the coastal protection requirements.

**NE 5 Development within or affecting the setting of the Sperrin AONB:**

- 6.8 This represents a strengthening of the existing policy and states a specific protection for the AONB and its unique landscape from detrimental development and a requirement for enhanced design within its boundaries. The policy also reflects that AONB is a living landscape and a home to many within our District.

**NE 6 Development within Special Countryside Areas:**

- 6.9 A new policy (as provided for by the SPPS) to protect the remote wilderness parts of the upland AONB landscape from all forms of future development with a number of exceptional exemptions. It is considered to reflect the tone and intent of PPS2 / SPPS. This is in line with similar policies proposed by the adjoining AONB Councils to provide a unified approach to Sperrin AONB protection.

**NE 7 Development within Areas of High Landscape Importance (AHLIs):**

- 6.10 A slightly amended policy as previously contained in DAP 2011. It is strengthened with references to ensuring the inter-connectedness of such areas is achieved to allow the public to access and enjoy their benefits. It combines previous CPA / landscape designations to protect those most important landscape settings within our District. While reflecting much of the tone and content of the DAP policy in relation to AoHsVs, the designation name has been amended to clarify that the basis for designation is more than just a subjective visual / “scenic” consideration, as several of these AHLIs will also have intrinsic landscape, earth-science interest and biodiversity reasons, that make them to be especially significant within our District. They contain some of our most sensitive landscapes, including key parts of our AONB that we wish to identify and protect within the parameters of our PS. Such areas include our key coastal, river valley and key settlement settings and their associated nature conservation assets many of which are nationally recognised and protected.

**NE 8 Development within Local Landscape Policy Areas (LLPAs):**

- 6.11 The SPPS (p.44) describe LLPAs as local-scale designations, consisting of features and areas within or adjoining settlements considered to be of the greatest amenity value, landscape quality or local significance and therefore worthy of protection from undesirable or damaging development. The existing ‘Areas of Local Conservation and Amenity Importance’ designations are hybrid designations, but as they are actually considered to be more of an ‘amenity’ designation, they should be taken forward as Local Landscape Policy Areas (LLPAs) in the LDP. A series of further LLPAs will also be identified as part of the settlement appraisals.
- 6.12 It was also considered that Sites of Local Nature Conservation Interest (SLNCI) have not proved themselves to be effective mechanisms for protecting sites that contain mixed landscape / nature conservation / amenity interests. Their use and role at PAC Planning Appeals has also been undermined. The recently introduced ‘Biodiversity Checklist’ has provided a more effective means of managing development in these local areas. The policy sets out a standard LLPA emphasis

and directs, through the J&A, that the specific locations and boundaries will be finalised in the LPP.

- 6.13 The above policies are considered to meet the strategic direction of the relevant legislation and guidance for the Natural Environment / Landscape. The policies and proposed designations will be able to deliver the PS strategy to protect and enhance our natural assets and landscapes / seascape while sustainably integrating social, economic and environmental development. The above policies and designations will work in conjunction with the strategic Greenbelt / SCA / AHLI and Wind Energy Capacity Area spatial designations to deliver appropriate environmental & landscape / seascape protection for the District.

## 7.0 Sustainability Appraisal

- 7.1 Throughout their formulation, the policies contained within the Natural Environment Chapter have been subject to an ongoing internal sustainability appraisal (SA). This is in addition to the wider external SA, conducted by Shared Environmental Service as part of the wider suite of impact assessments/appraisals required under the Planning Act (Northern Ireland) 2011. The internal appraisal was carried out with the fourteen objectives of the external appraisal in mind (refer to the SA Report for more information).
- 7.2 The sustainability appraisal aims to ensure that the Council's approach towards policy is the most sustainable of all reasonable options available i.e. having considered any reasonable alternatives. In the case of the Natural Environment policies, it was considered that there were not any reasonable alternatives as any other options would be likely to be not in accordance with the RDS 2035, the SPSS or relevant PPS and as such could potentially be considered to be neither 'reasonable' or 'sound'. The results of the Sustainability Appraisal for each of the policies or groups of policies (as applicable) are outlined below:
- 7.3 The policies are predicted to deliver positive outcomes across half of the social sustainability objectives as well as one of the economic objectives and the majority of the environmental objectives. Minor positive effects were identified for delivery of the social objective for health and wellbeing, as well as strengthening society. The significant positive effects were based on the policies protecting areas of open water as well as rivers, streams which would help protect local water quality and aquatic ecology. Many natural features are intrinsic to the local landscape character for example river corridors. Together the policies would help to maintain a local green/blue infrastructure network with wildlife corridors. The approach of the policies aligns well to delivery of ecosystem services because they aim to protect the natural environment. Policies help to add a further layer of protection to landscape.
- 7.4 Policy on development adjacent to rivers and open water bodies has a minor positive effect on the objective to improve health and well-being by preserving the natural boundaries of water bodies and supporting public access to natural spaces which can indirectly deliver social and wellbeing effects. This policy will deliver positive impacts on almost all of the environmental sustainability objectives, with the exception being air quality where no effect is predicted.
- 7.5 Protecting the Sperrin AONB while supporting outdoor recreation proposals is considered to have a significant positive impact on health and wellbeing and a minor positive on strengthening society. A significant positive effect is anticipated for the objective to maintain and enhance landscape character, which is the main purpose of the policy. The effect on the remaining environmental sustainability objectives is negligible.

- 7.6 The protection of green & blue infrastructure networks helps to maintain local natural resilience by maintaining buffers to watercourses and natural water storage areas with positives for water quality and aquatic ecology. Significant positive outcomes were also predicted for delivery of three of the environmental objectives to protect natural resources, maintain and enhance landscape character; and protect, conserve and enhance the historic environment. The policies would be able to also retain and protect built heritage features that help to retain local identity through the protection of culturally important assets. These could be remnants of industrial heritage but could also be local walking routes that are indicative of the historic and cultural heritage.
- 7.7 A draft Habitats Regulations Assessment (HRA) has also been undertaken and published for consultation with the Draft Plan Strategy. It similarly determines possible adverse effects on the integrity of European sites (Special Areas of Conservation and Special Protection Areas) as a result of the policies within the LDP. This assessment also includes Ramsar sites under the provisions of the Ramsar Convention.

## **8.0 Equality Impact Assessment**

- 8.1 Protection of the natural environment will benefit all of the section 75 groups as it will improve health and wellbeing and protection of the environment. SCA areas have the potential to limit development within the area which could therefore be inhabited by a particular community. However, it is considered likely that given the very remote, upland and uninhabited nature of the proposed SCA designation, there is little scope for this designation and its associated policy to have any permanent interaction with people. The Council is satisfied that there will be no adverse impact on any Section 75 groups as a result of the Natural environment Policies.

## **9.0 Rural Needs Impact Assessment**

- 9.1 The Rural Needs Act 2016, requires District Councils and other Public Authorities to have due regard to rural needs when developing, adopting, implementing or revising policies, strategies and plans, and when designing and delivering public services.
- 9.2 To 'have due regard' means that a public authority must consciously consider the needs of people in rural areas. How much 'due regard' depends on the circumstances and, in particular, on the relevance of rural needs to the decision or function in question. The greater the relevance and potential impact for people in rural areas, the greater the regard required by the duty.
- 9.3 The policies contained in the Natural Environment Chapter are not considered to have any adverse impacts. The policies will protect the most sensitive parts of our countryside.

**Appendix 1: Current\* Designations in the District – Note, as lists of protected animals and plants are constantly being updated, it is recommended that applicants check the DAERA website for up to date information on species protection.**

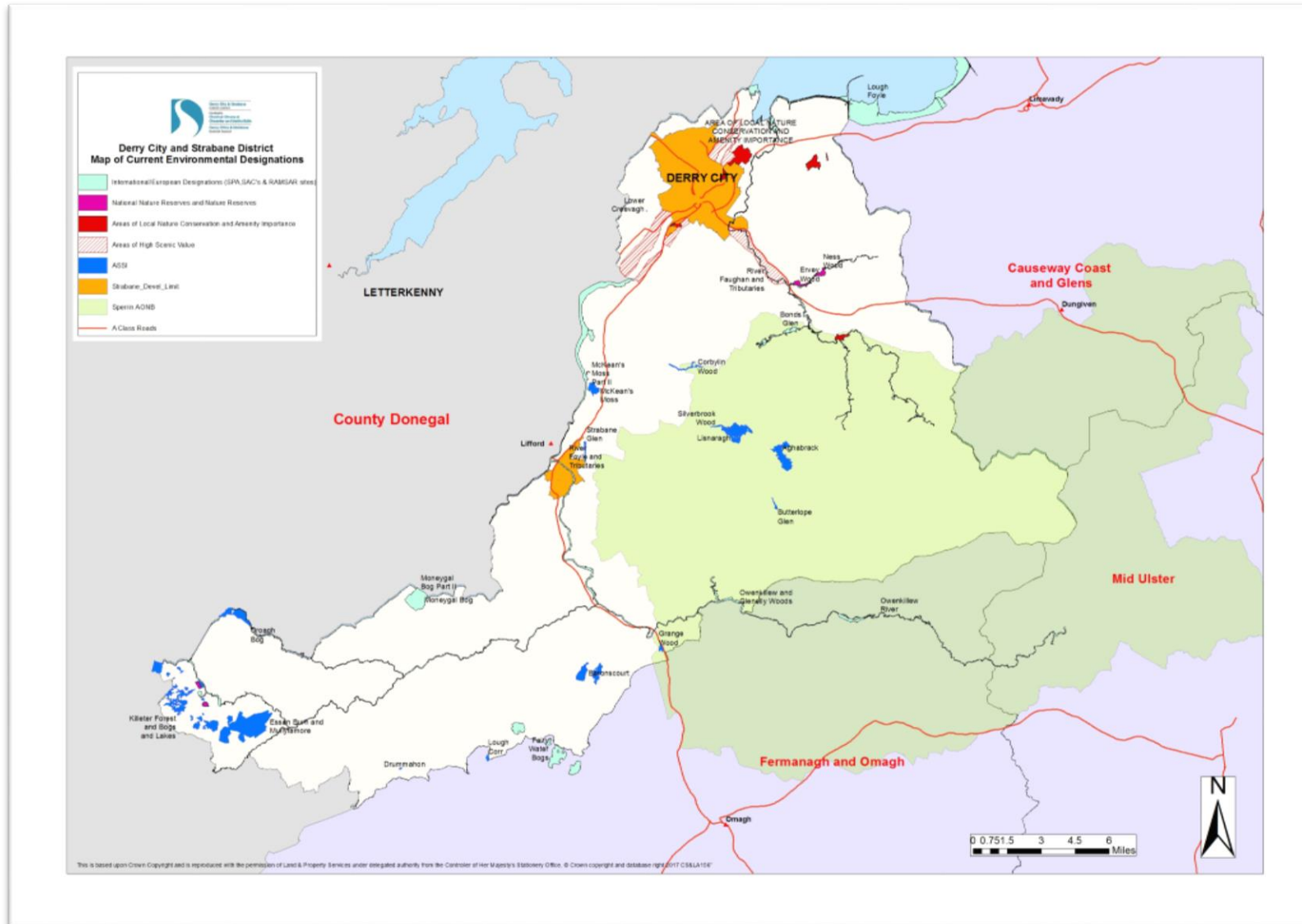
Site	Ramsar International Importance - Wetland	Special Protection Area (SPA) – Int’ Importance for Migratory Birds	Special Areas of Conservation (SAC) – Int’ importance for habitats and Species	Areas of Special Scientific Interest (ASSI) – Sites of High Conservation Value	National Nature Reserves (NNR) – Sites of National Importance	Area of Outstanding Natural Beauty (AONB) – Landscape Designation	Local Nature Reserve (LNR) – Locally Important for Biodiversity
Lough Foyle	√	√		√			
Fairy Water Bogs	√		√	√			
River Faughan			√	√			
River Foyle			√	√			
Moneygal Bog & Moneygal Part 2			√	√			
Owenkillew River			√	√			
Aghabrack				√			
Baronscourt				√			
Bonds Glen				√			
Butterlope Glen				√			
Corbylin Wood				√			
Croagh Bog				√			
Drummahon				√			
Ervey Wood				√	√		
Essen Burn & Mullyfamore				√			
Grange Wood				√			
Killeter Forest Bogs and Lakes				√			
Lisnaragh				√			
Lough Corr				√			
Lower Creevagh				√			
McKeAns Mos Pt 1 & 2				√			
Ness Wood				√	√		
Owenkillew & Glenelly Woods				√			
Silverbrook Wood				√			
Strabane Glen				√			
Killeter Forest					√		
Sperrin Mountains						√	
Bay Road Part							√
Killao Wood							√
Oaks Wood							√
Prehen Wood							√
<b>Total</b>	<b>2</b>	<b>1</b>	<b>5</b>	<b>25</b>	<b>3</b>	<b>1</b>	<b>4</b>

## Appendix 2: Description of Ramsars, SPAs & SACs

Site Type	Location	Designation Type	Status	Description
<b>Ramsar Sites</b> Listed under the Convention on Wetlands of International Importance (The Ramsar Convention)	Lough Foyle (1999)	Nature	International	Tidal Flats / Salt Marshes / Coastal / Brackish. Wetland of international importance supporting wild fowl and other species.
<b>Special Protection Area (SPA)</b> Classified under the EC Directive on the Conservation of Wild Birds (The Birds Directive)	Lough Foyle	Nature	European	Conservation of wild birds (Birds Directive).
<b>Special Area of Conservation (SAC)</b> Designated under the EC Directive on the Conservation of Natural Habitats and of Wild Fauna and Flora (The Habitats Directive)	Moneygal Bog	Nature	European	Lowland raised Bog containing notable plant species
<b>Special Area of Conservation (SAC)</b>	Owenkillew River	Nature	European	Includes the river (42 km stretch) and associated riverine flora and fauna and adjacent semi-natural vegetation, primarily woodland flora and fauna.
<b>Special Area of Conservation (SAC)</b>	River Faughan and Tributaries  River Foyle and Tributaries	Nature	European	River Faughan and its tributaries the Burntollet River, Bonds Glen and the Glenrandal River (and its tributary the Inver River). 60km of watercourse and is notable for the physical diversity and naturalness. Atlantic Salmon / Otters / Oak Woodland. The River Foyle and its tributaries including part of the River Finn, the River Mourne and its tributary the River Strule (up to its confluence with the Owenkillew River) and the River Derg, along with two of its sub-tributaries, the Mourne Beg River and the Glendergan River. In total, the area encompasses 120km of watercourse notable for Atlantic Salmon.



### Appendix 3: Environmental Designations in Derry and Strabane District



### Appendix 4: Review of Areas of Local Nature Conservation and Amenity Importance – Derry Area Plan 2011

Current Designation	Location	Area Plan	Intrinsic Value / Description	Consideration	Recommendation
Areas of Local Nature Conservation and Amenity Importance	Gransha Intake - <b>Derry</b>	Derry Area Area Plan 2011	Area containing a large open water body with emerging scrub and woodland. Potential to develop footpath network along southern edge of lake which could form part of a wider development of a footpath network between the 2 bridges.	This designation is of both nature and amenity interest and should be considered as an LLPA. Which captures the joint intrinsic value provided by the treescape and water body.	<b>Consider as an amenity designation in the LDP i.e. LLPA</b>
Areas of Local Nature Conservation and Amenity Importance	Enagh Lough - <b>Derry</b>	Derry Area Plan 2011	Area on the urban edge containing open water bodies, wetlands, mature deciduous woodland, site of archaeological and historical interest and provides for recreation, mainly angling.	The current designation is weighted towards the amenity value rather than the nature conservation interest.	<b>Consider as an amenity designation in the LDP i.e. LLPA</b>
Areas of Local Nature Conservation and Amenity Importance	Prehen Wood - <b>Derry</b>	Derry Area Plan 2011	An area of mixed deciduous woodland adjacent to Prehen which has suffered from lack of management and maintenance over along period of time. It contains a reasonable wildlife habitat.	Although there is 'reasonable' nature interest, this rationale for designation appears to be based mainly on the amenity value afforded by the trees.	<b>Consider as an amenity designation in the LDP i.e. LLPA</b>
Areas of Local Nature Conservation and Amenity Importance	Cumber - <b>Claudy</b>	Derry Area Plan 2011	A series of small interlinked deciduous and coniferous woodlands along the River Faughan to the south of Claudy including Ballynameen Plantation, the woodland around Cumber House and Beaufort Wood, the latter containing a rath.	This is considered to be an amenity designation by virtue of the heritage value of the listed Comber House, Walled Garden and setting.	<b>Consider as an amenity designation in the LDP i.e. LLPA</b>
Areas of Local Nature Conservation and Amenity Importance	The landscape around Foyle Park House <b>Eglinton</b>	Derry Area Plan 2011	The intrinsic value of the current designation is based on the historic Foyle Park House and its setting which comprises of mature tree belts.	The current designation is weighted towards the amenity value rather than the nature conservation interest.	<b>Consider as an amenity designation in the LDP i.e. LLPA</b>
Areas of Local Nature Conservation and Amenity Importance	Castle River <b>Eglinton</b>	Derry Area Plan 2011	The intrinsic value of the site is based on the river and its setting.	The current designation is weighted towards the amenity value rather than the nature conservation interest.	<b>Consider as an amenity designation in the LDP i.e. LLPA</b>

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