



Houses in Multiple Occupation (HMOs)

Subject Plan for
Belfast City Council Area 2015



December 2008

**Statement of Finding of No Likely Significant Effects
under Regulation 64B of the Conservation (Natural Habitats, etc.)
(Amendment) Regulations (Northern Ireland) 2007**



An Agency within the Department of the

Environment

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Executive Summary

This is a record of the Assessment, required by Regulation 64B of the Conservation (Natural Habitats, etc.) (Amendment) Regulations (Northern Ireland) 2007. It was undertaken by Northern Ireland Environment Agency in accordance with the above Regulations on behalf of The Planning Service. The assessment considered the Draft Houses in Multiple Occupation (HMOs) Subject Plan for Belfast City Council Area 2015, and the Planning Appeals Commission recommendations contained in the Report of the Independent Examination dated 18 March 2008.

Three designated and one proposed Natura 2000 European sites and two Ramsar sites were identified that potentially could be affected by the implementation of the Plan, namely:

- Belfast Lough Special Protection Area
- Belfast Lough Open Water Proposed Special Protection Area
- Belfast Lough Ramsar Site
- Lough Neagh & Lough Beg Special Protection Area
- Lough Neagh & Lough Beg Ramsar Site
- Eastern Mourne Special Area of Conservation

A Test of Likely Significance was carried out on the Draft Houses in Multiple Occupation (HMOs) Subject Plan for Belfast City Council Area 2015 with the Planning Appeals Commission recommendations alone, and in combination with other relevant plans and projects, and no significant adverse effects that would impact on the integrity of Natura 2000 or Ramsar sites were identified.

Consequently a Statement of Finding of No Likely Significance Effects has been prepared.

The recording of this assessment is **DATE 5 December 2008.**

Contents

1.0 Introduction

2.0 Stage One: Screening and Test of Likely Significance

- 2.1 Description of Draft Houses in Multiple Occupation (HMOs)
Subject Plan for Belfast City Council Area 2015
- 2.2 Summary of PAC Recommendations
- 2.3 Identification and description of the Natura 2000 and Ramsar Sites
- 2.4 Description of Natura 2000 and Ramsar Sites
 - 2.4.2 Lough Neagh & Lough Beg SPA and Ramsar Site
 - 2.4.9 Belfast Lough SPA and RAMSAR
 - 2.4.15 Belfast Lough Open Water Proposed SPA
 - 2.4.20 Eastern Mournes SAC
- 2.5 Test of Likely Significance
 - 2.5.2 Potential direct impacts on Natura 2000 sites and Ramsar sites resulting from the Plan
 - 2.5.3 Potential indirect impacts on the Natura 2000 and Ramsar sites resulting from the Plan
 - 2.5.5 The Test of Likely Significance Matrix
 - 2.5.7 Findings and Conclusion of the Test of Likely Significance

3.0 Stage Two: Finding of No Likely Significant Effects Reports

- 3.1 Finding of No Likely Significant Effects in respect of the Plan proposals and PAC recommendations in respect of Lough Neagh and Lough Beg SPA and Ramsar Site and Eastern Mournes SAC.
- 3.2 Finding of No Likely Significance in respect of the Plan proposals and the PAC recommendations in combination with other relevant plans or projects in relation to Lough Neagh and Lough Beg SPA and Ramsar.
- 3.3 Finding of No Likely Significance in respect of the Plan proposals and the PAC recommendations in combination with other relevant plans and projects in relation to Eastern Mournes SAC.
- 3.4 Finding of No Likely Significant Effects in respect of the Plan proposals and PAC recommendations in relation to Belfast Lough SPA and Ramsar site and the Belfast Lough Open Water pSPA.
- 3.5 Finding of No Likely Significance in respect of the Plan proposals and the PAC recommendations in combination with other relevant

plans in relation to Belfast Lough SPA and Ramsar site and the proposed Belfast Lough Open Water pSPA.

3.6 Findings of the Test of Likely Significance

4.0 Conclusions and Summary

Appendices

- 1 Maps of Natura 2000 and Ramsar Sites
- 2 NATURA 2000 Condition Assessment Monitoring Reports
- 3 Potential direct or indirect impact on Natura 2000 sites and Ramsar sites resulting from the Plan
- 4 Natura 2000 Conservation Objectives
- 5 Test of Likely Significance Matrix for the Houses in Multiple Occupation (HMOs) Subject Plan for Belfast City Council Area and a TOLS for the Plan in Combination with other relevant plans and projects.
- 6 List of Acronyms
- 7 References

1.0 INTRODUCTION

1.1 This statement contains a record of the Assessment, required by Regulation 64B of the Conservation (Natural Habitats, etc.) (Amendment) Regulations (Northern Ireland) 2007. It has been undertaken by Northern Ireland Environment Agency (NIEA) on behalf of The Planning Service in respect of the Draft Houses in Multiple Occupation (HMOs) Subject Plan for Belfast City Council Area 2015 (2006) (hereafter referred to as the Plan), and the Planning Appeals Commission (PAC) recommendations contained in the Report of the Independent Examination dated 18 March 2008, in accordance with the Habitats Directive (Council Directive 92/43/EEC).

1.2 The Assessment has been carried out using the following guidance: Habitats Regulations Guidance Notes, drawn up by English Nature; Assessing Development Plans in Terms of the Need for Appropriate Assessment, Interim Guidance drawn up by the Scottish Executive; Planning for the Protection of European Sites - Appropriate Assessment - Guidance for Regional Spatial Strategies and Local Development Documents, drawn up by the Department for Communities and Local Government; and Assessment of plans and projects significantly affecting Natura 2000 sites - Methodological Guidance on the Provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC, a European Commission document.

1.3 The Article 6 Process

1.4 Article 6 assessment is required to ensure that appropriate steps are taken to avoid, in SACs and SPAs, the deterioration of natural habitats of species as well as disturbance of the species for which the areas have been designated, in so far as such disturbance could be significant in relation to the objectives of the Habitats Directive.

1.5 The methodology utilised in this statement follows an initial 'screening stage' in which the Natura 2000 and Ramsar sites which could potentially be impacted upon by the implementation of the Plan are identified and described. The Plan is described and a Test of Likely Significance (TOLS) is carried out on the likely impact of the proposals on the features and conservation objectives of designated and proposed Natura 2000 sites and on the nature conservation interests of the Ramsar sites.

1.6 Where one or more likely significant effects are found, or where it cannot be objectively shown that adverse effects will not occur, the second stage of the process is entered and the Plan becomes subject to an 'Appropriate Assessment' against the features and conservation objectives of each of those sites.

1.7 Where it is determined that there are no likely significant effects on the designated sites, a Statement of 'Finding of No Significant Effects' is prepared to explain how the overall conclusion, was arrived at.

1.8 Area Plan Hierarchy

1.9 Area Plans sit within an overarching hierarchy of Regional Planning Policy which includes the Regional Development Strategy (RDS), A Planning Strategy for Rural Northern Ireland and various Planning Policy Statements (PPSs). The Plan cannot be implemented in isolation from regional planning policy and for the purposes of this Article 6 Test of Likely Significance Assessment, other planning policies are referred to where appropriate. In this instance, the Draft Belfast Metropolitan Area Plan 2015 and PPS2: Planning and Nature Conservation are particularly relevant.

1.10 The Plan is not directly connected with or necessary to the management of the Natura 2000 or Ramsar sites.

1.11 This statement should be read in conjunction with the Plan.

2.0 STAGE ONE - SCREENING AND TEST OF LIKELY SIGNIFICANCE

2.1 Description of the Draft Houses in Multiple Occupation (HMOs) Subject Plan for Belfast City Council Area.

2.1.1 The Draft Houses in Multiple Occupation (HMOs) Subject Plan for Belfast City Council Area 2015 is a Local Plan prepared under the provisions of Part III of the Planning (Northern Ireland) Order 1991 by the Planning Service, an agency within the Department of the Environment.

2.1.2 The Draft Houses in Multiple Occupation (HMOs) Subject Plan for Belfast City Council Area was published on 27 June 2006 and a Public Local Examination held by the Planning Appeals Commission (PAC) during 1st and 2nd October 2007 to consider the various objections received.

2.1.3 The purpose of the Plan is to inform the general public, statutory authorities, developers and other interested bodies within the context of the Belfast Metropolitan Area Plan 2015 of the policy framework and designations that will be used to guide development decisions in relation to HMOs within the Belfast City Council Area over the plan period.

2.1.4 The overall aim of the Plan is to provide a planning framework for HMO Development which is in general conformity with the Regional Development Strategy in facilitating sustainable growth and a high quality of development in the Plan area throughout the Plan period, whilst protecting and where appropriate, enhancing the natural and man made environment.

2.1.5 The Plan Strategy is to:

- Protect the amenity of areas where multiple occupation is, or is likely to become, concentrated;
- Accommodate the need and demand for multiple occupation;
- Focus HMO development in areas where it can contribute to regeneration; and
- Promote appropriate development of purpose built student accommodation.

2.1.6 The Plan policy framework contains spatial policies and associated designations which identify the extent to which further HMO development will be permitted in different locations. This includes HMO Policy Areas (HMO 1 and 2), HMO Development Nodes (HMO 3 and 4), the University HMO Policy Area (HMO 5 and 6) and a policy for HMO Development

outside designated HMO Policy Areas, HMO Nodes or the University HMO Policy Area. In addition the Plan contains a further two policies setting out development criteria which relate to individual HMO proposals (HMO 8 and HMO 9, with HMO 9 relating solely to purpose built student accommodation). This framework will curtail the future development of HMOs in areas where there are currently significant concentrations of such accommodation. The framework will enable opportunities to meet the ongoing requirement for HMO accommodation through purpose built student accommodation and the designation of areas where HMO development will be permitted.

2.2 Summary of PAC Recommendations

2.2.1 The PAC made the following recommendations in relation to the wording of the Draft Plan:

- The HMO definition should be tailored to the needs of the planning process and should be set out in full in the Plan.
- The Plan should set out more clearly the need for a balanced approach to deal with the tensions between the adverse impacts of excessive concentrations of HMOs and the positive role the HMO sector has in meeting housing need and regeneration.
- The Plan Strategy should include the promotion of community balance.
- Policies should, as far as possible, be expressed positively.
- References to a requirement to meet the criterion policies of the Plan should be deleted from the spatial policies within the Plan.
- References to proposals not being in conflict with other plans and policies should only be included in the introduction to the Plan.
- Policy HMO 1: General presumption against further HMO development where HMO numbers are in excess of 30% should be based on total housing units in a policy area rather than by a street by street basis.
- Policy HMO 3: should be amended so those parts of Nodes which adjoin areas of existing HMO concentration are included within the adjoining Policy Area identified in Designation HMO2 and subject to the 30% threshold contained in Policy HMO 1.
- Policy HMO 5 and designation HMO 6 should be removed from the Plan and the 'University Area' should be designated a HMO Policy Area under Policy HMO 2 and be subject to Policy HMO 1.
- Further consideration should be given to the approach taken on arterial routes outside HMO Development Nodes.
- Elmwood Avenue should be excluded from Designation HMO 2/10.
- Further consideration should be given to whether additional Nodes should be identified on the Crumlin and Shankill Roads.

- The designations listed under HMO 2 and HMO 4 should be included in Policies HMO 1 and HMO 3 and other policies renumbered accordingly.
- The designation numbers should be added to the HMP Policy Areas listed in Appendix 5.
- HMO 8 criterion 8 should be reworded to apply to dwellings that are currently greater than 150m² floorspace. The policy amplification should clarify why the restriction applies only to proposed HMO flats.
- HMO 8 criterion 1 and the proposed bedroom and occupancy restrictions are enclosed only in relation to the HMO 1 Policy Areas designated by HMO 2.
- HMO 8 criteria that are covered by policies in other PPSs should be deleted.
- HMO 9 criterion 1 should be reworded to the effect that developments should consist on a minimum of 200 occupants.
- HMO 9 criteria that are covered by policies in other PPSs should be deleted.
- HMO 9 should be reworded to allow for smaller incremental extensions and consolidations of existing halls of residence and the phased development of larger schemes.

2.2.2 The PAC made the following recommendations in relation to the implementation of the Draft Plan:

- The Department should, at the earliest opportunity, supplement the information available to establish existing levels of HMOs.
- Where policies are generally permissive of development, the onus on demonstrating the thresholds have been exceeded should be with the department.
- The Department should set out the arrangements for regular monitoring of the progress and effectiveness of the Plan to allow an informed review of the Plan, its policies and the extent of its designations.

2.2.3 This Assessment has been carried out on the Draft Houses in Multiple Occupation (HMOs) Subject Plan for Belfast City Council Area 2015 as amended in light of the PAC recommendations, and in combination with other relevant plans and projects.

2.3 Identification of the Natura 2000 Sites which could potentially be impacted

2.3.1 There are a number of Natura 2000 or Ramsar sites within and outside the Plan area to be considered, namely:

- Belfast Lough Special Protection Area (SPA)

- Belfast Lough Ramsar Site
- Belfast Lough Open Water Proposed Special Protection Area (pSPA)
- Lough Neagh & Lough Beg Special Protection Area (SPA)
- Lough Neagh & Lough Beg Ramsar Site
- Eastern Mourne Special Area of Conservation (SAC)

2.3.2 The Belfast City Council Plan Area includes areas of inter-tidal habitats, predominantly adjacent to the Belfast Harbour Estate. These inter-tidal areas form the southerly shores of the Belfast Lough SPA and Ramsar site. The southern shore of the SPA and Ramsar is the general limit of rock platform interspersed with mud and sand dominated embayments. The brackish lagoon at the Harbour Estate (D2) and the tidal channel at Dargan Road are also within Belfast Lough SPA and Ramsar site. There is therefore a direct overlap between portions of the Belfast City Council Area and Belfast Lough SPA and Ramsar site. Marine areas below the low-water mark at the Belfast Harbour Estate Dargan area and the Hollywood mud bank contribute to the Belfast Lough Open Water pSPA. Portions of the Belfast City Council Area are therefore directly adjacent to the Belfast Lough Open Water pSPA. The Belfast City Council Plan Area is also located within the zone within which hydrological impacts have the potential to affect the water quality within Belfast Lough SPA and Ramsar and the Belfast Lough Open Water SPA. There is a direct hydrological link between the Plan area and Belfast Lough. Rivers such as the River Lagan flows directly through the Belfast City Council Area into Belfast Lough. Furthermore the Waste Water Treatment Works which serves the Belfast City Council Area (Belfast WWTW) discharges into Inner Belfast Lough.

2.3.3 Both Lough Neagh and Lough Beg SPA and Ramsar and the Eastern Mourne SAC are remote from the Plan area but it was considered that the Plan is indirectly linked to these sites due to water abstraction, treatment and supply of drinking water from Lough Neagh and Silent Valley to serve the Belfast City Council Area. Water from Lough Neagh is delivered to the Plan area via Dunore Water Treatment Works just outside Antrim whilst Silent Valley and Ben Crom Reservoirs in the Mourne Mountains supply water to Belfast via the Mourne Water Treatment Works at Drumaroad. With growing water requirements within the Belfast area there is a constant pressure to increase supply.

2.3.4 A check has been made of other designated sites, such as Strangford Lough and Montiaghs Moss Natura 2000 and Ramsar Sites, which are outside the Plan area which could be impacted upon by the Plan proposals. It was considered that other sites were not directly or indirectly linked to the Plan area or were too remote to be likely to have anything other than de minimis impact. This consideration has been taken on the basis that there are no Plan proposals that would result in the loss,

fragmentation, disruption, disturbance or change to key elements of other Natura 2000/ Ramsar sites. It has therefore been deemed that there are no other sites which are likely to be adversely impacted outside of those named above.

2.4 Description of the Natura 2000 Sites upon which a Test of Likely Significance was carried out

2.4.1 Maps of the Natura 2000 and Ramsar sites are shown in Appendix 1
The Conservation Objectives of each site are shown in Appendix 2.

2.4.2 Lough Neagh & Lough Beg SPA and Ramsar Site

2.4.3 Lough Neagh is the largest freshwater lake in the UK. It is a large, shallow, eutrophic lake. The SPA and Ramsar sites also include the smaller lakes, Lough Beg and Portmore Lough. The SPA and Ramsar Site have different boundaries.

2.4.4 The SPA regularly supports internationally important numbers of wintering Bewick's swan *Cygnus columbianus* and whooper swan *Cygnus Cygnus* and by regularly supporting important numbers of breeding common tern *Sterna hirundo*. The site also qualifies as a wetland of international importance by regularly supporting over 20,000 waterfowl in winter including nationally and internationally important numbers of the following species: pochard *Aythya ferina*, tufted duck *Aythya fuligula*, goldeneye *Bucephala clangula*, little grebe *Tachybaptus ruficollis*, great crested grebe *Podiceps cristatus*, cormorant *Phalacrocorax carbo*, mute swan *Cygnus olor*, greylag goose *Anser anser*, shelduck *Tadorna tadorna*, wigeon *Anas penelope*, gadwall *Anas strepera*, teal *Anas crecca*, mallard *Anas platyrhynchos*, shoveler *Anas clypeata*, scaup *Aythya marila* and coot *Fulica atra*.

2.4.5 The Ramsar site is a particularly good representative example of natural or near-natural wetlands, being a relatively shallow body of water supporting beds of submerged aquatic vegetation fringed by associated species-rich damp grassland, reedbeds, islands, fens, marginal swampy woodland and pasture. The site supports over 40 rare or local vascular plants which have been recorded within the site since 1970 and is of special value for maintaining the genetic and ecological diversity of the region because of the quality and peculiarities of its flora and fauna. The site regularly supports substantial numbers of individuals from particular groups of waterfowl which are indicative of wetland values, productivity and diversity. In addition this site is of special value as the habitat of plants or animals at a critical stage of their biological cycles. The site supports an important assemblage of breeding birds and supports a population of pollan *Coregonus autumnalis*, one of the few locations in Ireland.

- 2.4.6 The main threats to the integrity of the sites and their features include boating activity, dredging, fishing, drainage, change to habitat quality and extent, threats from invasive or introduced species, power cables, water abstraction, water level control, development of high tide roost sites, wildfowling and culling, and changes to surrounding land use and adjacent habitat.
- 2.4.8 The 2004/05 Condition Assessment Report (see Appendix 3) on the SPA site indicates that it is currently in unfavourable condition. The unfavourable status is due to declines in the following species: Bewick Swan, Pochard, Shoveler, Tufted Duck, breeding Common Terns and the total Waterfowl assemblage. For some species, the declines do not parallel wider UK and European trends but may be influenced by changes in migration patterns. It is therefore unclear whether the declines are due to site specific factors. NIEA will ensure monthly counts (September-March) are undertaken. If after 3 years waterfowl numbers are unfavourably out of step with regional and national trends for component species, a programme to consider and assess potential within-site factors will be commenced.

2.4.9 Belfast Lough SPA and RAMSAR

- 2.4.10 Belfast Lough is a shallow semi-enclosed marine bay situated at the mouth of the River Lagan, on the eastern coast of Northern Ireland. Belfast Lough is approximately 432 hectares in size and has a catchment of 900 km². The Inner Lough comprises a series of mudflats and lagoons whilst the Outer Lough is composed of mainly rocky shores with some small sandy bays. The D2 lagoon at Belfast Harbour Estate is also included.
- 2.4.11 A range of inter-tidal habitats are present including extensive mud and sand flats, mussel beds, boulder shores and rock platforms. Adjoining habitat includes beaches and limited maritime heath and grasslands notably on the outer southern shore. The Special Protection Area boundary is entirely coincident with that of the Belfast Lough Ramsar Site.
- 2.4.12 The site qualifies as a SPA and a Ramsar site as it regularly supports internationally important numbers of overwintering Redshank *Tringa tetanus*.
- 2.4.13 The main threats to the integrity of the site and its features include aquaculture, bait digging or shellfish gathering, boating activity, coastal protection schemes, dredging, fishing, loss of intertidal habitat through development, change to habitat quality through change to water quality or coastal processes, threats from invasive or introduced species,

development of high tide roost sites, recreational activities, wildfowling, and changes to surrounding land use.

2.4.14 The 2004/05 Condition Assessment Report (see Appendix 3) on the SPA site indicates that it is currently in unfavourable condition. The unfavourable status is due to declines in Redshank. In the absence of an unfavourable trend nationally, the apparent decline in Redshank numbers may be related to site specific factors. NIEA will ensure monthly high tide counts (September-March) and representative low tide counts are undertaken. If after 3 years the downward trend continues, or if the population is otherwise out of step with regional and national trends for component species, a programme to consider and assess potential within-site factors will be commenced.

2.4.15 **Belfast Lough Open Water Proposed SPA**

2.4.16 Belfast Lough is a large intertidal sea lough situated at the mouth of the River Lagan on the east coast of Northern Ireland. The Belfast Lough open water area comprises the marine area below the mean low water mark. Water depths within the site are generally between 1m and 10m. Shallow waters, less than 5m in depth, dominate the area with deeper waters confined to the central area of the lough, east of a line between Greenisland and Cultra. The landward boundary conjoins that of Belfast Lough SPA and Ramsar site. While the main roosting area for Great Crested Grebe is in the Inner Lough area, the entire site is of importance for feeding and loafing activities.

2.4.17 The site qualifies as a SPA as it regularly supports internationally important populations of Great Crested Grebe *Podiceps cristatus*.

2.4.18 The main threats to the integrity of the site and its features include aquaculture, bait digging or shellfish gathering, boating activity, coastal protection schemes, dredging, fishing, loss of habitat through development, change to habitat quality through change to water quality or coastal processes, threats from invasive or introduced species, development of inter-tidal and high tide roost sites, recreational activities, wildfowling, and changes to surrounding land use.

2.4.19 The 2004/05 Condition Assessment Report (see Appendix 3) on the SPA site indicates that it is in favourable condition.

2.4.20 Eastern Mourne Special Area of Conservation.

2.4.21 The Mourne Mountains are a compact range of mountains forming the highest ground in Northern Ireland. Within the Mountain range, twelve peaks extend to over 600m, with Slieve Donard 852m. The area is important geologically representing the largest outcrop of Tertiary granites in the British Isles.

2.4.22 The site qualifies as a SAC due to its unique combination of upland habitats and associated vegetation communities including the largest extent of European dry heaths in Northern Ireland. The heath is mostly of the *Calluna/Erica cinerea* type, but includes *Ulex gallii/Erica cinerea* dry heath on the lower slopes. The dominance of *Erica cinerea* is a notable feature of the site and characteristic of dry heath in the oceanic climate of more western parts of the UK. The site supports a number of other internationally important vegetation communities including Northern Atlantic wet heaths with *Erica tetralix*, alpine and boreal heaths, siliceous alpine and boreal grasslands, active blanket bogs, siliceous scree of the montane to snow levels, and siliceous rocky slopes with chasmophytic vegetation.

2.4.23 The main threats to the integrity of the site and its features include grazing, burning, scrub/bracken encroachment, water abstraction, land reclamation, recreational use and changes to surrounding land use.

2.4.24 The 2003 Condition Assessment Report (see Appendix 3) on the SAC site indicates that the siliceous scree of the montane to snow levels and siliceous rocky slopes with chasmophytic vegetation were in favourable condition. The European Dry Heaths, the northern Atlantic wet heaths with *Erica tetralix*, the blanket bogs, the alpine and boreal grasslands and the the siliceous alpine and boreal grasslands were in unfavourable condition. The unfavourable status has largely been attributed to over grazing and human related disturbance / erosion. It was recommended that a comprehensive review of grazing in the area was required and due to the time required for such habitats to recover the management aim was to achieve unfavourable but recovering status by the next monitoring round. The unfavourable condition of the blanket bog may suggest that the bog is drying out, possibly because the water table is too low beneath the surface of the bog.

2.5 Test of Likely Significance (TOLS)

2.5.1 The Plan and the PAC recommendations have been tested for likely direct, indirect and cumulative impact, alone and in combination on the Natura 2000 and Ramsar sites. Prior to undertaking a Test of Likely Significance an assessment was carried out to establish the main potential impacts that the Plan proposals have on the features and conservation objectives of the Natura 2000 sites or the feature criteria of the Ramsar site (Appendix 4). This assessment was used to inform the TOLS and to assist in identifying other Plans, Programmes and Projects that may combine with the Plan to impact upon Natura 2000 or Ramsar Sites.

2.5.2 Potential direct impacts on Natura 2000 sites and Ramsar sites resulting from the Plan

The Plan proposals have the potential to have a direct adverse impact on Belfast Lough SPA and Ramsar site as there is a direct overlap between portions of the Belfast City Council Area and these sites. Potential impacts include direct disturbance to and potential loss of inter-tidal habitats and feeding and roost sites if HMOs are developed within the SPA or Ramsar.

2.5.3 Potential indirect impacts on the Natura 2000 and Ramsar sites resulting from the Plan

The physical changes that will flow from the Plan will include development proposals for Houses of Multiple Occupancy. Inappropriate development adjacent to Natura 2000 or Ramsar sites could cause disturbance to the features of these sites. In addition HMO development could result in increased pressure on the sewage system and potentially increased discharges of domestic effluent to Belfast Lough from within the Belfast City Council Area. There may also be increased pressure for water abstraction from Lough Neagh and the Eastern Mourne to supply the growing water requirements within the Belfast City Council Area.

2.5.4 Potential indirect forces for change to Natura 2000 and Ramsar sites as a result of the impact of the Plan, are as follows:

- ***Belfast Lough SPA and Ramsar site and Belfast Lough Open Water SPA:***

Possible water borne pollution from increased effluent discharges causing pollution / eutrophication to water quality and resulting in consequent knock on effects on flora and fauna, and vertebrate and invertebrate availability to waterfowl;

Coastal protection schemes or changes to adjacent land use could lead to damage of, or disturbance to, feeding or high tide roost sites and changes to coastal dynamics.

- **Lough Neagh SPA and Ramsar Site:**
Possible lowering of water tables may result from increased water abstraction due to increased demand for water from HMOs. Lower water levels may make grasslands too dry to be suitable for nesting breeding waders that and may cause important wetland habitats such as marshes and wet woodland to dry out.
Increased pollution from discharges from Water Treatment Works and the lowering of the water-table as a result of increased water abstraction may increase the concentration of pollution / eutrophication within the Lough which would have consequent knock on effects on flora and fauna, and vertebrate and invertebrate availability to waterfowl.
- **Eastern Mourne SAC:**
Potential for damage to heathland communities in the SAC if there is a requirement to lay new water pipelines associated with Silent Valley or Ben Crom due to increased demands for water abstraction.

2.5.5 The Test of Likely Significance Matrix

A TOLS was carried out to establish whether the Plan Proposals would have a likely significant impact on the features and conservation objectives of the Natura 2000 sites or the feature criteria of the Ramsar site (Appendix 2 indicates the conservation objectives for each site). The individual Draft Plan Proposals were tested in combination with the PAC recommendations.

- 2.5.6 Other plans and projects which in combination with the Plan might be likely to affect the Natura 2000 sites were also identified for the purposes of the TOLS. The TOLS is formatted in 'matrix' style (Appendix 5) and each policy group is assessed against the conservation objectives of the Natura site and selection features of the Ramsar site. Each policy was scored as either: 'likely significant impact', 'no significant impact' or 'uncertain'.

2.5.7 Findings and Conclusion of the Test of Likely Significance

No likely significant impact on Natura 2000 and Ramsar sites has been found to result from the Draft Houses in Multiple Occupation (HMOs) Subject Plan for Belfast City Council Area 2015 and the PAC recommendations, alone or when considered in combination with other Plans or Projects.

3.0 STAGE TWO – FINDING OF NO LIKELY SIGNIFICANT EFFECTS REPORT

3.1 Finding of No Likely Significant Effects in respect of the Plan proposals and PAC recommendations in respect of Lough Neagh and Lough Beg SPA and Ramsar Sites and Eastern Mourne SAC.

3.1.1 The likely impact of the Policies and Designations in the Plan were tested against the designation features and conservation objectives of the Lough Neagh and Lough Beg Natura 2000 and Ramsar sites and Eastern Mourne SAC. The main threats to these sites were from a potential increase in demand for water abstraction (see Section 2.5.3 - 2.5.4 and Appendix 4).

3.1.2 Housing need and housing demand are fundamental considerations when developing planning policies in respect of HMOs. The HMO market has a number of driving factors such as student growth, migrant workers and changes in the number of single person households. As many of these groups gravitate towards urban areas it is not surprising that there is a growing demand for HMO accommodation in Belfast. The Queens University and University of Ulster campus's attracts students to live in the Belfast area whilst employment opportunities such as those in the Belfast City Hospital and the Royal Victoria Hospital draw migrant workers to the Belfast area. NISRA household projections for the Greater Belfast area predicts further and significant growth of small households, particularly single households, up to 2015 (Housing Market Analysis 2006). The continuing trend for more single person households will result in sustained demand for accommodation, and in particular, for smaller units of accommodation supplied by the private rented sector. Research by the University of Ulster demonstrates that the growth of the private rented / HMO sector has been best placed to respond to the demands for housing from single person households on low incomes, lone parents, students and migrant workers (Housing Market Analysis 2006). The private rented sector also best meets the needs of the groups above by providing furnished accommodation with minimal capital outlay. The HMO sector is forecast to continue to form an increasingly significant part of the overall housing market in Belfast with changing lifestyles and labour markets, housing prices, affordability pressures, availability of Housing Benefit and reduced public spending on new build social housing ensuring that it will continue to expand (Housing Market Analysis 2006).

3.1.3 The Plan does not attempt to influence or in any way alter the demand for HMOs in Belfast City Council Area, indeed the demands of the HMO market is driven by factors outside the control of the Plan. Changes in the HMO population numbers in the Belfast City Council Area will occur

whether or not the Plan is adopted. These changes will be the result of individual development proposals which depend upon factors external to the Plan such as economic conditions and the potential for incomes to be made through converting properties to HMO status. The Plan will therefore, on its own, not result in any quantifiable increase in HMO population numbers in the Belfast City Council Area and thus will not result in increased demand for water abstraction from Lough Neagh. Rather than altering demand for HMOs the Plan only seeks to positively shape and accommodate the market for HMOs by influencing where HMO developments in the Belfast City Council Area are located. At present, for example, the perceived neutrality, in terms of the city's segregated geography of some areas, such as South Belfast, makes certain areas in Belfast more attractive to many of the groups utilizing HMOs than others resulting in significant concentrations of HMOs in some areas.

3.1.4 Consequently, it is considered that the Plan has no likely significant impacts on the Eastern Mourne and Lough Neagh and Lough Beg Natura 2000 and Ramsar sites and it is therefore not necessary to carry out an Appropriate Assessment.

3.2 Finding of No Likely Significance in respect of the Plan proposals and the PAC recommendations in combination with other relevant plans or projects in relation to Lough Neagh and Lough Beg SPA and Ramsar.

3.2.1 The likely impact of the Plan and PAC recommendations in combination with other relevant plans and projects was tested against the designation features and conservation objectives of the Lough Neagh and Lough Beg Natura 2000 and Ramsar sites. The assessment primarily considered the possible impact of an increased demand for water abstraction from Lough Neagh to meet the needs of an increased HMO population in Belfast City Council Area.

3.2.2 Lough Neagh provides water for approximately one third of the population of Northern Ireland. Water Service's Water Resource Strategy 2002-2030 confirmed the need for abstraction from Lough Neagh up to the total abstraction right already granted, 382 megalitres / day (Lough Neagh Advisory Committee 2002). Abstraction levels were recently considered in the Proposals for the increased Water Supply Abstraction from Lough Neagh 2005 -2015 (Water Service) during which an Environmental Statement was prepared to indicate potential environmental impacts.

3.2.3 Abstraction levels from Lough Neagh are now undertaken by Northern Ireland Water but under the Water (Northern Ireland) Order 1999 NIEA has powers to make regulations to control water abstraction if deemed necessary. In addition the European Water Framework Directive (2000/60EC) requires control over water abstractions to ensure

achievement of the Directive's objectives for water bodies. The European Court of Justice has also ruled that in order to properly implement the Habitats Directive UK water abstraction projects should be assessed where abstractions or impoundments affect protected sites. The Department of the Environment made a commitment to have an abstraction and impoundment control system in place by the end of 2006. This involves the introduction of Regulations that will control the abstraction and impoundment of water and protect the water environment from damage. Using these new Regulations (Water Abstraction and Impoundment (Licensing) Regulations (Northern Ireland) 2006) new proposals to abstract water will require a license from the NIEA Abstraction and Impoundment Licensing Team, who will monitor and control water body resources in Northern Ireland.

3.2.4 Water levels in Lough Neagh are controlled by Rivers Agency who are required to regulate and control water levels in Lough Neagh within a specified range, that is 12.45 meters to 12.6 meters Ordnance Datum, as defined in the Lough Neagh Levels Scheme (1955) (as amended). The level of Lough Neagh was recently considered in the Proposed Lough Neagh (levels) scheme 2004 (DARD). Water levels are currently controlled by five sluice gates at Toome, where the water enters the Lower Bann River. Incremental adjustments of floodgates is practised, whenever possible, in order to minimise impact on the range of environmental and other interests associated with the Lough.

3.2.5 It is considered that Plan has minimal influence over abstraction rates or the level of Lough Neagh when considered in combination with other overriding plans and projects which are utilised to control Lough Neagh water abstractions and water levels. Many of these plans are based on existing agreed Lough levels or granted abstraction rights. Plans and Projects to change these existing agreements are themselves subject to various policies, public consultations and legislative requirements, including the requirements of the Conservation (Natural Habitats, etc.) Regulations Northern Ireland.

3.2.6 The Plan, when considered in combination with these other plans will have no likely significant impact on the Lough Neagh and Lough Beg and SPA and Ramsar sites and it is therefore not necessary to carry out an Appropriate Assessment.

3.3 Finding of No Likely Significance in respect of the Plan proposals and the PAC recommendations in combination with other relevant plans and projects in relation to Eastern Mournes SAC.

3.3.1 The likely impact of the Plan and PAC recommendations in combination with other relevant plans and projects was tested against the designation

- features and conservation objectives of the Eastern Mourne SAC. The assessment primarily considered the possible impact of an increased demand for water abstraction from reservoirs within the Mourne to meet the needs of an increased HMO population in Belfast City Council Area and the possible requirement for additional water pipe laying within the Eastern Mourne SAC to accommodate these needs.
- 3.3.2 The Silent Valley and Ben Crom reservoirs (both within Eastern Mourne SAC) supply water for most of County Down and a large part of Belfast, providing approximately 400,000 people with up to 30 million gallons (130 million liters) of water a day. Abstraction levels from these Mourne Reservoirs are controlled by Northern Ireland Water. In 2006 the Aquarius Mourne Water Project completed a new water treatment works at Drumaroad Co. Down to treat water from Silent Valley. A previous phase of the Aquarius Project replaced the 100-year-old Mourne Conduit, which included the laying of a new pipeline to carry water to Belfast. The Strategic Business Plan of Northern Ireland Water 2007 indicated that no further Capital Works are currently programmed for the Silent Valley Reservoir. Due to the current Capital Works Programme and the recently completed Aquarius Mourne Water Project it is unlikely that new pipelines will be laid from other Mourne waterbodies to feed into Silent Valley Reservoir. Furthermore any unexpected proposals to do so would be subject to vigorous environmental assessment and must comply with the requirements of the Conservation (Natural Habitats, etc.) Regulations in Northern Ireland (the 1995 regulations and the subsequent 2004 and 2007 amendments).
- 3.3.3 It is considered that Plan when considered in combination with the absence of existing plans or programmes for further capital works for Silent Valley Reservoir, will have no likely significant impact on the Eastern Mourne SAC and it is therefore not necessary to carry out an Appropriate Assessment.
- 3.4 Finding of No Likely Significant Effects in respect of the Plan proposals and PAC recommendations in relation to Belfast Lough SPA and Ramsar site and the Belfast Lough Open Water pSPA.**
- 3.4.1 The likely impact of the Policies and Designations in the Plan were tested against the designation features and Conservation Objectives of the Belfast Lough SPA and Ramsar sites and the Belfast Lough Open Water pSPA.
- 3.4.2 Due to reasons outlined previously the Plan will, on its own, not result in any quantifiable increase in HMO population numbers in the Belfast City Council Area (see Finding of No Likely Significance for Lough Neagh and Lough Beg and Eastern Mourne). The Plan will therefore not result in

increased demands on the sewage system from domestic effluents from the Belfast City Council Area.

- 3.4.3 Rather than altering demand for HMOs the Plan only seeks to positively shape and accommodate the market for HMOs by influencing where HMO developments in the Belfast City Council Area are located. The HMO strategy seeks to balance the protection of residential amenity with the need and demand for multiple occupation and intends to see a wider distribution of HMO accommodation across the City over time. Inappropriate locations for HMOs have the potential to have significant impacts via disturbance to Belfast Lough Natura 2000 and Ramsar sites and their features of interest by reducing inter-tidal habitat, roost or feeding sites or by altering coastal dynamics.
- 3.4.4 Policies HMO 1 and 2 are designed to protect the amenity of areas where multiple occupation is currently, or is likely to become concentrated. Policy HMO 1 and 2 will curtail future development in areas where there are currently significant concentrations of such accommodation). Policy HMO 1 and 2 therefore does not have any potential to have significant impacts upon Belfast Lough Natura 2000 or Ramsar sites.
- 3.4.5 Policy HMO 3 and 4 is designed to accommodate the need and demand for HMO accommodation and focus this in areas where it can contribute to regeneration. Many of the HMO Development Nodes are designated along sections of the City's Arterial Routes, in close proximity to the City's Arterial Routes or along or adjacent to the BMAP Orbital Boulevard. None of the areas are directly within or adjacent to Belfast Lough SPA and Ramsar sites. In addition the selected HMO Development Nodes are already highly urbanised developed areas which meet a number of criteria including regeneration potential. As the HMO Development Nodes are already developed areas that are not spatially linked to Belfast Lough it is considered that Policies HMO 3 and 4 do not have any potential to have significant impacts upon Belfast Lough Natura 2000 or Ramsar sites.
- 3.4.6 Policy HMO 7 is related to HMO development outside HMO Policy Areas or HMO Development Nodes. The policy restricts the extent to which HMOs will be acceptable and is designed to protect the amenity of residential areas and promote balanced communities. The policy therefore is not intended to intensify HMO developments. On its own this policy does not have any potential to have significant impacts upon Belfast Lough Natura 2000 or Ramsar sites.
- 3.4.7 Policy 8 sets criteria which HMO proposals must meet. None of the criteria have the potential to have significant impacts upon Belfast Lough Natura 2000 or Ramsar sites.

3.4.8 HMO 9 is designed to facilitate the need and demand for multiple occupation, protect the amenity of other residential areas and promote appropriate development of student accommodation. The policy does not designate particular sites for this type of accommodation and the policy applies throughout the Belfast City Council Area. There is a potential that development proposals could be made in areas within the Belfast City Council Area that would be likely to have a significant impact on Belfast Lough Natura 2000 and Ramsar sites. This however is unlikely as proposals likely to cause significant impacts would have to be proposed in lands that are directly within or adjacent to Belfast Lough Natura 2000 or Ramsar sites, and at present this would constitute areas that are inter-tidal, are predominately industrial / employment based in nature or are part of the old Dargan Road landfill site. These areas are unlikely to be desirable locations for student accommodation. On its own this policy is unlikely to have significant impacts upon Belfast Lough Natura 2000 or Ramsar sites.

3.4.9 Consequently, it is considered that the Plan will have no likely significant impact on the Belfast Lough Natura 2000 and Ramsar sites and it is therefore not necessary to carry out an Appropriate Assessment for these sites.

3.5 Finding of No Likely Significance in respect of the Plan proposals and the PAC recommendations in combination with other relevant plans in relation to Belfast Lough SPA and Ramsar sites and the proposed Belfast Lough Open Water pSPA.

3.5.1 The likely impact of the Plan and PAC recommendations in combination with other relevant plans was tested against the designation features of the Belfast Lough Natura 2000 and Ramsar sites. The assessment primarily considered the potential spatial location of HMO developments within the Belfast City Council Area and the current sewage arrangements within Belfast City Council Area.

3.5.2 Although it has already been acknowledged that the Plan is not likely to significantly impact on the Belfast Lough Natura 2000 and Ramsar site due to increased demand on the sewage system there are other existing Plans and Projects which make a significant impact of the Plan even less likely. At present the Belfast WWTW discharges into Belfast Lough, which has been designated as a Sensitive Area (Eutrophic) under the Urban Waste Water Regulations NI 1995. The Belfast WWTW has however been compliant with the UWWT Regulations for a number of years including the most recent published compliance report of 2006 (EHS 2006). More stringent nitrogen nutrient treatment requirements were implemented at Belfast WWTW in 2004. In addition the Belfast Sewers Project is expected to be completed by 2009 and this will provide Belfast with a modern effective sewage system.

3.5.3 In relation to the potential spatial location of proposed HMO developments it is noted that the introduction to the Plan states that planning permission will not be granted for HMO developments that are in conflict with any other statutory zoning, designation, policy or proposal. In the Draft Belfast Metropolitan Area Plan 2015 the lands in the Belfast City Council Area that are directly within Belfast Lough Natura 2000 or Ramsar sites have been zoned as part of the Belfast Metropolitan Coastal Area. Lands directly adjacent to Belfast Lough Natura 2000 or Ramsar sites were zoned in the dBMAP as Land Identified for Open Space (BHA19), Land Zoned for Employment/Industry (BHA 07) or as a Major Area of Existing Employment/Industry. These areas are highly unlikely to be suitable or acceptable locations for HMO developments. It is therefore unlikely that HMOs will be proposed or approved in areas within Belfast City Council Areas that would have the potential to have significant impacts via disturbance to the features of Natura 2000 or Ramsar sites. Policies within Planning Policy Statement 2 – Planning and Nature Conservation, add a further layer of protection which will reduce the potential for HMOs to be sited in areas where they may cause disturbance to the features of Belfast Lough Natura 2000 and Ramsar sites.

3.5.4 Consequently, it is considered that the Plan in combination with other plans and policies will have no likely significant impact on the Belfast Lough Natura 2000 and Ramsar sites. It is therefore not necessary to carry out an Appropriate Assessment for these sites.

3.6 Findings of the Test of Likely Significance

3.6.1 No likely significant impact on Natura 2000 and Ramsar sites has been found to result from the Draft Houses in Multiple Occupation (HMOs) Subject Plan for Belfast City Council Area 2015 and the PAC recommendations, alone or when considered in combination with other relevant plans or projects.

4.0 CONCLUSIONS AND SUMMARY

4.1 Although during this assessment it has been assumed that the Plan has the potential to have adverse impacts on Natura 2000 and Ramsar sites the Test of Likely Significance has indicated that it is unlikely that there will be any significant impact on the site selection features.

4.2 The overall aim of the Plan is to provide a planning framework for HMO Development in the Belfast City Council Area. The Plan does not attempt to influence or in any way alter the demand for HMOs in Belfast City Council Area, indeed the demands of the HMO market are driven by factors outside the control of the Plan such as economic conditions.

- Changes in the HMO population numbers in the Belfast City Council Area will occur whether or not the Plan is adopted. The Plan will therefore not result in any quantifiable increase in HMO population numbers in the Belfast City Council Area and thus will not result in increased demand on the sewage system or for water abstraction.
- 4.3 In relation to the sewage system and water abstractions it has been noted that there are other existing plans and projects which are being utilized to control water abstractions and water levels of Loughs and to up-grade sewage systems and water treatment works. Many of these plans and projects are based on existing agreements relating to Lough levels, granted abstraction rights or statutory discharge limits. Plans and Projects to change these existing agreements are themselves subject to various policies and public consultation and legislative requirements, including the requirements of the Conservation (Natural Habitats, etc.) Regulations Northern Ireland.
- 4.4 Rather than altering demand for HMOs the Plan only seeks to positively shape and accommodate the market for HMOs by influencing where HMO developments in the Belfast City Council Area are located. Poorly located HMO development could have a significant adverse impact on Belfast Lough Natura 2000 or Ramsar sites. Some of the policies within the Plan designate areas which are designed to accommodate the need and demand for HMO accommodation and focus this in areas where it can contribute to regeneration. None of the designated areas are directly within, adjacent to or spatially linked with Belfast Lough and are instead located in traditionally urbanised areas. In theory a proposal could be made for an HMO development within or directly adjacent to Belfast Lough Natura 2000 or Ramsar sites but it was deemed that this was unlikely to occur as the Plan states that planning permission will not be granted for HMO developments that are in conflict with any other statutory zoning, designation, policy or proposal. In the Draft Belfast Metropolitan Area Plan 2015 the lands that are directly within or adjacent to Belfast Lough Natura 2000 or Ramsar sites are zoned as Coastal Areas, Land Identified for Open Space, or Land for Employment/Industry. These areas are unlikely to be suitable or acceptable locations for HMO developments. Planning Policy Statement 2 – Planning and Nature Conservation, adds a further layer of protection which will reduce the potential for HMOs to be sited in areas where they may cause disturbance to the features of Belfast Lough Natura 2000 and Ramsar sites.
- 4.4 As a result, it is judged that the Plan, when considered in combination with other relevant plans and projects is not likely to result in any significant additional water abstraction from, sewage effluent into, or disturbance to Natura 2000 and Ramsar sites and as a result will not have a significant

impact on the features or conservation objectives of Natura 2000 and Ramsar sites.

- 4.5 Consequently a '**Finding of no likely significant effects**' has been recorded.



**Houses in Multiple Occupation (HMOs)
Subject Plan for
Belfast City Council Area 2015**

**Appendix 1:
Environmental Designations**

HMO Policy Areas



HMO Development Nodes



Special Protection Area (SPA)



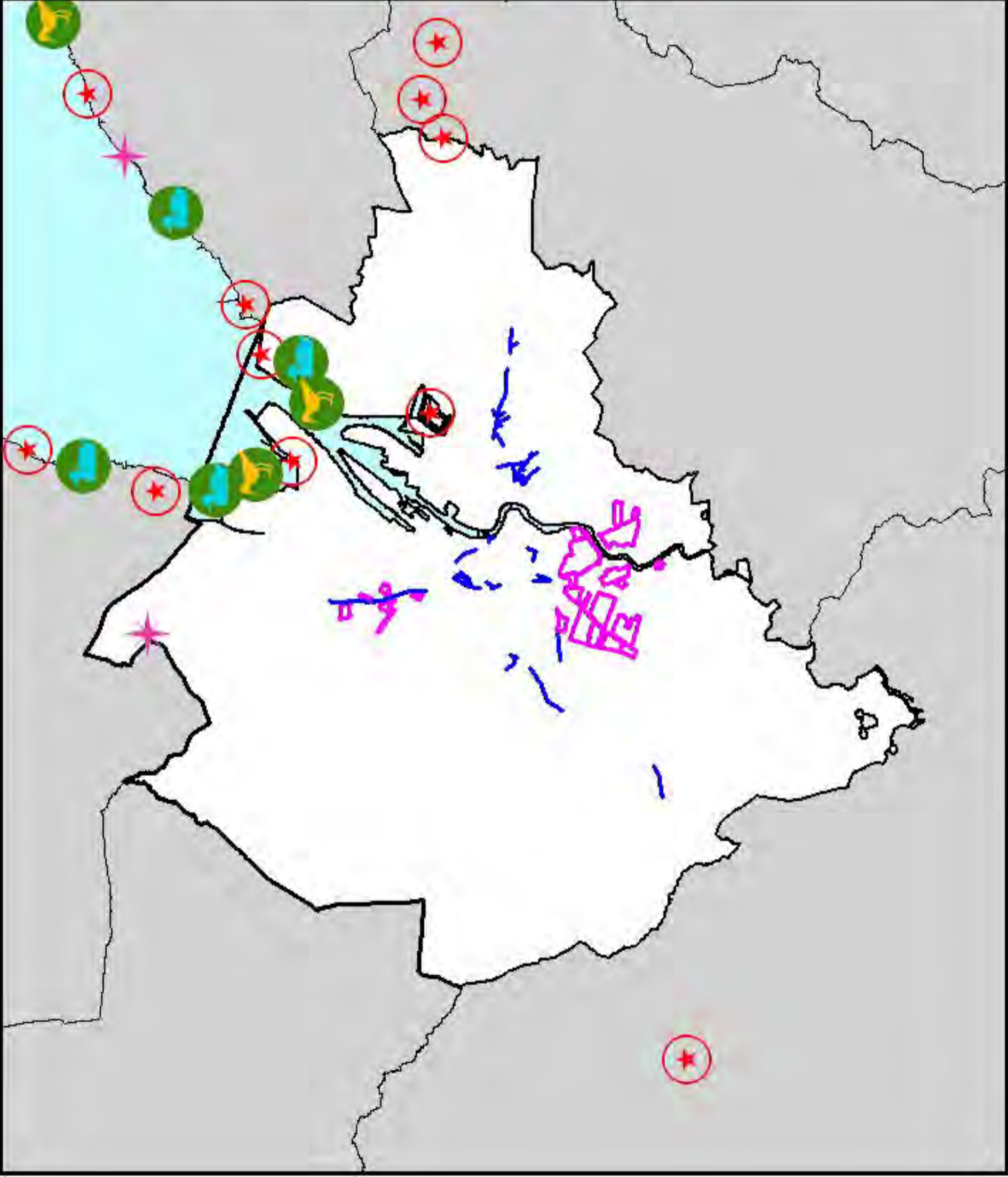
Ramsar Site



Area of Special Scientific Interest (ASSI)



Area of Scientific Interest (ASI)



APPENDIX 2: Natura 2000 Conservation Objectives

Belfast Lough SPA: SPA Selection Feature Objectives

Feature	Component Objective
Redshank wintering population	No significant decrease in population against national trends, caused by on-site factors
Great Crested Grebe wintering population	No significant decrease in population against national trends, caused by on-site factors
Habitat extent	To maintain or enhance the area of natural and semi-natural habitats potentially usable by Feature bird species (X ha intertidal area), subject to natural processes
Habitat extent	Maintain the extent of main habitat components subject to natural processes
Roost sites	Maintain or enhance sites utilised as roosts

Belfast Lough Open Water proposed SPA: SPA Selection Feature Objectives

Feature	Component Objective
Great Crested Grebe wintering population	No significant decrease in population against national trends, caused by on-site factors
Habitat extent	Maintain the extent of main habitat components subject to natural processes
Roosting/loafing sites	Maintain all locations of sites.

Lough Neagh & Lough Beg SPA: SPA Selection Feature Objectives

Feature	Component Objective
Common Tern breeding population	No significant decrease in population against national trends, caused by on-site factors
Common Tern breeding population	Fledging success
Great Crested Grebe breeding population	No significant decrease in population against national trends, caused by on-site factors
Great Crested Grebe breeding population	Fledging success
Great Crested Grebe passage population	No significant decrease in population against national trends, caused by on-site factors
Whooper Swan wintering population	No significant decrease in population against national trends, caused by on-site factors
Bewick's Swan wintering population	No significant decrease in population against national trends, caused by on-site factors
Golden Plover wintering population	No significant decrease in population against national trends, caused by on-site factors
Great Crested Grebe wintering population	No significant decrease in population against national trends, caused by on-site factors

Feature	Component Objective
Pochard wintering population	No significant decrease in population against national trends, caused by on-site factors
Tufted Duck wintering population	No significant decrease in population against national trends, caused by on-site factors
Scaup wintering population	No significant decrease in population against national trends, caused by on-site factors
Goldeneye wintering population	No significant decrease in population against national trends, caused by on-site factors
Little Grebe wintering population	No significant decrease in population against national trends, caused by on-site factors
Cormorant wintering population	No significant decrease in population against national trends, caused by on-site factors
Greylag Goose wintering population	No significant decrease in population against national trends, caused by on-site factors
Shelduck wintering population	No significant decrease in population against national trends, caused by on-site factors
Wigeon wintering population	No significant decrease in population against national trends, caused by on-site factors
Gadwall wintering population	No significant decrease in population against national trends, caused by on-site factors
Teal wintering population	No significant decrease in population against national trends, caused by on-site factors
Mallard wintering population	No significant decrease in population against national trends, caused by on-site factors
Shoveler wintering population	No significant decrease in population against national trends, caused by on-site factors
Coot wintering population	No significant decrease in population against national trends, caused by on-site factors
Lapwing wintering population	No significant decrease in population against national trends, caused by on-site factors
Waterfowl Assemblage wintering population	No significant decrease in population against national trends, caused by on-site factors
Waterfowl Assemblage wintering population	Maintain species diversity contributing to the Waterfowl Assemblage
Habitat	To maintain or enhance the area of natural and semi-natural habitats potentially usable by Feature bird species subject to natural processes
Habitat	Maintain the extent of main habitat components subject to natural processes
Habitat	Maintain or enhance sites utilised as roosts

Eastern Mournes SAC: SAC SELECTION FEATURE OBJECTIVES

Feature	<u>Component Objectives</u>
European dry heath	Maintain the extent of existing European dry heath vegetation.
	Maintain and enhance the quality of the European dry heath community types.
	Seek to expand the extent of the dry heath communities into degraded areas of species poor, dry acid grassland.
	Maintain the diversity and quality of other habitats of conservation interest, especially where these exhibit natural transition to the dry heath.
	Seek nature conservation management over suitable areas immediately outside the SAC where there may be the potential for dry heath rehabilitation.
Northern Atlantic wet heath with <i>Erica tetralix</i> .	Maintain the extent of existing Northern Atlantic wet heath vegetation.
	Maintain and enhance the quality of the existing wet heathland.
	Seek to expand the extent of the wet heath communities into degraded areas of species poor, wet acid grassland.
	Maintain the diversity and quality of other habitats of conservation interest, especially where these exhibit natural transition to the Northern Atlantic wet heath.
	Seek nature conservation management over suitable areas immediately outside the SAC where there may be the potential for wet heath rehabilitation
Active blanket bog	Maintain the extent of intact blanket bog and actively regenerating blanket bog vegetation.
	Maintain and enhance the quality of the blanket bog community types including the presence of notable species.
	Seek to expand the extent of actively regenerating blanket bog vegetation into degraded (non-active) areas of cutover bog.
	Maintain the diversity and quality of other habitats of conservation interest, especially where these exhibit natural transition to the blanket bog.
	Maintain the hydrology of the intact blanket bog peat mass.
	Seek nature conservation management over suitable areas immediately outside the SAC where there may be the potential for blanket bog rehabilitation.

Alpine and boreal heaths	Maintain the extent of existing alpine and boreal heath vegetation.
	Maintain and enhance the quality of the existing alpine and boreal heaths.
	Seek to expand the extent of the alpine and boreal heath communities into degraded areas of species poor acid grassland.
	Maintain the diversity and quality of other habitats of conservation interest, especially where these exhibit natural transition to the alpine and boreal heaths.
Siliceous alpine and boreal grasslands	Maintain the extent of existing siliceous alpine and boreal grasslands.
	Maintain and enhance the quality of the siliceous alpine and boreal grassland community types.
	Seek to expand the extent of the siliceous alpine and boreal grassland communities into degraded areas of species poor, dry acid grassland.
	Maintain the diversity and quality of other habitats of conservation interest, especially where these exhibit natural transition to the siliceous alpine and boreal grasslands.
Siliceous rocky slopes with chasmophytic vegetation	Maintain the existing acid rock chasmophytic Vegetation.
	Maintain the diversity and quality of other habitats of conservation interest, especially where these exhibit natural transition to the siliceous rocky slopes.
Siliceous scree of the montane to snow levels	Maintain the extent of existing siliceous scree (partially vegetated siliceous scree).
	Maintain and enhance the quality of the siliceous scree community types.
	Maintain the diversity and quality of other habitats of conservation interest, especially where these exhibit natural transition to the siliceous scree.

APPENDIX 3: NATURA 2000 Condition Assessment Monitoring Reports

Lough Neagh and Lough Beg SPA: Monitoring Report 2004/05

(Revised 2008 for features data-deficient in 2004/05) Date: 22/01/2008

Site Description:

Situated in the centre of Northern Ireland, Lough Neagh is the largest lake in the British Isles. The proposed Special Protection Area includes three eutrophic water bodies, Lough Neagh and two related loughs, Lough Beg and Portmore Lough together with surrounding swamp, fen, wet grassland and swampy woodland. The area of the site is 41,188 ha.

The boundary of the proposed Special Protection Area follows the boundaries of the Lough Neagh ASSI, Lough Beg ASSI and Portmore Lough ASSI. The site also forms part of a site listed as a wetland of international importance under the Ramsar Convention.

The site qualifies under Article 4.1 of EC Directive 79/409 by regularly supporting internationally important numbers of wintering Bewick's swan *Cygnus columbianus* and whooper swan *Cygnus cygnus*.

The site also qualifies under Article 4.1 by regularly supporting nationally important numbers of breeding common tern *Sterna hirundo* (200 pairs in 1995 which comprise 7.4% of Irish population). The site qualifies under Article 4.2 of the Directive as a wetland of international importance by regularly supporting over 20,000 waterfowl in winter. The five year peak mean for the period 1989/90 to 1993/94 was 79,915 birds including nationally and internationally important numbers of the following species: pochard *Aythya ferina*, tufted duck *Aythya fuligula*, goldeneye *Bucephala clangula*, little grebe *Tachybaptus ruficollis*, great crested grebe *Podiceps cristatus*, cormorant *Phalacrocorax carbo*, mute swan *Cygnus olor*, greylag goose *Anser anser*, shelduck *Tadorna tadorna*, wigeon *Anas penelope*, gadwall *Anas strepera*, teal *Anas crecca*, mallard *Anas platyrhynchos*, shoveler *Anas clypeata*, scaup *Aythya marila* and coot *Fulica atra*.

Monitoring:

Waterbird counts carried out monthly, September – March, as part of WeBS programme. Annual nest counts at tern colonies. Breeding waders and Great Crested Grebes censused at a sample of major sites every six years. Boat-based survey of breeding waterfowl every six years.

Current Condition of features:

based on five-year mean 1998/1999 - 2002/03 for wintering and passage waterfowl; 2000 – 2004 mean for terns; 2007 survey for breeding wader assemblage; 2006 survey for breeding waterfowl assemblage; 2007 survey for breeding Great Crested Grebe.

CSM baseline = lowest peak 1990/91 – 1996/97 (1993-1997 for terns)

Generic Threshold for breeding wader assemblage = mean of 1987 and 1992 survey totals for sample sites#.

Feature	% CSM Baseline	Current Status	Comments
Bewick's Swan	32	Unfavourable	General decline, UK medium WeBS alert (Austin et al 2004), large decline in EU (Papazoglou et al 2004)
Golden Plover	343	Favourable	
Goldeneye	90	Favourable	
Great Crested Grebe (B)		no data	
Great Crested Grebe (P)	73	Favourable	
Great Crested Grebe (W)	318	Favourable	
Pochard	81	Unfavourable	UK medium WeBS alert (Austin et al 2004), ; moderate decline in EU (Papazoglou et al 2004)
Scaup	247	Favourable	
Tufted Duck	87	Unfavourable	Stable in GB and Ireland (Pollitt et al 2003, Austin et al 2004; moderate decline in EU (Papazoglou et al 2004)
Whooper Swan	224	Favourable	
Waterfowl Assemblage***	94	Unfavourable	caused by diving duck decline recent NI increase, local status based on data of variable quality; ; stable in EU (Papazoglou et al 2004)
Common Tern (B)*	81	Unfavourable	

* tern counts have varied in coverage and accuracy

*** Waterfowl Assemblage = combined total of feature species listed above

Sample sites for breeding waders: Lough Beg NW, Lough Beg W, Kiltagh Pt.-Blacker's Rock, Kiltagh Pt.-Ardboe Pt., Killycolpy, Back Lower, Washing Bay, Collumbkille Pt., Reedy Flat, Three Islands.

Recommendations:

1. Decline of Bewick's Swan at this site parallels wider UK and European trends and therefore appears unlikely to be due to site specific factors. **Action:** Conservation Science to ensure monthly counts (September-March) are undertaken. If after 3 years the Bewick's Swan population is unfavourably out of step with regional and national trends, commence programme to consider and assess potential within-site factors.
2. Decline of Pochard at this site does not parallel wider UK and European trends but may be influenced by changes in migration patterns. It is therefore unclear whether the decline is due to site specific factors. **Action:** Conservation Science to ensure monthly counts (September-March) are undertaken. If after 3 years the Pochard population is unfavourably out of step with regional and national trends, commence programme to consider and assess potential within-site factors.
3. Decline of Tufted Duck at this site does not parallel wider European trends but may be influenced by changes in migration patterns. It is therefore unclear whether the decline is due to site specific factors. **Action:** Conservation Science to ensure monthly counts (September-March) are undertaken. If after 3 years the Tufted Duck population is unfavourably out of step with regional and national trends, commence programme to consider and assess potential within-site factors.
4. Decline of the waterfowl assemblage at this site is almost entirely attributable to the loss of diving ducks. Numbers of these species in some cases do not parallel wider UK and European trends but may be influenced by changes in migration patterns. It is therefore unclear if the decline in waterfowl is due to site specific factors. **Action:** Conservation Science to ensure monthly counts (September-March) are undertaken. If after 3 years waterfowl numbers are unfavourably out of step with regional and national trends for component species, commence programme to consider and assess potential within-site factors.
5. Decline of Common Tern at Lough Neagh is contrary to a general increase in Northern Ireland and may be an artifact of variable quality and coverage of monitoring in past years. **Action:** Conservation Science to ensure comprehensive annual monitoring of all tern colonies. If after 3 years the Common Tern population is significantly out of step with regional and national trends, commence programme to consider and assess potential within-site factors.

References:

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Partridge, K. (1992) *1992 Re-survey of Northern Ireland Breeding Wader Sites*. Unpublished report to RSPB. Environment Plus, Crossgar.

APPENDIX 3 (Continued): NATURA 2000 Condition Assessment Monitoring Reports Belfast Lough SPA : Monitoring Report 2004/05

Site Description:

Belfast Lough is a large intertidal sea lough situated at the mouth of the River Lagan on the east coast of Northern Ireland. The inner part of the lough comprises a series of mudflats and lagoons. The outer lough is restricted to mainly rocky shores with some small sandy bays.

In the outer lough, the Special Protection Area boundary is entirely coincident with that of Outer Belfast Lough Area of Special Scientific Interest but within the immediate harbour area, the boundary has been redrawn to take into account permitted port related development and landfill which has taken place since the Inner Belfast Lough Area of Special Scientific Interest was declared in 1987. Marine areas below mean low water are not included. The Special Protection Area boundary is entirely coincident with that of the Belfast Lough Ramsar Site.

The site qualifies under Article 4.2 of EC Directive 79/409 on the Conservation of Wild Birds by regularly supporting internationally important numbers of Redshank *Tringa totanus* and Great Crested Grebe *Podiceps cristatus* in winter.

The site also regularly supports nationally important numbers of Shelduck *Tadorna tadorna*, Scaup *Aythya marila*, Eider *Somateria mollissima*, Goldeneye *Bucephala clangula*, Red-breasted Merganser *Mergus serrator*, Oystercatcher *Haematopus ostralegus*, Purple sandpiper *Calidris maritima*, Dunlin *Calidris alpina*, Black-tailed Godwit *Limosa limosa*, Bar-tailed Godwit *Limosa lapponica*, Curlew *Numenius arquata* and Turnstone *Arenaria interpres*.

Monitoring:

High-tide counts carried out monthly, September – March, as part of WeBS programme. WeBS Low-tide counts carried out in three months, November – February.

Current Condition of features:

based on five-year mean 1999/2000 -2003/04

CSM baseline = lowest peak 1991/92 – 1997/98

Species	Feature	% CSM	Status	Comment
Redshank	SPA	97	Unfavourable	No strong national trend (Austin et al 2004); moderate decline in EU (Papazoglou et al 2004)

Recommendations:

1. In the absence of an unfavourable trend nationally, the apparent decline in Redshank numbers may be related to site specific factors. **Action** - Conservation Science to ensure monthly high tide (September - March) and representative low tide counts (3 counts per winter) are undertaken. Review Redshank population annually to assess trend. If after 3 years the downward trend continues, or the population is otherwise significantly out of step with regional and national trends, commence programme to consider and assess potential within-site factors.

References:

Austin, G.E., Jackson, S.S.F. & Mellan, H.J. (2004) WeBS Alerts 2000/2001: Changes in numbers of wintering waterbirds in the United Kingdom, its Constituent Countries, Special Protection Areas (SPAs) and Sites of Special Scientific Interest (SSSIs). BTO Research Report 349. British Trust for Ornithology, Thetford.

Papazoglou, C., Kreiser, K., Waliczky, Z. & Burfield, I. (2004). *Birds in the European Union: a Status Assessment*. BirdLife International, Wageningen, The Netherlands.

APPENDIX 3 (Continued): NATURA 2000 Condition Assessment Monitoring Reports Belfast Lough Open Water SPA : Monitoring Report 2004/05

Site Description:

Belfast Lough is a large intertidal sea lough situated at the mouth of the River Lagan on the east coast of Northern Ireland. The inner part of the lough comprises a series of mudflats and lagoons. The outer lough is restricted to mainly rocky shores with some small sandy bays.

In the outer lough, the Special Protection Area boundary is entirely coincident with that of Outer Belfast Lough Area of Special Scientific Interest but within the immediate harbour area, the boundary has been redrawn to take into account permitted port related development and landfill which has taken place since the Inner Belfast Lough Area of Special Scientific Interest was declared in 1987. Marine areas below mean low water are not included. The Special Protection Area boundary is entirely coincident with that of the Belfast Lough Ramsar Site.

The site qualifies under Article 4.2 of EC Directive 79/409 on the Conservation of Wild Birds by regularly supporting internationally important numbers of Redshank *Tringa totanus* and Great Crested Grebe *Podiceps cristatus* in winter.

The site also regularly supports nationally important numbers of Shelduck *Tadorna tadorna*, Scaup *Aythya marila*, Eider *Somateria mollissima*, Goldeneye *Bucephala clangula*, Red-breasted Merganser *Mergus serrator*, Oystercatcher *Haematopus ostralegus*, Purple sandpiper *Calidris maritima*, Dunlin *Calidris alpina*, Black-tailed Godwit *Limosa limosa*, Bar-tailed Godwit *Limosa lapponica*, Curlew *Numenius arquata* and Turnstone *Arenaria interpres*.

Monitoring:

High-tide counts carried out monthly, September – March, as part of WeBS programme. WeBS Low-tide counts carried out in three months, November – February.

Current Condition of features:

based on five-year mean 1999/2000 -2003/04

CSM baseline = lowest peak 1991/92 – 1997/98

Species	Feature	% CSM	Status	Comment
Great Crested Grebe	SPA	153	Favourable	

Recommendations:

2. Selection feature in favourable condition – no action required

References:

Austin, G.E., Jackson, S.S.F. & Mellan, H.J. (2004) WeBS Alerts 2000/2001: Changes in numbers of wintering waterbirds in the United Kingdom, its Constituent Countries, Special Protection Areas (SPAs) and Sites of Special Scientific Interest (SSSIs). BTO Research Report 349. British Trust for Ornithology, Thetford.

Papazoglou, C., Kreiser, K., Waliczky, Z. & Burfield, I. (2004). *Birds in the European Union: a Status Assessment*. BirdLife International, Wageningen, The Netherlands.

APPENDIX 3 (Continued): NATURA 2000 Condition Assessment Monitoring Reports

Eastern Mourne SAC: Monitoring Report 2003* (please note this is a condensed version of the condition assessment report: The Full Version is available from The Northern Ireland Environment Agency)

SAC Feature	ASSI feature	Extent
European dry heaths	Dry heath	4680
Northern Atlantic wet heaths with <i>Erica tetralix</i>	Wet heath	889
Blanket bog (active only)	Blanket Bog	318
Alpine and Boreal heaths	Montane heath	32.14
Siliceous alpine and boreal grasslands	Montane heath	32.1
Siliceous rocky slopes with chasmophytic vegetation	Inland Rock	58.54
Siliceous scree of the montane to snow levels (<i>Androsacetalia alpinae</i> and <i>Caleopsietalia ladani</i>)	Inland Rock	17.65

Methods

Given the variety of feature habitat types and the size of the site, a grid based sampling approach was used to facilitate the condition assessment in the Mourne. A series of way-marked points were created to give a sample of approx 1 point/plot per 20 hectares. The use of the grid was primarily for the assessment of the larger habitat features i.e. Dry heath, Wet heath and Blanket Bog. Additional plots were recorded if the surveyors came across scree or cliff – these were assessed from a safe vantage point. In addition, extra points were recorded in the summit heath habitats as these would have been otherwise under-recorded. Rare plant locations were also noted.

Testing of field methods were carried out prior to the start of the full monitoring and this enabled estimates of the possible amount of ground that could be covered in a day.

Results

The results are quite detailed given the size of the site and the number of attribute, involved. In addition comparisons were made between those key habitats inside the Mourne Wall and those without and the whole area.

Assimilation of the results tables is a considerable task but one or two clear trends emerge across all the habitats. These are related to the past and present management of the site as a whole, namely that of intensive sheep grazing. The summary table (Table 1) below attempts to summarise the effects of this grazing by selecting out some key attributes that were measured across most of the habitat types. Most of these are directly lifted from the annex tables, but the signs of human impacts and heavy grazing are an amalgamation of results simplified to a simple comparative score. What emerges is that all the main habitat types are in unfavourable condition.

	Dry heath total	Dry heath inside wall	Dry heath outside wall	Wet heath total	Wet heath inside wall	Wet heath outside wall	Blanket Bog total	Blanket bog inside wall	Blanket bog outside wall	Alpine heath total	Alpine heath inside wall	Alpine heath outside wall	Alpine grassland total	Alpine grassland inside wall	Alpine grassland outside wall
% cover dwarf shrub > 75%	<u>43</u>	<u>55</u>	<u>33</u>	-	-	-	-	-	-	-	-	-	-	-	-
% cover dwarf shrub	-	-	-	<u>37</u>	<u>41</u>	<u>36</u>	<u>32</u>	<u>37</u>	<u>19</u>	77	78	77	-	-	-
% <i>Racomitrium lanuginosum</i>	-	-	-	-	-	-	-	-	-	<u>24</u>	<u>23</u>	<u>27</u>	<u>6</u>	<u>7</u>	<u>5</u>
% <i>Sphagnum</i> moss	-	-	-	-	-	-	<u>21</u>	<u>5</u>	64	-	-	-	-	-	-
% graminoids	30	23	<u>36</u>	52	<u>56</u>	<u>50</u>	<u>60</u>	<u>64</u>	49	-	-	-	-	-	-
% of older heather >25% of heather >35cm	<u>7</u>	<u>12</u>	<u>5</u>	<u>3</u>	<u>2</u>	<u>3</u>	-	-	-	-	-	-	-	-	-
Average ericoid height/cm	20	22	<u>14</u>	16	18	15	<u>16</u>	17	19	8	8	8	-	-	-
% Bare peat	<u>6.5</u>	<u>5</u>	<u>8</u>	<u>7</u>	<u>4</u>	<u>9</u>	2	<u>2</u>	<1	1.5	1	2	<u>5</u>	<u>5</u>	<u>5</u>
% Bracken	1.4	1	2	-	-	-	-	-	-	-	-	-	-	-	-
Signs of human related disturbance/erosion	+	+	+	+	+	<u>++</u>	+	+	0	<u>+++</u>	#	#	+	+	+
Signs of heavy grazing	<u>+++</u>	<u>++</u>	<u>+++</u>	<u>++</u>	+	<u>++</u>	+	+	#	<u>++</u>	#	#	<u>+++</u>	<u>++</u>	<u>++</u>
Sample size (no of plots)	214	102	112	111	45	66	18	13	5	7	4	3	20	7	13

Table 1. Summary of attributes for main habitat feature of Eastern Mourne ASSI, comparing both in and outside the Mourne Wall. Figures underlined and in bold type are unfavourable attributes. – are not applicable attributes for that feature type and # is insufficient sample to make a reliable assessment + is present, ++ medium unfavourable and +++ high and unfavourable

In addition, however, what is also clear is that there is difference between the condition of habitats within the wall and outside. Unfavourable condition is attributable across all the main habitats to past and present inappropriate grazing levels. Looking at the dry heath, the major habitat of Eastern Mourne, cover of dwarf scrub species greater than 75% was only present in 43% of plots (75% the lowest acceptable). Given little evidence of burning or human related disturbance, elevated grazing levels are the likely causal factor for low heather cover. Looking at the assessments of grazing impacts the evidence points to prolonged heavy grazing in the past over quite a wide area, though now this is probably somewhat more localised and in certain areas may be recovering. Further information can be gleaned by comparing the results from inside and outside the wall. Although both areas still are unfavourable for dry heath, the dry heath inside the wall is in better condition than that outside. Cover of dwarf scrub species greater than 75% is 55% inside the wall compared to 33% outside and the intensity of heavy grazing is lower (table 1). It is notable that the attribute for graminoid cover is unfavourable outside the wall – a significant indicator of over grazing in a heathland.

For wet heath the picture is similar. The feature is unfavourable overall but the habitat within the wall is in slightly better condition than that outside. It is notable that whilst the measured impacts of grazing were lower in this habitat than for dry heath, the evidence of physical damage to the wet heaths as measured by the bare ground attribute was on the whole higher than for the dry heath. This reflects the more sensitive nature of this habitat type and the need to carefully manage grazing.

The alpine heaths and grasslands were both recorded as unfavourable. Signs of present overgrazing are extensive especially in the alpine boreal siliceous grasslands with the evidence being in the very low cover

of *Racomitrium lanuginosum*. The impact of humans in these habitats cannot be dismissed and evidence of significant disturbance was also noted as a contributory factor.

Condition Statement

SAC Feature	ASSI feature	Condition
European dry heaths	Dry heath	Unfavourable
Northern Atlantic wet heaths with <i>Erica tetralix</i>	Wet heath	Unfavourable
Blanket bog (active only)	Blanket Bog	Unfavourable
Alpine and Boreal heaths	Montane heath	Unfavourable
Siliceous alpine and boreal grasslands	Montane heath	Unfavourable
Siliceous rocky slopes with chasmophytic vegetation	Inland Rock	Favourable
Siliceous scree of the montane to snow levels (<i>Androsacetalia alpinae</i> and <i>Caleopsietalia ladani</i>)	Inland Rock	Favourable

Recommendations

- A comprehensive review of the grazing on this site is required. The evidence points to over grazing in the past and probably also in the present, although more localised. Details of current stocking levels should be researched and comparisons made between recommended grazing levels for such habitats. (Information does exist on appropriate grazing levels for Eastern Mournes.) Seek appropriate grazing agreements with the major graziers of Eastern Mournes to at least achieve unfavourable recovering * at the next monitoring round. ACTION CDP.
- Consideration should be given to the shepherding of grazing animals in the Eastern Mournes. Certain areas are more damaged than others and effective shepherding of sheep should seek to minimise damage to particularly sensitive areas such as the fragile heaths at the top of Donard and Commedagh and some of the areas of wet heath. Further results analysis and a possible GIS model may help with targeting appropriate grazing – though such information may already exist. ACTION CS, CDP.
- Given the size of the site and range of habitats present, consideration should be given to refining the monitoring methods. The scree and cliff habitats, Siliceous scree of the montane to snow levels (*Androsacetalia alpinae* and *Caleopsietalia ladani*) and Siliceous rocky slopes with chasmophytic vegetation respectively were a little under sampled given the methodology used and some of the attributes recorded need refining to fit more closely with the common standards monitoring guidance. ACTION CS
- Area estimates based on up-to-date aerial photography should be made to assess possible changes in habitat, extents of bracken/scrub etc. ACTION CS
- Further GIS based work could be carried out on the extensive data set. For example the relationship between altitude and grazing pressure could be investigated. Such projects would need to be agreed in advance between CDP and CS staff. ACTION CDP/CS.

* It is reasonable to assume for many of the habitats within Eastern Mournes that appropriate management will ultimately result in favourable condition, but given the speed at which such habitats are likely to recover this maybe in tens of years rather than in a few years time! The aim is to achieve unfavourable but recovering status by the next monitoring round.

APPENDIX 4: Potential direct or indirect impact on Natura 2000 sites and Ramsar sites resulting from the Plan

Issue	Belfast Lough SPA and Ramsar	Belfast Lough Open Water pSPA and Ramsar	Lough Neagh and Lough Beg SPA and Ramsar	Eastern Mourne SAC
Changes to surrounding land use and adjoining habitat / land reclamation	Direct impact if inter-tidal habitat or feeding or roost locations are developed for HMOs. Indirect Impact if HMO development on adjacent land increases disturbance to SPA features.	No obvious potential impact	Indirect Impact: Lowering of water tables via water abstractions may dry out wetland habitats and reduce nesting areas for breeding waders	No obvious potential impact
Aquaculture	No obvious potential impact	No obvious potential impact	No obvious potential impact	No obvious potential impact
Bait digging / shellfish gathering.	No obvious potential impact	No obvious potential impact	No obvious potential impact	No obvious potential impact
Boating activity	No obvious potential impact	No obvious potential impact	No obvious potential impact	No obvious impact potential
Coastal or shore protection schemes	Direct and Indirect impacts if additional schemes are required to cater for HMO development.	No obvious impact potential	No obvious impact potential	No obvious impact potential
Dredging	No obvious impact potential	No obvious impact potential	No obvious impact potential	No obvious impact potential
Fishing	No obvious impact potential	No obvious impact potential	No obvious impact potential	No obvious impact potential
Habitat extent	Direct Impact if loss of habitats through HMO development. Loss of inter-tidal habitat is a critical issue as this is the feeding zone for the majority of birds	No obvious impact potential	Indirect impact if reduction in wetland areas due to water abstraction	Indirect impact if loss of habitat occurs due to additional pipe laying to facilitate increased water abstraction demand from HMOs
Habitat quality	Indirect Impact: Alteration of habitat quality through diminution of water quality via increased sewage effluent	Indirect Impact: Alteration of habitat quality through diminution of water quality via increased sewage effluent	Indirect Impact: Alteration of habitat quality through diminution of water quality via increased water abstraction	Indirect impact if habitat quality diminishes due to additional pipe laying to facilitate increased water abstraction
Introduced / invasive species	No obvious impact potential	No obvious impact potential	No obvious impact potential	No obvious impact potential
Recreational activities.	No obvious impact potential	No obvious impact potential	No obvious impact potential	No obvious impact potential
Predation	No obvious impact potential	No obvious impact potential	No obvious impact potential	No obvious impact potential

APPENDIX 4 (continued): Potential direct or indirect impact on Natura 2000 sites and Ramsar sites resulting from the Plan

Issue	Belfast Lough SPA and Ramsar	Belfast Lough Open Water pSPA and Ramsar	Lough Neagh and Lough Beg SPA and Ramsar	Eastern Mourne SAC
Research activities.	No obvious impact potential	No obvious impact potential	No obvious impact potential	No obvious impact potential
System dynamics	Indirect Impacts: Dynamic systems, especially coastal, can be affected by many factors especially engineered structures. Changes may include alteration in sediment grade, shifts in patterns of erosion and deposition etc. Consequences for habitat and species utilisation of the site can be profound.	Indirect Impacts: Dynamic systems, especially coastal, can be affected by many factors especially engineered structures. Changes may include alteration in sediment grade, shifts in patterns of erosion and deposition etc. Consequences for habitat and species utilisation of the site can be profound.	Potential changes to water levels due to water abstraction	No obvious impact potential
Wildfowling / culling	No obvious impact potential	No obvious impact potential	No obvious impact potential	No obvious impact potential
Grazing / burning	No obvious impact potential	No obvious impact potential	No obvious impact potential	No obvious impact potential
Scrub / bracken encroachment	No obvious impact potential	No obvious impact potential	No obvious impact potential	No obvious impact potential
Water Abstraction	No obvious impact potential	No obvious impact potential	Potential indirect impact on water flooding regime. Potentially significant in relation to adjoining habitat if it leads to reduction in traditional areas of flooding.	Indirect impact if loss of habitat occurs due to additional pipe laying to facilitate increased water abstraction demand from HMOs
Water Level	No obvious impact potential	No obvious impact potential	Indirect Impact: Potentially significant if water abstraction leads to reduction in traditional areas of flooding.	No obvious impact potential
Power Cables	No obvious impact potential	No obvious impact potential	No obvious impact potential	No obvious impact potential
Drainage	No obvious impact potential	No obvious impact potential	No obvious impact potential	No obvious impact potential

APPENDIX 5

Test of Likely Significance Matrix for the Houses in Multiple Occupation (HMOs) Subject Plan for Belfast City Council Area and a TOLS for the Plan in Combination with other relevant plans and projects.

Policy Groups	1	2	3	4	5	6
Natura 2000 Sites						
Lough Neagh & Lough Beg SPA	X	X	X	X	X	X
Lough Neagh & Lough Beg Ramsar	X	X	X	X	X	X
Belfast Lough SPA	X	X	X	X	X	X
Belfast Lough Ramsar	X	X	X	X	X	X
Belfast Lough Open Water pSPA	X	X	X	X	X	X
Eastern Mourne SAC	X	X	X	X	X	X

Plan Proposals

- 1 Policy HMO 1 and Designation HMO 2 (HMO Policy Areas)*
- 2 Policy HMO 3 and Designation HMO 4 (DHMO Development Nodes)
- 3 HMO 7 (HMO Development Outside designated HMO Policy Areas and designated HMO Development Nodes)
- 4 Policy HMO 8 (HMO Development) R2
- 5 Policy HMO 9 (Purpose Built Student Accommodation)
- 6 In combination impact

Scoring: ? = impact uncertain or significant, x = no likely significant impact
 √ = likely significant positive impact

APPENDIX 6: List of Acronyms

DARD	Department of Agriculture and Rural Development (Northern Ireland)
DOE	Department of the Environment (Northern Ireland)
DRD	Department for Regional Development (Northern Ireland)
HMO	Houses in Multiple Occupation
NI	Northern Ireland
NIEA	Northern Ireland Environment Agency
NISRA	Northern Ireland Statistics and Research Agency
PPS	Planning Policy Statement
PS	Planning Service
pSPA	Proposed Special Protection Area
RDS	Regional Development Strategy
SAC	Special Area of Conservation
SPA	Special Protection Area
TOLS	Test of Likely Significance
UWWT	Urban Waste Water Treatment Regulations NI 1995
WWTW	Waste Water Treatment Works

APPENDIX 7: References

Appropriate Assessment Guidance

- English Nature Habitats Regulations Guidance Notes (Series of Guidance notes since 1997).
- European Commission Environment DG (2002) Assessment of plans and projects significantly affecting Natura 2000 sites. Methodological Guidance on the Provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC. Oxford Brookes University
- Department for Communities and Local Government (2006) Planning for the Protection of European Sites: Appropriate Assessment. Guidance for Regional Spatial Strategies and Local Development Documents.
- Scottish Executive (2006) Interim Guidance: Assessing Development Plans in Terms of the Need for Appropriate Assessment.

Area Plan Documents

The Planning Service: Department for the Environment Northern Ireland

- Belfast Metropolitan Area Plan (BMAP) 2015 Draft Plan November 2004.
- Houses in Multiple Occupation (HMOs) Subject Plan for Belfast City Council Area 2015 Draft Plan 2006
- Houses in Multiple Occupation (HMOs) Subject Plan for Belfast City Council Area 2015 Draft Plan Supplementary Document 1: Housing Market Analysis 2006
- Planning Appeals Commission (Kinghan E. and Beggs A.) Report into objections to the Houses in Multiple Occupation (HMOs) Subject Plan for Belfast City Council Area 2015. Report Date 18th March 2008. Commission Ref. 2007/D001

Regional Planning Documents

The Department for Regional Development

- Shaping our Future: Regional Development Strategy for Northern Ireland 2025 (2001)

The Planning Service: Department for the Environment Northern Ireland

- Planning Policy Statement 2: Planning and Nature Conservation (1997)
- A Planning Strategy for Rural Northern Ireland (1993)

Natural Heritage Documents (Unpublished documents)

<http://www.ni-environment.gov.uk/>

Natural Heritage, Northern Ireland Environment Agency, Department of the Environment Northern Ireland

- Conservation Objectives for Lough Neagh & Lough Beg SPA
- Conservation Objectives for Belfast Lough SPA
- Conservation Objectives for Belfast Lough Open Water pSPA
- Conservation Objectives for Eastern Mourne SAC

JNCC Documents:

<http://www.jncc.gov.uk/>

- Natura 2000 Standard Data Form: Belfast Lough SPA
- Natura 2000 Standard Data Form: Lough Neagh and Lough Beg SPA
- Natura 2000 Standard Data Form: Eastern Mourne SAC
- Information Sheet on Ramsar Wetlands. Lough Neagh & Lough Beg
- Information Sheet on Ramsar Wetlands. Belfast Lough

Other Documents

- Environment and Heritage Service (DOE) (2006): Regulation of Water Service Discharges Report 2006-A report by Water Management Unit.
- Lough Neagh Advisory Committee (2002). Lough Neagh Management Strategy: Recommendations from the Lough Neagh Advisory Committee 2002 - 2007
- Department of Agriculture and Rural Development (Rivers Agency) (2004) Proposed Lough Neagh (levels) scheme 2004.
- Water Service (Department of Regional Development NI) (2005). Proposals for the increased Water Supply Abstraction from Lough Neagh 2005-2015
- Water Service (Department of Regional Development NI) (2002). Water Resource Strategy 2002-2030.

Legislation

- Birds Directive: EC Council Directive on the Conservation of Wild Birds (79/409/ECC)
- Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995

- Conservation (Natural Habitats, etc.) (Amendment) Regulations (Northern Ireland) 2004
- Conservation (Natural Habitats, etc.) (Amendment) Regulations (Northern Ireland) 2007
- Habitats Directive: EC Council Directive on the conservation of natural habitats of wild flora and fauna (92/43/EEC)
- The Ramsar Convention on wetlands of international importance especially as waterfowl habitat.
- Water Abstraction and Impoundment (Licensing) Regulations (Northern Ireland) 2006
- Water Framework Directive: EC Council Directive on Establishing a framework for Community action in the field of water policy (2000/60/EC)

