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From: Claire McGuigan [REDACTED]
Sent: 19 April 2019 14:28
To: DevelopmentPlan@midulstercouncil.org
Cc: Slieve Gallion
Subject: Response to the plan
Attachments: Cons letter 19.04.19.docx; Response to Consultation document.docx

Follow Up Flag: Follow up
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Dear Sir/ Madam

Please find attached a response to this consultation from Protect Slieve Gallion.
I'd be grateful if you acknowledge receipt of this email and let me know when we would receive feedback on our response please.

We look forward to hearing from you.

With thanks Claire



19.04.2019

Dear Chief Executive of Mid Ulster Council

We have spent a considerable amount of time consulting with our local communities on your proposed Local Development Plan 2030- draft Plan Strategy- February 2019.

As you can see from our collective response we have a number of concerns regarding the published document and its proposed strategic direction. We would caution against progressing this strategic direction in its current format and would welcome the opportunity to meet with you and the town and country planning committee to discuss the concerns of the local communities we represent in more detail.

Yours sincerely

[Redacted signature]

Response to Consultation document: Local Development Plan 2030- Draft Plan Strategy (Feb 2019) Comhairle Ceantair Lar Uladh Mid Ulster District Council

General Comments

The shape of the consultation is not user friendly. The actual text document is too long (282pages) and lacks contextual detail in many sections preventing the reader from being able to meaningfully engage in the proposed direction being set by the council.

While the actual document has an index and supporting maps the text is based upon many assumptions the most significant being the assumption that the reader has some prior knowledge of previous council activities for example the existing area plan or preferred options plan.

This really begs the question as to how sincere this “public consultation is?” It feels more like the council has set the direction and is just putting this in the public domain now as a matter of obligation as opposed to engaging with the public to help them design and deliver the strategy. The council has failed to work with its public to coproduce this strategy and so cannot expect it to be endorsed in this format.

This document continues to fail to be user friendly with the use of abbreviations throughout the text and the absence of an abbreviation reference list for the reader to refer to which is another barrier to meaningful public engagement.

Also the process of how the strategy has been developed and who was involved in designing the “draft strategy” is not made known to the reader. It would be useful to know who the

members of the working group were and how the public and/ user voices have informed the design and content of the draft strategy this far a before it went out to consultation. Who the authors were would be nice to know also. The governance guidelines for public administration consultations have not be adhered to here.

This lack of transparency prevents the reader from having trust and confidence in the integrity of the development of the strategy and so this distrust will remain in the deliver stages. We call for more meaningful public engagement and openness and transparency on the process and authorship. Without this it's difficult for readers to have confidence that both the short and long term potential impacts of this strategy across all sectors is known by council and is represented in this strategy. The absence of relevant and meaningful baseline data linked to the proposed strategic direction and your analysis throughout the document is shocking and wholly unacceptable for a body representing the public it serves.

This is a fundamental and hugely important point especially as the strategy span is until 2030. More needs to be done to make it easy for the public to meaningfully engage with this strategy. A low consultation response rate/ head of population should not be considered consensual unless the council has taken all reasonable measures to ensure positive meaningful engagement. We challenge the council to engage more.

It would be useful to know what expert groups or forums the authors of this strategy have engaged with to date. The strategy fails to answer how the council has decided this future direction is relevant, credible, deliverable (risk benefit analysis) and evidence based to meet the needs of the local communities from now until 2030. It is not clear from reading

The Local Development Plan 2030- Draft Plan Strategy (Feb 2019) Comhairle Ceantair Lar Uladh Midulster District Council which short term and long term population data sets and analysis have been used by the authors to chart this proposed direction. In the absence of this it's difficult to have confidence that this proposed strategy is able to deliver the "joined up approach" the council claims it wants to deliver via this strategy (p10). We challenge the council to state the actual measurements and data it has considered and how their proposals will improve the quality of life and meet the growing population needs for its communities. What can the local communities expect to see and feel as this strategy is delivered?? This strategy needs more work.

Specific Comments

Introduction

- The plan strategy claims that it will "improve the quality of life and meet the needs of our growing population" (p10) - but nowhere in the text does it say what indicators for "improving quality of life" will be used or how these will be monitored over the next 11 years? Additionally no evidence has been presented to support the strategy from the outset. For example trend analysis on deprivation index etc have not been used to "set the scene as it were", and explain why, what you are suggesting is helpful to the local communities. We do pick up some detail in the housing section about those aged but nothing about the number of single parents both male and female, and children living in poverty and absolute poverty to support your decisions not to proactively build more social housing?? This is unacceptable as it is obvious at grass

roots community levels the absolute need for high quality safe social housing in Mid Ulster is immediate. The human right to safety and a home must be realised for all citizens including the homeless and marginalised through circumstance. This strategy fails to address or link to any such strategy which addresses these issues.

- Income figures and employment figure breakdowns could be used to expand and explore this into a more meaningful and effective strategy to ensure the marginalised across Mid Ulster are not only supported but valued – what type of society will Mid Ulster be by 230?
- There is no supporting evidence or audit data on the housing allocation policy and waiting lists for social housing, temporary accommodation figures etc so its hard to know what evidence guides this strategy’s proposals.
- How are you proposing to deliver and monitor the implementation of this strategy- how will public know if it’s working? Have or will the public be involved in setting up the indicators. What is you public engagement strategy and communications strategy to support this? There is an absence of integration of this strategy to other council strategies.
- The language used at 1.6 (p10) is inspiring and fit for the future. It is not only welcome but to celebrate. However we await the proof in how “place shaping” and a more “joined up approach” will be realised. It would have been very useful to have said how you intend to do this and how the public will be involved in shaping these spaces- hopefully a more dynamic approach will accompany the vision- we remain hopeful and will watch with interest how new ways are developed for positive engagement. But at

this stage we do not have enough detail to be confident in your intentions for cross council integration.

- The draft strategy states that during the 5year review cycle of this strategy the "regional strategic policy" will be taken into account. It is unclear if this means that the "regional strategic policy" takes precedence over this strategy; and/or if there are mechanisms for the council to come back to the public if/when the regional strategic direction is in tension with the local population needs- this level of confidence is sought now to ensure that the council remains in touch with the local communities and as such is their advocate in matters of strategic development. We challenge the council to examine its current processes to ensure that the lay voice is front and centre of all it does. We ask that the council to include as a minimum the process as to how these two strategies co-exist in reality and how the public voice will be sought at regular times during the 5year review.
- At point 1.8 will a checklist be made available to the public so they can see how the criteria for "zoning and protection" will be applied in the planning process? It is clear that this would be used for internal operations but what was less clear was how this connects to the public at this point and really throughout the strategy. So much so that it feels like you are telling us what the council is going to do but not telling us as the local community how we could be involved, influence and access relevant information.
- At point 1.10 it is unacceptable to say that the local area plans, some of which are 9years old already, will remain in operation "until such times that the Local policies plans are developed" (p11). This is not good enough. The local

policies plan should run in a fixed timeline to support this strategy. At the very least we should have confidence that the existing policies have been reviewed and made relevant in the last 9 years. If this is part of normal process then say it but as it currently reads one could assume the gap has not been analysed between 2010 and 2019; if this is the case then it is wholly unacceptable.

- The preferred options plan 2016 needs to be read in conjunction to this draft strategy. It is not included in the pack nor is there a hyperlink in the text for the readers' perusal which is perhaps an oversight; if included, it would have assisted the reader immensely. We recommend that this strategy is written in such a way that the target audience has been considered and what specific information you are looking public opinion on is clear please. To have to search for further documents and resources out with a consultation document is not acceptable. This strategy could have been enhanced by asking the public questions at the end of each section for example "What do you think of each of the policy statements, how do you think we can deliver this etc?" "Would you like to be involved?" We urge the council to overhaul their consultation process please to increase participation and public engagement in shaping local communities.
- An interesting point is made at 1.15 where a definition of community planning is presented. This is most welcome and provides some assurance that the council works with partner and communities to develop a community plan. We challenge the council to review and publish who their stakeholders are who inform the community plans and ensure that a public call for inclusion in this work is made annually to keep it relevant. To this end we would like the

council to extend an invite to Protect Slieve Gallion a local community group to be included on all the community development planning meetings, processes etc.

Education, Environment, Planning, Health, etc

- The Community Plan's vision is recorded as "Mid Ulster...a welcoming place where our people are content, healthy and safe; educated and skilled; where our economy is thriving; our environment and heritage are sustained and where our public services excel." (1.17 p13)

This encompassing vision lends itself to the more joined up approach the council is keen to progress but we would challenge the council to state on how this strategy if realised will actually deliver this vision. How will the council measure this? How will the public expect to feel in MidUlster over the next 11 years? For example how will farming be redefined in MidUlster. Where is the strategy that values this significant industry; helps it to reduce its carbon footprint and connects it to this local development plan? There is nothing here to promote smaller fields, regenerative farming practices, restorative farming practices and biodynamic farming practices in planning initiatives and incentives so that by 2030 we would have world class "brand" for the future ? This strategy doesn't connect or go far enough to present a hopeful vision for integration in this context. It feels like the strategy is maintaining the status quo and not actively progressing or challenging sectors to innovate for the future. We must open our minds to deliver a better future and show leadership now for the future.

- It is rather surprising that this strategy has ignored our current political context where the UK is leaving Europe and the absence of a NI Assembly. And so we ask that the strategy reflects the current political context and presents

a narrative that reassures the public as to how council decisions and how this very strategy will be ratified, when and by who given our unique current political context. More openness and transparency is required in this regard. Is this strategy irrelevant in a political vacuum? If so to what extent?

- In this draft strategy the council has decided to use 13/15 outcome based indicators from the draft programme for government 2016-2021. We would challenge the council that if it is determined to deliver a more joined up approach via this strategy that all 15 outcomes should be included in this strategy and every strategy. In doing so innovative ways to integrate across divisions will be facilitated from the outset. This narrative leadership may prevent future silo mentality across council. .
- It is great to see reference to the six guiding principles of sustainable development as cited in the NIE's "Everyone's involved- Sustainable Development Strategy (May 2010) p15. We suggest that this strategy should be laid out clearly using these headings. We call on the council to use these six principles throughout the development of this strategy and let the public know how the direction they are proposing will deliver against each of these principles in MidUlster. For example how is MidUlster council using sound science responsibly to ensure we have a strong, healthy, just and equal society. We note that there is a clear absence of evidence being used to inform the strategic direction set in this strategy.
- Pages 16-17 points 1.31 ESTF strategic objectives to enhance the quality of life for all and reduce the environmental impact of transport and 1.33 SPSS statement are mentioned but not integrated throughout the

document. We would ask that the “joining up” begins in how this strategy is written.

- The strategy fails to outline how Project Ireland 2040 will affect MidUlster again leaving the reader to fact find and search for information. This is not acceptable in a high level document. More detail and transparency is needed in this aspect of the strategy.(p17)
- It is interesting to learn of the three cross boundary forums; Protect Slieve Gallion request that it is included on these forums.
- Will the rural proofing be conducted with public representation? (p20)
- When is the new biodiversity strategy being developed- We request the Protect Slieve Gallion be involved in this work.
- When will the HRA be available to the public?

MidUlster Context & Key Issues

- Demographics- it would have been great to see the actual profile of the population of MidUlster as an Appendix. And some specific facts used. For example what does a greater proportion of people aged 64yrs old look like? How is this distributed across MidUlster? What number of people are we talking about? People are living longer so why has the council chosen to use over 64yrs old data and not over 75yrs data? What is this data’s link to morbidity, mortality, use of services, housing, environment employment etc. How does this data integrate this strategy to others? The strategy could go further to envision what initiatives are planned for to help people age well in MidUlster? Living with disability at all ages. MidUlster has a high rate of autoimmune diseases,

MS, autism and we don't see health connected well to this strategy. We challenge the council to integrate its strategies better in such documents and showcase some of the existing good work it is already doing.

- Who has estimated that NI provides 40% of the world's mobile screening and crushing equipment? (p23) in such a high level document a factual evidence base is preferred to base a strategy upon.
- 76.63% of those who live in MidUlster travel to work by car (NISRA 2015) what are the innovative plans to reduce the carbon footprint in the rural MidUlster?
- The general levels of health in the district are cited as "good" despite having poor access to emergency services p25. What do you mean by good? What data are you using here? How is "good" distributed across the rural landscape? A map of this would have been useful to consider "place shaping" compositely. Data such as what's the birth and death rate in MidUlster and quality of life indicators are more useful to giving meaning to the feeling of the community. More needs to be done in this aspect of the strategy.

Local Development Plan, Vision and Objectives

- At point 3.8 we note the council's aim to maximise waste recycling in MidUlster which is welcome but we suggest that current controls in place to improve air quality are not suffice in scaling up. So what are your plans here? We look forward to the plans for this coming to the public for consultation with the publication of an updated evidence based governance framework which will safe guard air quality, water quality at near and distributed sites, environment, biodiversity and agriculture Mid Ulster

will be recognised as a centre for engineering excellence, for vocational training and research and development is most welcome. We await sight of this strategy and plan and would ask that Protect Slieve Gallion is included in this initiative.(p30 3.11) We need this integrated into the common agriculture policy and environment policy where carbon footprint of MidUlster is known proactively measured and managed. The council must do more to engage and join up the use of an organic and biodynamic farming and agrifood industry and not just except that MidUlster relies on the mineral industry. What are you doing to diversify this dependence? The Council highlights the extent of reliance of Mid-Ulster's local economy on the mineral industry 'with the District being nearly twice as reliant on the construction industry for employment as Northern Ireland as a whole'. Given the fact that the minerals industry is one of the most environmentally damaging industries globally, there is an imperative to find more sustainable alternatives urgently. This necessity is not reflected in the Mid-Ulster draft plan document, instead the plan ties the District into further dependence, and thus, further environmental devastation. As our Council you are required to understand what the precise social and environmental impacts of extraction activities to date are, and the strategic need for proposed future extraction. This essential analysis has not been done, therefore to commit to further extraction without this baseline information is premature and potentially extremely damaging to the environment and the wellbeing

- of the population within your District. You also have an obligation to reduce carbon dioxide emissions and extractive industries contribute significantly to climate change.

- Regional Policy Context 14.6 -We refer to the following text: “The SSPS directs that our Plan should ensure that sufficient local supply of construction aggregate can be made available for the local market, and where appropriate the regional market area and beyond, to meet likely future development needs over the Plan period.”
- The SSPS cannot ‘direct’ the Council’s Plan. The test for soundness considers whether the Council has ‘taken account’ of policy and guidance from the Department, however the Plan-led system gives legal precedence to the Local Development Plans of the Councils. Additionally, the assertion that Mid-Ulster Council should sacrifice its environmental integrity to satisfy external markets is extremely flawed. The lack of clarity also, of what ‘beyond’ means deems this policy statement untenable. Does this mean that Mid-Ulster must continue to extract from its fragile environment to satisfy building projects in other continents?
- 3.13 – Recognising and supporting carers is a welcome action point in this strategy. It would be useful to know how many carers there are in MidUlster and what support they actually need apart from making it easier for them to live close to their families which is really most welcome. This doesn’t go far enough. How will technology help carers in rural MidUlster by 2030?
- 3.14- having affordable places to live is relative and so this point must be put in context for those who can afford and those who cannot afford. For the latter how does this strategy support and facilitate them to be the best they can be and have a home of their own?
- To provide 11,000 new homes by 2030 capable of meeting the needs of families, elderly and disabled and

single people (p31) is so positive and most welcome. It would be nice to see how this is likely to be dispersed across MidUlster ideally.

- We note with optimism the council's commitment to reduce contributions and vulnerability to climate change and we are keen to see this plan. Protect Slieve Gallion would like to be involved in this work
- We caution the general statement on page 3 "to promote a range of jobs inmining". It's imperative that mining is not used as an encompassing term to mean all mining in this strategy. We call for the council to recognise the immediate need to ensure a distinction is made in their strategies, policy and law to reflect between those activities that refer to mining for precious minerals only and those that relate to the extraction of aggregates from the ground. It is imperative that the council support our call for this separation so as to restore public confidence in the direction it is setting regarding the mining for precious minerals. Clarity of definition is required to prevent misunderstandings. The extractive industry is preventing the development of alternative, more sustainable business.
- The Council's Draft Plan fails to consider in any meaningful way how the District can transition from an unsustainable and environmentally destructive economic model to a more just and sustainable model.
- The investment in power, water sewage infrastructure and waste management particularly in the interests of public health are very welcome and we await an integrated strategy on this work. Protect Slieve Gallion would like to be involved in this work.

Growth Strategy & Spatial Planning framework

- We are delighted to read that the council has committed to strengthen community cohesion and we would ask that the council exercise its power in this regard given the current destruction and division of our rural communities since the active policy for mining for precious minerals began. The expansion of the extractive industry in your plan blatantly contradicts these sought-after outcomes. Our health which is sustained primarily by our environment should be front and centre of this strategy and all you do in our name. We challenge you to reflect to do more; you asked for our opinion and we expect that you will respect it.
- Our climate is in chaos due to our industrial activities and we are destroying the life-support systems that our children and the generations to come need to rely upon. There is a wealth of scientific evidence, most notably the IPCC's most recent report, showing how our environment is in peril and how our children will be much worse off in terms of security and a healthy environment if drastic, immediate action is not taken. Your Council's LDP should contain a comprehensive strategy on how to reverse our impact on Climate Change.
- We call on the council to advocate for our local communities and be custodians of our landscape and the Sperrins in particular. We call for all active prospecting licences for precious minerals to be stopped immediately. We ask the council to exert its influence on the department to ensure that no new prospecting licences are approved or existing ones renewed until there is a public inquiry into mining for precious minerals in N.Ireland. There is an urgent

need to have an effective evidence base governance and legislative framework developed to support the this industry; it would be reckless to proceed without one. We call on the council to proactively support this.

- We are disappointed that MidUlster council's minerals policy for the duration of this strategy is not available to support this document. In absence of such this cannot be progressed.
- We ask that the public and Protect Slieve Gallion are consulted in the development of the governance structure and local minerals policy asap so as to restore public confidence in our councils plans. It appears from reading the draft strategy that our council that aims to care more for those most vulnerable and in need. Has failed to recognise and accept that the most vulnerable are those most at risk from an ailing environment, especially our children whose future we are adversely affecting by continuing to rely on the extractive industries.
- The councils ambition to facilitate a safer community into 2030 is ironic given the fact that it has endorsed and permitted mining and other destructive projects without a clear social licence. The citizens beginning to uncover the scale of this policy that the council has been implicit in. Such processes and policies will only cause conflict and division within and between communities and will erode trust between citizens and government. Living beside a toxic mine or an unlawful quarry also does not equate to a safe community. And you as a collective entity and individually should know better and do more as key players in the custodians of our country. We need to trust you so lease come out

with a strong message that you have stopped supporting mining of precious metals.

- Additionally, one of the three cross-cutting aspects of the Community Plan is 'Sustainable Environment'. The preference given to the extractive industries in the Council's draft plan directly contradicts this pillar of the Community Plan.
- We would challenge the council to actively seek out a new position in regard to mining for precious minerals in MidUlster and via the devolved powers of authority it is soon to be afforded to seek to lead policy that will safeguard the rural environment and population health from now to 2030. Such mining is a public health concern and an integrated community planning approach is needed urgently. We call on the CEO of MidUlster council to set up a task and finish group using a community planning approach to explore the claims concerns and issues of the local communities in relation to mining for precious minerals on Slieve Gallion which currently has an active prospecting licence approved and administered by Koza. This proactive step would serve to diffuse community tension and maintain dialogue with the local communities.
- POLICY MIN 1 – MINERAL RESERVE POLICY AREAS - We object to the existence of Mineral Reserve Policy Areas for economic purposes. The extractive industries have substantial, adverse and irreversible effects on our environment and as such, the LDP of the Council should be focused on transitioning to a sustainable, circular economy. Within such a transition, our towns need to be strategically

improved and allowed space to evolve (in part, to avoid further encroachment into our countryside). The Mineral Reserve Policy Areas are extremely close to the towns of Coalisland, Dungannon and Cookstown – thus preventing the sustainable evolution of these towns, not to mention the health worries to the populations of these towns from living so close to industrial quarrying.

- What has not been considered in this Policy, but what was mentioned in the Council's Overview, was the safeguarding of areas for mineral conservation. This would be necessary with the presence of hydrocarbons, for example, which should be conserved, and not exploited, if we are to avoid the worst effects of climate breakdown.
- The Strategic Environmental Assessment (SEA) is both incorrect and inconsistent regarding Mineral Reserve Policy Areas. In one instance it states that 'None of the approaches [considered] were found to have any significant negative impacts.' Yet then goes on to state 'Both approaches are likely to be negative in terms of all of the environmental indicators because they will both involve a degree of quarrying which will have spin off impacts on traffic, landscape, air quality, water quality and on the landscape.' It then concludes 'However, there will be no major negative effects caused on any of the environmental indicators.' As stated earlier, if baseline evidence on the environmental and social effects of existing and previous extractive projects has not been carried out, then an SEA of the potential environmental and social impacts of future activity cannot be relied upon.

- Reduce the carbon footprint – encourage household's to recycle more is useful to a point. One barrier worth noting is that in Antrim council area you put a sticker on your brown bin when you need new liners- such an approach doesn't happen in MidUlster but may assist in achieving more household waste recycling.
- How are you planning to reduce the carbon footprint of the farming community- we do not see any innovative strategy in this document that addresses this and we challenge the council to do more in terms of restorative, regenerative and biodynamic farming.
- We welcome your commitment to protect conserve and where possible enhance our built heritage and natural environment. But we don't believe you will do this as its not in the plan how you proposed to do this.
- We note the councils recognition that the Sperrins and Lough Neagh offer opportunities for tourism investment. The tourism strategy is in direct tension to the mining for precious minerals plan and so we call on the council to reposition tourism and expand the offer to develop a brand uniquely identifiable as "old Ireland" where the skills of our heritage such as animal husbandary, biodynamic and restorative farming principles are accolades of success recognisable across the globe. This will expand into the agrifood sector where prime foods will bring a higher premium. We call on the council to do more, to look to emerging markets, cross reference this to health and well being and build tourism across all sectors not just leisure.
- We thank the council for acknowledging that the RDS Housing Growth Indicators may change during this strategy

In relation to point 4.27 it is not clear what the threshold is for the council in relation to identifying a “need for social housing” during the planned period. There is a lack of evidence on affordable housing, the mix and blend of private landlords vs other in the strategy. So this vague statement does little to reassure us as where environment protection is ranked in this decision making framework. More detail is needed and integration to other appropriate strategies would be useful. It is not clear if the measure of not less than 25% the total number of units for social housing is suffice as there is no supporting evidence on this. This requires further detail.

- We note with interest that principles of clustering are to remain the format for dwellings until 2030.
- We note that the council recognises the needs of fishermen, rural business and careers as “special” in this strategy (p41) and yet policy CT2 is restrictive at point (j) – it is not necessary to over burden this community when you claim to recognise their special circumstances. Fishing families over the last 15years have dwindled due to lack of investment in the industry. This strategy should make it easy for those who hold fisherman’s licences to return to fishing even if they have been living abroad. We would advocate that the restrictions of 6years and 10years are lifted and the planning process facilitates the regeneration of this unique industry in MidUlster.
 - We welcome the council support for farm diversification and policy to facilitate people to work from home.(4.41
 - 4.43 identifies only three dispersed rural communities yet there are many more. So we are pleased to see

that the council intends to scope out and see which other areas in its jurisdiction meet this classification. This work needs done as a matter of priority as it helps the council profile and target resources more effectively now and in the future. We look forward to reading which areas have been added to this list and how this classification will benefit the communities.

- We note that the council has acknowledged the commute to acute hospitals as the greatest and so we challenge the council to create services that will support those who live furthest away.
- 4.56 (p45) explains how the council acknowledges those areas that need protecting and while this is welcome we challenge the council to review the criteria used and to explore if there are indeed other areas/landscapes/habitats that are also vulnerable and create a progressive integrated policy on this. In particular Slieve Gallion should rightly fall into one of these areas that needs protection and we urge the council to open the debate on this. Protect Slieve Gallion look forward to being a partner in this progressive policy initiative.

General Principles Planning Policy

- We are delighted to see that the council has committed to preserving the landscape character and recognises the need to protect and promote biodiversity as outlined in its planning principles p60.

Social policies

- In relation to policy TH1- Travellers accommodation we would hope that the needs of this community has already been determined prior to going to press and if not that the strategy is not approved without their voice being heard. It is not clear from the strategy what/if any consultation has happened with this sector of our community.
- Point 7.6 -7.8 are welcome strategy statements and we look forward to seeing how these are delivered in the future.
- It is great to see policy HOU2- which will ensure that there is a mix of dwellings and house types to accommodate the broad needs of our population of MidUlster. Single occupancy, bungalows among town houses etc are a sign of progressive change but we challenge the council to look more holistically at community development and respond to local need based upon the specific needs of that population/area and not just have a blanket policy that all new developments have for example at least two bungalows. A long term population needs based analysis is needed to inform this strategy – it should be included as a hyperlink for the reader.
- Policy CT1 p79 – recognises the need to prevent further urban sprawl and mar the distinction between a settlement and the surrounding countryside. It emphasises the need for planners to complement rural character and existing settlement patterns and is sensitive to the environment. This is welcome and we look forward to learning how this will be realised in the future.
- Policy CT2 p82 is restrictive at point (f) in the case of inactive farms. If we are to encourage diversification this point could be more facilitative by stating dwellings on inactive farms will be considered but only one dwelling will

be considered unless in the context of a carer. (You may have families retiring in the near future and their parents still alive)

- This policy CT2 is restrictive at point (j) – it is not necessary to over burden this community when you claim to recognise their special circumstances. Fishing families over the last 15years have dwindled due to lack of investment in the industry. This strategy should make it easy for those who hold fisherman’s licences to return to fishing even if they have been living abroad. We would advocate that the restrictions of 6years and 10years are lifted and the planning process facilitates the regeneration of this unique industry in MidUlster.
- We welcome the facility in the strategy that supports replacement dwellings and in particular 8.39.
- We welcome 8.53-8.55 in relation to dwelling for carers or someone availing of care; this is inspirational and to be celebrated. That said point 8.56 is somewhat restrictive and should be reconsidered
- Point 8.61 must be more flexible if you re to attract fishermen back into the industry- We suggest lifting the “6years fishing licence criteria” **and** “must have fished in Midulster in the last 6 years”. Where is the evidence for this? This is disproportionate and will discourage rather than encourage more fishermen back to the revival of the industry by 2030.
- What is the rationale for using a “clachan” style approach it’s not clear in the text?
- 8.71 is very restrictive (p90). Biodegradable materials are used in the modern mobile homes and this blanket statement gives no consideration to the innovation in materials and technology. It also fails to recognise the

evidence base that has supported other international countries to embrace such housing solutions in the countryside. This needs reconsidered as there is a potential engineering and educational synergy here too.

Health Education and Community Users

- We note the council's acknowledgment of the lack of an acute hospital to support the population of 145,400. We note that 11,000 new homes are proposed and that average occupancy is 2.8 people. This equates to potentially 33,000 more people living in MidUlster (minus the death rate and migration rate). While people are currently happy to live in MidUlster unless this risk is mitigated MidUlster could end up with higher mortality rates across more conditions. Access schemes from the remotest area must be developed and prioritised.
- This strategy recognises that MidUlster has a higher proportion of deaths from cancer, circulatory and respiratory diseases than the rest of NI 9.2 p93. This is really significant and while its right and proper that the strategy notes the fact that some residents have to travel over an hour to an acute hospital we challenge the council to quantify the range of travel times across the council area and campaign for better services for its population.
- Evidence states that those who receive acute care within the first hour of respiratory and circulatory intervention have better outcomes ie they more likely to live is crucial. So it's not clear what the council is doing about this- more detail needed.

- The strategy fails to recognise are the environmental issues that attribute to these health conditions. It also fails to present the chronic disease burden of the population of MidUlster and in doing so the strategy is narrowly focused and will have minimal effect for the majority of it citizens. We challenge the council to use chronic disease indicators and predictive analysis plus the best available evidence to devise social policies to truly improve the health and well being for those living in MidUlster.
- Interestingly point 9.15 aims to reduce the percentage of health related deaths in MidUlster and yet how it intends to do this is not clear. More information is required and the link between environment and health warrants escalation and further integration in all aspects of this strategy.

Urban design

- P99- Can someone put in their thoughts here please?

Open Space Recreation & Leisure p105

- Passive recreation facilities could be further promoted and developed to include different walks and trails in the Sperrins.
- Forest trails with outdoor movies and play areas to attract local families and visitors are much needed. A welcoming communications plan is need to market these activities.
- Biodiversity education and nature protection and data gathering projects should run each season as the norm and be sponsored by the council. Bee hives should be encouraged.

- Third level education should be developed to progress all environmental issues especially farming.
- 11.6 Children's play facilities are much needed in all towns and villages

Minerals p141 POLICY MIN 2 – EXTRACTION AND PROCESSING OF HARD ROCK AND AGGREGATES

ACMDs

- We object to the exceptions to the constraint on extraction in ACMDs. These areas are, as your document states: 'areas of intrinsic landscape amenity, scientific, heritage value', as well as fragile habitats for protected species. A 'minor expansion' is still unacceptably damaging for these important areas and the provision of stone for restoration and maintenance could be sourced outside these areas in need of special protection.
- We also argue that the ACMD should be amplified to include the entirety of the Area of Outstanding Natural Beauty which is the Sperrin Mountains.
- We also object to the statement 'Elsewhere, extraction and processing of hard rock and aggregates will conform with the Plan'. To the contrary, we call for a moratorium on new extractive projects until all the following criteria are met:

(a) A cumulative assessment on the impacts of all extractive industries in your Council area is carried out to develop a scientifically accurate baseline against which all future Environmental Impact Assessments for extractive industries can be reliably assessed

(b) You carry out a review of extant consents for extractive industries to comply with the legal requirements under Regulation 45, 46, 50, 51 of The Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 to ensure compliance with Article 6 of the Habitats Directive

(c) An objective assessment is carried out of existing unregulated and unassessed extractive industries in your Council area to enable you to assess:

- strategic need for further extraction
- current volumes of extracted material (please note the annual minerals statement

is not up to date and industry claims require independent verification)

- human rights of communities affected by the industry
- social impacts
- economic impacts
- environmental impacts

(d) An independent economic assessment is carried out to assess the benefits and

disbenefits of extractive industries that addresses at all issues including:

- bonds for councils
- restoration planning
- clean-up costs
- contribution to local economy
- economic damage to other industries

- impacts on road infrastructure, public health, impacts of unlawful extraction on

lawful businesses, etc

- benefits and disbenefits of existing extraction

(e) Art 18 of the Quarries Order (NI) 1983 requires a return to be made each year by quarries. Until this is carried out and the figures assessed by your Council it is premature to approve any new quarries without objectively validating current extraction and strategic need

(f) ROMPS – The Review of Old Mineral Permission is carried out either by the

Department for Infrastructure or a similar exercise independently by your Council (Planning Act (NI) 2011 Schedule 2 and Schedule 3)

(g) An assessment of human rights impacts of existing and proposed extraction addressing

- Access to information, participation and access to justice/redress

- Right to life

- Right to pursue land-based livelihoods

- Right to food, water, housing

- Right to health

- Children's rights

- Cultural rights

- We also insist that the Council should adopt a policy against the granting of retrospective permissions to

extractive activities. Unauthorised EIA development can never be approved retrospectively.

- 14.17: Regarding the Council's assertion that the shores of Lough Neagh are protected from extraction, we argue that they are not protected from the extractive industry – due to the presence of processing plants and all the transport and infrastructure attached to this, thus we assert that more regulation is needed to protect this Special Countryside Area.
- We object to the Council's omission of Lough Neagh itself from the SCA as we believe the extraction of sand to be unlawful and therefore should be halted until proved otherwise.

14.18: As stated above, we object to the 'presumption in favour of hard rock and aggregates extraction and processing'. It is premature for your Council to develop a robust, defensible and comprehensive minerals policy until the issues listed above are resolved, legal obligations fulfilled, baselines established, and orderly planning is carried out.

POLICY MIN 3 – VALUABLE MINERALS AND HYDROCARBONS

- We object to the policy statement: 'The exploration and extraction of valuable minerals including hydrocarbons and metalliferous minerals will accord with the Plan providing that there are no significant environmental impacts or significant risks to human health.'
- The use of the word 'significant' regarding environmental impacts and risks to human health is subjective, open to a huge range of interpretations, and thus renders the policy statement invalid;

- significant by whose determination – the public or the mining industry? This policy statement should be replaced by a presumption against the exploration and extraction of hydrocarbons and valuable minerals, including metalliferous minerals, because of the environmentally damaging methods of extraction that are not acceptable. The policy regarding ‘unconventional’ hydrocarbons should be extended to include all hydrocarbons, due to their contribution to climate change.
- **14.19 In reference to the statement: ‘There may be situations where minerals are discovered which are particularly valuable and the exploitation of these would bring about economic benefits’,** we question this conclusion that the exploitation of valuable minerals brings about economic benefits and ask the Council for its robust evidence for this. Given the cost of the environmental damage sustained, the cost of adopting to climate change -brought about, in part, by excessive extraction, the social costs of ill-health and community conflict, and the fact that the majority of profits from valuable mineral extraction leaves the country with the multi-national corporation, the economic benefits to the population of Mid-Ulster are negative.
- **14.20: Regarding the statement: ‘Where such high value metalliferous minerals are found, there will not be a presumption against their exploitation in any area’** – we strenuously object and instead insist that there should be a policy presumption against the exploration and extraction of metalliferous minerals given their destructive impacts on communities, landscapes and ecosystems.
- To support our objection we list the following reasons:

Reason 1: There is sufficient gold in circulation to meet the world's current industrial needs and there are alternatives such as urban mining (mining existing waste) to recover gold and other valuable minerals.

Reason 2: The policy presumption in favour of mineral exploitation "in any area" that may be "particularly valuable to the economy" as contained in 6.157 in the Strategic Planning Policy Statement, and which the Council echoes in 14.20, is exceptionally permissive and needs to be challenged by more sustainable policies in your Local Development Plan. This policy in 6.127 effectively gives policy supremacy for mining above all other land uses, such as farming, residential use, nature conservation and tourism.

Reason 3: The economic evidence from around the world demonstrates that these industries extract wealth from local economies, can adversely affect jobs in tourism and agriculture and leave long term problems with often irreparable damage that has a negative impact economically.

Reason 4: With the introduction of the plan-led system your Council is not obliged to follow the permissive policy and have a duty to pursue your own policies in your development plans.

Reason 5: Given the criteria identified in the section above a precautionary approach is needed to enable the regulatory and legal context 'catch up' so a robust planning framework can be established. To do otherwise and accept a permissive policy is premature.

- The protection of the environment and human rights should be core minimum policies for the

regulation of this sector through the planning regime. Learning from international best practice, we believe your polices should:

a) Develop an overarching resource vision that transforms wealth into inclusive sustainable development. Whether to extract or to leave resources in the ground requires questioning of the environmental, social and human rights costs and benefits for the country and future generations

b) Ensure a new mineral resource ownership strategy with the Department for the Economy and the Crown Estates is established and how these mineral rights align with other surface rights to land

c) Strengthen coherence and coordination with other regulatory bodies such as GSNI, Public Health Agency, NIEA and transboundary agencies from the Republic of Ireland

d) Improve enforcement by your Council for existing extractive industries especially existing unauthorised activities which are significant

e) Access to information, public participation and access to justice as required by the Aarhus Convention is a foundation to be established before new consents are issued. This will provide transparency and ensure an informed public can participate in decision making and provide mechanisms to hold decision makers to account

f) A comprehensive strategy on restoration, financial bonds, and aftercare needs to be established

g) To give certainty and security to other land uses and the human rights of others, the Council must address what are the acceptable distances of different types of extractive

industries in relation to housing, farming, other land uses, schools and communities

h) You will be aware of the UK commitment to the UN Sustainable Development Goals. We refer you to Extracting Good Practices from the United Nations Development programme.

- International best practice should evidently inform the Council's Mineral Policies.

14.21: Regarding the statement: 'Exploration for such high value metalliferous minerals can usually be carried out under the current permitted development rights however, where planning permission is required, full consideration will be given to the potential environmental impacts and any risks posed to safety or human health', we call into question this assumption that permitted development rights are applicable for exploration of high value metalliferous minerals, and as such escapes assessment of the potential environmental and human health impacts.

- In anticipation of the outcome of the Department for Infrastructure's consultation on the issue of permitted development, we feel it is necessary to draw the Council's attention to concerns which have not been taken into account when considering Permitted Development Applications in respect of applications that fall under parts 16 and 17 of The Planning (General Permitted Development) Order (Northern Ireland) 2015 (GPDO). Where any development is identified in either of the Schedules to the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017 and an Environmental Impact Assessment

is applicable, Permitted Development rights do not apply (see Article 3(8)(b)(i) of the GPDO).

- This provision states that permitted development is not granted in respect of developments of a description mentioned in column 1 of the table in Schedule 2 to the EIA Regulations where any part of the development is to be carried out in a 'sensitive' area.
- 'Underground mining', 'deep drilling' and 'surface industrial installations' are all mentioned as activities within column 1 of the table in Schedule 2 to the EIA Regulations. Moreover, the Sperrins is classed as a 'sensitive' area within the meaning of the legislation due to the fact that it is both an Area of Outstanding Natural Beauty and in the proximity to an SAC within the meaning of regulation 9 of the Conservation (Natural Habitats) etc Regulations (Northern Ireland) 1995.
- Accordingly, Permitted Development rights should not be granted in respect of such activities within the Sperrin Mountains without an EIA screening and a screening under article 6.3 of the Habitats Directive. It is clear that the cumulative impacts of exploration of metalliferous minerals require both a full Habitats Regulations assessment and an EIA.
- Furthermore, the basic aim of permitted development is to exclude relatively minor and noncontentious development proposals from the requirement to obtain planning permission and to allow the planning department to concentrate on more contentious applications that may have greater impacts on amenity and the environment. In a comprehensive report to the Department regarding General Development Order in 2003, Nathaniel Litchfield and partners wrote, "permitted development should only

be given to development which is marginal and incidental to existing uses of land”. It is indisputable that exploratory mineral mining is not marginal nor incidental.

- **POLICY MIN 4 – PEAT EXTRACTION**

- We support the policy presumption against commercial peat extraction. We believe, however, that the exceptions to commercial peat extraction, especially ‘where the peat land is not reasonably capable of restoration’, will invite planned despoliation of fragile bogs. A more comprehensive policy, to ensure that this is not the case, is required. As the Council rightly points out, our bogs are our most important carbon stores that we have, given our severe lack of woodlands, and thus must be afforded the highest protection possible. To this end, a more stringent policy on enforcement of infringements needs to be developed.

POLICY MIN 5 – RESTORATION OF MINERAL SITES

- We refer to the following statement: ‘**All applications for mineral development must include, where appropriate, satisfactory and sustainable restoration proposals**’; clarification is needed on the stipulation ‘where appropriate’; for this policy to be effective the Council would need to specify when it is appropriate and when it is not. We would direct Mid-Ulster District Council to Fermanagh and Omagh District Council’s draft LDP, Draft Policy MIN02, which we would commend: “All applications for mineral development must be accompanied by satisfactory proposals for: the final restoration scheme and proposed future land use;
 - timescales for completion of restoration including details of completion of individual phases of restoration where a progressive scheme is proposed;

- aftercare arrangements once restoration is complete; and site management arrangements including security during and after the process of restoration.”
- Additionally, as part of any mineral development, a restoration and aftercare bond or other financial provision should be required to ensure full restoration and reinstatement of the site.

14.31 – the policy justification points to ‘successful progressive restoration proposals which have witnessed sites being used for a completely different purpose post exploitation than was the case pre exploitation’. Whilst we do not object to progressive restoration proposals, we would object if the commercial benefits of restoration proposals were to be taken as a material consideration for the granting of extractive projects.

POLICY MIN6 – MINES, SHAFTS AND ADITS

- To be added to this policy, we wish to see a statement clarifying that disused mines, shafts and adits should not be used for the disposal of toxic or hazardous waste - for example, radioactive waste.
- Has the DPD been subject to sustainability appraisal including Strategic Environmental Assessment?
- The SEA is inadequate and reaches incorrect conclusions. As well as our reasons stated under POLICY MIN 1, it fails to take into account key information, evidence and legislation concerning
- environmental protection. When alternatives are presented there is insufficient analysis of what they mean or insufficient breadth in their scope that takes into account sustainable development, climate change and the

principles and policies that underpin the Regional Development Strategy.

- Alternatives are constrained by a 'development at any cost' ethic. There is in addition insufficient consideration of transboundary impacts of pollutants to the Republic of Ireland. For example, there is no analysis of the nitrates, ammonia and phosphates crises on protected sites or the significant deterioration in recent years of water quality. The duty to restore protected European sites to
- favourable conservation status is not addressed in breach of the Habitats Directive and the duty to adopt a precautionary approach is ignored. Climate change and the need for mitigation and adaptation is not addressed in any meaningful or coherent way.

Consistency tests

- **Did the council take account of its Community Plan?**

Please see our comments under the Community Plan 14.8 section above.

- **Did the council take account of policy and guidance issued by the Department?**
- The Northern Ireland Executive's, 'Everyone's Involved - Sustainable Development Strategy,' (May 2010) aims to 'improve our society and communities and utilise our natural resources in an environmentally sustainable manner'. The Sustainable Development Strategy's intention is 'to address global issues such as climate change' and has 'living within environmental limits' as one of its guiding principles. As stated in many parts of our representation, the Mid Ulster District Council's draft LDP

fails to align to this national strategy. See our section on Climate Change for further evidence of this.

- **Has the plan had regard to other relevant plans, policies and strategies relating to the council's district or to any adjoining council's district?**
- The document fails to address the impacts of mining and quarrying and intensive agriculture for neighbouring Council areas or the impact of those sites (existing and proposed) that are located in neighbouring Council on your Council area. There is no consideration given as to how SEAs for these adjacent council areas will strategically align together.
- Watersheds are shared between Northern Ireland and the Republic of Ireland and the cumulative impact of potential impacts from extractive industries and industrialised factory farms are not understood with the degree of scientific certainty needed to inform a robust planning process. In this regard ammonia, nitrates and ammonia pollution from your Council area (from intensive
- agriculture) is likely to be adversely affecting the Republic of Ireland but nowhere are these land, air and water trans-frontier impacts assessed. This is in breach of the SEA Directive, ESPOO Convention and Gothenburg protocol. In this regard the Habitats Regulation is fatally flawed.
- The DPD sets out a coherent strategy from which its policies and allocations logically flow and where cross boundary issues are relevant it is not in conflict with the DPDs of neighbouring councils;
- Throughout our representation we have identified where the policies within your DPD are not coherent, nor do they logically flow. Please see all points above for the particular details.

The strategy, policies and allocations are realistic and appropriate having considered the relevant alternatives and are founded on a robust evidence base;

There is a lack of evidence to underpin the Council's policies on Minerals. Particularly, as previously stated, there is no baseline data on previous and existing extractive activities in order to meaningfully undertake a Strategic Environmental Assessment on the potential environmental consequences of further extraction. There is also a lack of **evidence to back up the economic arguments in favour of continued reliance on extractive industries.**

Are there are clear mechanisms for implementation and monitoring;

- Given the failure to monitor current extractive activities and the failure to implement enforcements for breaches, there can be no confidence that further extraction can be adequately monitored, nor restrictions implemented.
- It is reasonably flexible to enable it to deal with changing circumstances. The certainty that the breakdown of our climate will bring drastically changing circumstances is globally accepted by the vast majority of the scientific community. This is not, however, reflected in any way in the Council's draft Plan. We refer you again to our section on Climate Change
 - Point 14.1 is welcome and Protect Slieve Gallion would like to be part of the decision making committees which will decide how to facilitate appropriate mineral development whilst also protecting our important landscapes, areas of natural beauty, scientific, conservation and heritage interest.

- We anxiously await sight of the councils new Minerals policy that will support this strategy 14.8 p142
- We welcome policy MIN3 p145. In particular the councils position that the use of biological methods or extraction of valuable minerals by way of chemicals shall not accord with the Plan until there is sufficient and robust evidence on all environmental impacts. That said we suggest that this statement does not go far enough and should be more holistic to include social impact, water quality, air quality, soil quality, health impact, infrastructure and environmental impacts have been understood and a robust governance and legislative framework is in place to safeguard the population needs.
- We welcome the clear and concise point 14.22 that fracking will not progress unless that it is definitively proven that there will be no negative impacts on human health or human safety.
- Policy MIN 4 Peat Extraction should be extended to the Sperrin mountain areas also.
- Policy Min 5 Restoration of Mineral Sites does not go far enough- it should be strengthened that best evidence, technology and impact assess reviews will be considered on a case by case basis.
- Policy Min 6- Mines Shafts and Adits should be strengthened to include the use of best evidence, data analysis and regulatory risk assessments.
- 14.34 should be strengthened by including an open and transparent process and records of how and when the council consults with GSNi on matters relating to mines, shafts and adits will be keep and shared with the public in an open and participatory manner (p147)

Tourism

- We would like to see 15.3 developing hill walking and nature watching throughout the Sperrins. We recommend the council partners with local universities and charities to set up a rolling programme of nature observation across the age trajectory.
- We welcome the sensitive use of the natural landscape to facilitate the tourism strategy in MidUlster. In particular to the Sperrins mountains and waterways. Hill walking, hiking, biking, paragliding, ballooning
- 15.13 The development of Tourism Conservation Zones is very welcome and we suggest the council could do more to extend this offer across the Sperrins. Protect Slieve Gallion would like to be part of this work. (p155)

Environmental Policies

- Conserving the historic fabric of our towns and villages is very important that they are preserved for future generations. The strategy doesn't go far enough to say how each town will be preserved. Many rural towns are in urgent need of investment in their old buildings so how is the council going to do this? (17.2 p173)
- Policy HE 1 Beaghmore Stone Circles (ASAI), Policy HE 2 Creggandevosky and policy HE 3 Tullahogue list a number of activities that would conflict with the Plan but it fails to say that these activities would not be supported by

council- these three policy statements need strengthened.(p175, 177 & 178)

- Policy 4 P 179 is interestingly vague and could be strengthened by including what the exceptional circumstances may look like and who the decision maker would be and how the public would be involved in such decisions. This position requires some further consideration
- Policy HE 8- Registered Historic Parks, Gardens and Demenses (p182) could be strengthened to say that “...will conflict with the Plan and so will not be supported by council”

Natural Heritage

- 18.3 should be extended to state that the council will seek to categorise other areas of constraint.
- Statement 18.4 is inspirational and we look forward to seeing how this is realised through this strategy. P197.
- 18.5 is a welcome position statement (p198)
- Policy SCA a- Special Countryside areas should look to alternative ways to provide electricity in Slieve Beagh and High Sperrins SCA's during the lifespan of this strategy after all it will be 2030. We call on the council to do more in this regard (p200)