



Comhairle Ceantair  
**Lár Uladh**  
**Mid Ulster**  
District Council

## Local Development Plan 2030 Draft Plan Strategy

The table below identifies the Draft Plan Strategy Reference Numbers that are referred to in the attached submission, and provides the corresponding Counter Representation Reference Number related to each.

<b>Draft Plan Strategy Representation Reference Number Referred to within attached submission</b>	<b>Your Counter Representation Reference Number</b>
MUDPS/12	DPSCR-77
MUDPS/16	DPSCR-78
MUDPS/22	DPSCR-79
MUDPS/56	DPSCR-80
MUDPS/59	DPSCR-81
MUDPS/70	DPSCR-82
MUDPS/73	DPSCR-83
MUDPS/81	DPSCR-84
MUDPS/87	DPSCR-85
MUDPS/88	DPSCR-86
MUDPS/89	DPSCR-87
MUDPS/108	DPSCR-88
MUDPS/115	DPSCR-89
MUDPS/121	DPSCR-90
MUDPS/122	DPSCR-91
MUDPS/123	DPSCR-92
MUDPS/131	DPSCR-93

MUDPS/134	DPSCR-94
MUDPS/137	DPSCR-95
MUDPS/141	DPSCR-96
MUDPS/144	DPSCR-97
MUDPS/159	DPSCR-98
MUDPS/162	DPSCR-99
MUDPS/163	DPSCR-100
MUDPS/167	DPSCR-101
MUDPS/168	DPSCR-102
MUDPS/174	DPSCR-103
MUDPS/178	DPSCR-104
MUDPS/181	DPSCR-105
MUDPS/182	DPSCR-106
MUDPS/191	DPSCR-107
MUDPS/194	DPSCR-108
MUDPS/195	DPSCR-109
MUDPS/196	DPSCR-110
MUDPS/197	DPSCR-111
MUDPS/198	DPSCR-112
MUDPS/199	DPSCR-113
MUDPS/200	DPSCR-114
MUDPS/201	DPSCR-115
MUDPS/202	DPSCR-116

## JohnPaul Devlin

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**From:** Emma Walker [REDACTED]  
**Sent:** 09 August 2019 08:30  
**To:** DevelopmentPlan@midulstercouncil.org  
**Subject:** Counter-representations - SSE Renewables  
**Attachments:** dPS Counter Rep Form SSE Renewables.pdf; 190419\_ SSE submission to Mid-Ulster  
dPS - cover lette\_FINAL.pdf; MUDC dPS Representations SSE.pdf

Dear Sir/Madam

On behalf of our client, SSE Renewables please find enclosed counter-representations in response to representations received in response to the Council's consultation on the draft Plan Strategy.

We would be grateful if you could acknowledge receipt by return of email.

Kind regards

Emma

**Emma Walker**  
Associate Director

**Turley**  
Hamilton House  
3 Joy Street  
Belfast BT2 8LE

[REDACTED]  
[turley.co.uk](http://turley.co.uk)

[Twitter](#)

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**Mid Ulster District Council Local Development Plan 2030 - Draft Plan Strategy  
Submission of a Counter Representation**



Comhairle Ceantair  
**Lár Uladh**  
**Mid Ulster**  
District Council

**Local Development Plan  
Counter Representation Form  
Draft Plan Strategy**

Ref:  
Date Received:  
(For official use only)

Name of the Development Plan Document  
(DPD) to which this Counter representation relates

Draft Plan Strategy

**Counter Representations must be submitted by 5pm on Friday 9 August 2019 to:**

Development Plan Team  
Planning Department  
Mid Ulster District Council  
50 Ballyronan Road  
Magherafelt  
BT45 6EN

Or by email to [developmentplan@midulstercouncil.org](mailto:developmentplan@midulstercouncil.org)

Please complete separate form for each counter representation.

**SECTION A**

**1. Personal Details**

Title

First Name

Last Name

Job Title  
(where relevant)

Organisation  
(where relevant)

**2. Agent Details (if applicable)**



Address Line 1	3rd Floor, Millenium House	Hamilton House
Line 2	Great Victoria Street	3 Joy Street
Line 3	Belfast	Belfast
Line 4		
Post Code	BT2 8LE	BT2 8LE
Telephone Number	<input type="text"/>	<input type="text"/>
E-mail Address	<input type="text"/>	<input type="text"/>

**SECTION B**

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3(a). Have you submitted a representation to the Council regarding this development plan document?

Yes  No

3(b). If yes, please provide Reference No. and summary of issue raised in you representation.

Representation Reference: MUDPS150

Please see representation and enclosed counter representation.

**Counter Representation**

Any person may make a counter representation in relation to a representation seeking a change to a DPD. The purpose of a counter representation is to provide an opportunity to respond to proposed changes to the DPD a result of representations submitted under Regulation 15 and 16 of the Planning (Local Development Plan) Regulations (Northern Ireland) 2015.

**A counter representation must not propose any further changes to a DPD.**

4. Please provide the reference number of the representation to which your counter representation relates to.

See enclosed counter representation

5. Please give reasons for your counter representation having particular regard to the soundness test identified in the above representation.

Please note your counter representation should be submitted in full and cover succinctly all the information, evidence, and any supporting information necessary to support/justify your submission. **There will not be a subsequent opportunity to make any further submissions based on your original counter representation.** After this stage, further submissions will only be at the request of the independent examiner, based on the matters and issues he/she identifies at independent examination.

Please see enclosed counter representation in response to representation reference:  
MUDPS12; MUDPS16; MUDPS22; MUDPS56; MUDPS59; MUDPS70; MUDPS73;  
MUDPS81; MUDPS87; MUDPS88; MUDPS89; MUDPS108; MUDPS115; MUDPS121;  
MUDPS122; MUDPS123; MUDPS131; MUDPS134; MUDPS137; MUDPS141; MUDPS144;  
MUDPS159; MUDPS162; MUDPS163; MUDPS167; MUDPS168; MUDPS174; MUDPS178;  
MUDPS181; MUDPS182; MUDPS191; and MUDPS194-202;

*(If not submitting using online form and additional space is required, please continue on a separate sheet)*

Signature

[Redacted Signature]

Date

9.8.2019.



Mid Ulster District Council Planning Service  
Ballyronan Road  
Magherafelt  
BT45 6EN

9 August 2019

Via email to: [DevelopmentPlan@midulstercouncil.org](mailto:DevelopmentPlan@midulstercouncil.org)

**Re: SSE response to Mid Ulster District Council – Draft Plan Strategy – Counter Representations**

To whom it may concern,

SSE welcomes the opportunity to make counter-representations following Mid Ulster District Council's consultation on its draft Plan Strategy (dPS). These counter-representations should be read alongside SSE Renewables representation reference MUDPS150.

As a leading developer of renewable generation in Northern Ireland, we believe the sustainable use of natural resources such as wind can deliver value for customers through reduced wholesale electricity costs and support economic growth in Northern Ireland's economy. SSE has invested over half a billion pounds in the development of Northern Ireland's energy future and has contributed over £1.5 million in funding to communities close to our windfarms, including almost £500,000 in scholarship funding for students. SSE remains committed to continued investment in electricity infrastructure in Northern Ireland. With an outstanding application for a significant renewables development in the planning process, SSE welcomes the opportunity to submit our comments on the counter-representations made in respect of the dPS.

The Intergovernmental Panel on Climate Change's (IPCC) special report in October 2018 highlights the threats posed by climate change and the need to continue efforts at a global, national and local level to decarbonise society. Sustainable development and a greater shift towards renewable energy will need to form a key part of the response to climate change. We welcome the Council's acknowledgement of the importance of renewables in creating jobs and prosperity, whilst enhancing the environment and improving infrastructure. Developing our renewable energy sources is vital to increase energy security and help combat climate change.

SSE engaged Turley to review and assess the counter-representations made in respect of the Mid Ulster District Council dPS (see attached). SSE is concerned that the proposed approach to wind energy development within certain landscape designations is not supported by national policy or guidance. There are also several policies within the dPS that we believe do not pass the soundness test, our reasoning is set out in the response document (representation reference MUDPS150).

Our concerns include:

SSE Renewables Holdings Limited is part of the SSE Group

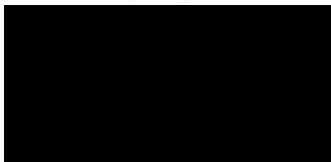
The Registered Office of SSE Renewables Holdings Limited is Red Oak South, South County Business Park, Leopardstown, Dublin 18, Ireland  
Registered in the Republic of Ireland No. 314061

Web: [www.sse.com](http://www.sse.com)

- The approach to wind energy development outlined in the dPS is unduly restrictive and is inconsistent with the prevailing policy in the Strategic Planning Policy Statement for Northern Ireland (SPPS) and Planning Policy Statement (PPS) 18 on renewable energy.
- Insufficient evidence is provided to support the position that significant adverse landscape impacts will occur in the long term from the continuation of existing national wind energy policy.
- The proposed restrictive wind energy policy would be likely to hinder progress on renewable energy development in Northern Ireland and reverse positive trends experienced to date as noted by Mid Ulster.
- Insufficient evidence is provided on the alleged harmful effects of wind turbines and high structures on Areas of Significant Archaeological Interest.
- Proposals have been made drawing on evidence from a landscape character assessment which is out of date.
- The proposed Areas of Constraint on Wind Turbines and High Structures conflicts with prevailing policy within the SPPS and has been informed by insufficient and flawed evidence.

SSE is available to discuss our submission further as required.

Kind regards,



John Young  
Head of Policy, SSE Ireland



# Mid Ulster District Council – Draft Plan Strategy

## Counter-representation

August 2019

### 1. Introduction

1. This counter-representation is submitted on behalf of SSE Renewables in response to representations received in response to the Council's consultation on the draft Plan Strategy (dPS).
2. These counter representations relate to representations made under Regulation 15 and 16 of the Planning (Local Development Plan) Regulations (Northern Ireland) 2015 ('the Regulations'). Under Regulation 17, the Council has made available copies of all representations received in response to consultation on the draft Plan Strategy. These counter representations are submitted under Regulation 18 as they relate to site specific representations. For the avoidance of doubt 'site specific representations' mean:
  - Representations to policies relating to any proposed designations which identify a particular area (site);
  - Representations to policies which could be applied to a site that could be subject to a planning application; and
  - Representations containing references or inferences to renewables and wind energy developments or related proposals for a site within the Council area.
3. These counter-representations should be read alongside SSE Renewables representation reference MUDPS150.

### 4. Counter-representations

5. This section outlines our counter-representations to comments received by MUDC in response to consultation on the dPS.

Mid Ulster Draft Plan Strategy Representation Ref.	Representation comments	Counter-representation
MUDPS12 – Lightsource BP	<p>The plan should consider the co-location of solar and wind farms. This is highly sustainable use of infrastructure where the two technologies co-exist, sharing the same infrastructure.</p> <p>Propose that Policy RNW1 is reworded to read:  <i>"Favourable consideration will be given the re-use, shared use (co-location), refurbishment, repair and repowering of existing renewable energy developments in order to prolong the life span of developments such as wind farms and solar farms providing that these do not result in unacceptable impacts on the environment or residential / visual amenity."</i></p>	<p>SSE Renewables is supportive of repowering, however it remains our view that draft Policy RNW1 fails against soundness tests CE1, CE2, CE4 and C3.</p> <p>The reasons are elaborated on further in Section 5 of Representation Ref. MUDPS150 and summarised below:</p> <ul style="list-style-type: none"> <li>• The proposed wording will introduce a more restrictive policy that that which is currently endorsed in the SPPS and PPS18.</li> <li>• The proposed policy approach will sterilise wind energy across the district;</li> <li>• The proposed approach does not reflect the council's own evidence.</li> </ul>
MUDPS16	<p>At least 500 metres separation distance between wind turbines and occupied property would have gone some way towards resolving this serious issue.</p> <p>The proposed separation distance is insufficient and consideration should be given to a 1/2km</p>	<p>SSE Renewables is opposed to draft Policy RNW1 as it is unduly restrictive and conflicts with the SPPS and PPS18. As such it fails against soundness tests CE1, CE2, CE4 and C3.</p>

separation distance.

#### MUDPS22 –

Monaghan County Council

#### Comments on Sensitive Landscapes

The introduction of a Special Countryside Area, an Area of Constraint on Wind Turbines and High Structures and an Area of Minerals Constraint, wherein development will be restricted subject to meeting limited criteria is welcomed.

The reasons are elaborated on further in Section 5 of Representation Ref. MUDPS150.

SSE Renewables is opposed to draft Policy TOHS1 and SCA1.

Draft Policy TOHS1 is inconsistent with the approach set out in the SPPS and PPS18 and is not based on a robust evidence base. As such it fails against soundness test P2, CE1, CE2, CE3 and C4. These reasons are elaborated on further in Section 8 of representation Ref. MUDPS150 and are summarised below:

- The policy lacks clarification, specifically in relation to policy exceptions;
- The policy is based on a flawed evidence base, specifically relating to landscape character assessments;
- The policy is inconsistent with the approach endorsed in the SPPS and PPS18;
- The policy is in conflict with two environmental objectives of the dPS;
- The policy has failed to take into account comments made in response to the Preferred Options Paper; and
- There is now evidential base for a 15m restriction on tall structures;

Draft Policy SCA1 fails against soundness test CE2. This reason is elaborated on further in Section 7 (para 7.1 to 7.5) of representation Ref. MUDPS150, however it is considered that the Council has relied upon an out of date and flawed evidence base to determine the extent of the SCA.

#### Comments on SA/SEA Environmental Report

Concur with the overall findings of the Transboundary Screening exercise and considers that the emerging Plan will not conflict with the Monaghan County Council Development Plan (2019-2025) in relation to cross border issues of mutual interest.

SSE Renewables considers that the Sustainability Appraisal provided in support of the dPS is flawed because:

- The proposed sterilisation of wind energy development within certain landscape designations is not supported by national policy or guidance;
- The proposed divergence from existing national policy is not justified or supported by a robust evidence base;
- The position that significant adverse landscape impacts will occur in the long term from the continuation of existing national wind energy policy is not justified or supported by a robust evidence base;
- The proposed restrictive wind energy policy may hinder progress on renewable energy development in Northern Ireland and reverse positive trends experienced to date as concluded by Mid Ulster's Development Pressure Analysis;
- Failure to consult on the SA Scoping Report prior to the development and publication of the POP and SA Interim Report;
- Failure to include the reasonable alternative of not introducing Areas of Constraint within the SA Process;
- No evidence to support the assertion that wind energy development is likely adversely affect local tourism and what appears to be only a single letter of concern received by the Council;



<p><b>MUDPS56 – Armagh, Banbridge &amp; Craigavon Borough Council</b></p>	<p><b>Comments on draft Policy SCA1</b> Council notes that in order to protect and enhance the natural environment in terms of landscape and visual amenity a SCA has been proposed. It is also noted that the proposed SCA does not extend to include the body of water and island within. It is noted that there are a number of breaks within the designation to facilitate Tourism Opportunity Zones and landing points for sand extraction. The methodology for the review of the Landscape Character Areas and subsequent audit of the assessment is noted and we would advise that we are currently undertaking a review of LCA's which will help inform our approach.</p> <p>It is also noted that there are no Areas of High Scenic Value carried forward from the extant Local Area Plans.</p>	<ul style="list-style-type: none"> <li>• Failure to recognise the key role of the dps in helping to drive CO2 reductions in Mid Ulster as part of Northern Ireland's carbon budgets; and</li> <li>• Failure to assess alternatives sufficiently and to the same extent at the preferred option.</li> </ul> <p>These reasons are elaborated on further in Section 3 of representation Ref. MUDPS150. For these reasons soundness test P3 cannot be met.</p> <p>SSE Renewables is opposed draft Policy SCA1 and to the extent of the proposed SCA as it has not been based on a robust evidence base. The SCA has been identified based on a desktop assessment and flawed landscape character assessment. As such the draft policy fails against soundness test CE2.</p> <p>This reason is elaborated on further in Section 7 (para 7.1 to 7.5) of representation Ref. MUDPS150.</p>	<p>These reasons are elaborated on further in Section 3 of representation Ref. MUDPS150.</p>
<p><b>MUDPS59 – RSPB</b></p>	<p><b>Comments on draft Policy TOHS1</b> Proposes that the area of constraint on wind turbines and high structures is extended to create further opportunities for whooper swans and hen harriers.</p> <p>Whooper Swan consultation zone should be identified on a draft Plan map.</p>	<p>SSE Renewables is opposed to draft Policy TOHS1 as it is unduly restrictive and is inconsistent with the SPPS and PPS18. As such the draft policy fails against soundness tests CE1, CE2, CE3 and C4. These reasons are elaborated on further in Section 8 of representation Ref. MUDPS150.</p> <p>It is considered that the dps will include a range of other policies in relation to the natural environment which will ensure the protection of protected species. It is noted that draft Policy NH2 relates specifically to the protection of such species. As such all development proposals will be subject to the provisions of this draft policy. Furthermore European Protected Species are afforded protection under the Habitats Directive and/or the Wildlife Order.</p>	<p>These reasons are elaborated on further in Section 5 of representation Ref. MUDPS150.</p>
<p><b>Comments on draft Policy RNW1</b></p>	<p>Draft policy undermines the existing policy provisions in PPS18 and the SPPS as it proposes a general presumption in favour of renewable energy proposals outside of SCA.</p>	<p>SSE Renewables is opposed to draft Policy RNW1 as it is unduly restrictive and is inconsistent with the SPPS and PPS18. This policy also conflicts with the Council's own position paper on renewable energy. As such the draft policy fails soundness text CE1, CE2, CE4 and C3.</p> <p>These reasons are elaborated on further in Section 5 of representation Ref. MUDPS150.</p>	<p>SSE Renewables is opposed draft Policy SCA1 and to the extent of the proposed SCA as it has not been based on a robust evidence base. The SCA has been identified based on a desktop assessment and flawed landscape character assessment. As such the draft policy fails against soundness test CE2.</p> <p>This reason is elaborated on further in Section 7 (para 7.1 to 7.5) of representation Ref. MUDPS150.</p>
<p><b>Comments on draft Policy SCA1</b></p>	<p>Patrick's Lough should be identified as an SCA.</p> <p>The SCA proposed for the north of Fivemiletown should be extended to reflect up to date information on hen harriers.</p> <p>Ballynahoe and Curran Bog should be identified as an SCA.</p> <p>The SCA to the north of the A6 should be extended to run to the boundary of the new A6 and to include all the lands within the whooper swan complex at Toome and Gortgill. Whooper swan areas</p>	<p>These reasons are elaborated on further in Section 5 of representation Ref. MUDPS150.</p>	<p>SSE Renewables is opposed draft Policy SCA1 and to the extent of the proposed SCA as it has not been based on a robust evidence base. The SCA has been identified based on a desktop assessment and flawed landscape character assessment. As such the draft policy fails against soundness test CE2.</p> <p>This reason is elaborated on further in Section 7 (para 7.1 to 7.5) of representation Ref. MUDPS150.</p>

<p>at Newferry and within the Bann Valley should also be identified as an SCA. The Ramsar zoning to the south west corner of Lough Neagh should be an SCA.</p> <p><b>Comments on draft Policy NH6</b></p> <p>The policy should refer to a full range of considerations and not just the 'distinctive special character and landscape quality'. This is a more restrictive interpretation of the SPPS. The policy fails to include the second part of the policy requirement as articulated in paragraph 6.187 of the SPPS.</p>	<p>SSE Renewable is opposed to draft Policy NH6 as it cross refers to draft Policy RNW1 which is considered unsound.</p> <p>The supporting text to draft Policy NH6 sets out that account will be taken of landscape character assessment produced as part of the Development Plan process which is considered to be flawed. <b>This draft policy fails against soundness test CE2.</b></p> <p>This reason is elaborated on further in Section 7 (para 7.6 to 7.9) of representation Ref. MUDPS150.</p>
<p><b>MUDPS70</b></p> <p>Welcomes the introduction of SCAs within the district to preserve the qualities and characteristics of vulnerable and distinctive landscapes.</p>	<p>SSE Renewables is opposed draft Policy SCA1 and to the extent of the proposed SCA as it has not been based on a robust evidence base. The SCA has been identified based on a desktop assessment and flawed landscape character assessment. <b>As such the draft policy fails against soundness test CE2.</b></p> <p>This reason is elaborated on further in Section 7 (para 7.1 to 7.5) of representation Ref. MUDPS150.</p>
<p><b>MUDPS73 – Shores of Traad Community Group</b></p> <p>Welcomes the introduction of SCAs and ACWTHS.</p>	<p>SSE Renewables is opposed draft Policy SCA1 and to the extent of the proposed SCA as it has not been based on a robust evidence base. The SCA has been identified based on a desktop assessment and flawed landscape character assessment. <b>As such the draft policy fails against soundness test CE2.</b></p> <p>This reason is elaborated on further in Section 7 (para 7.1 to 7.5) of representation Ref. MUDPS150.</p> <p>Draft Policy TOHS1 is inconsistent with the approach set out in the SPPS and PPS18 and is not based on a robust evidence base. <b>As such it fails against soundness test CE1, CE2, CE3 and C4.</b></p> <p>These reasons are elaborated on further in Section 8 of representation Ref. MUDPS150.</p>
<p><b>MUDPS 81 – Secretary of Shores of Traad Community Group</b></p>	<p>See response to representation Ref. MUDPS73.</p>
<p><b>MUDPS87 – MBA Planning (on behalf of Granville Ecopark ltd)</b></p>	<p>SSE Renewables notes the comment in Representation MUDPS87 that other forms of renewable energy should be considered.</p> <p>SSE Renewables remains opposed to draft Policy RNW1 as it is unduly restrictive and is inconsistent with the SPPS and PPS18. This policy also conflicts with the Council's own position paper on renewable energy. <b>As such the draft policy fails soundness text CE1, CE2, CE4 and C3.</b></p> <p>These reasons are elaborated on further in Section 5 of representation Ref. MUDPS150.</p>
<p><b>MUDPS88 - Shores of Traad Community Group</b></p>	<p>See response to representation Ref. MUDPS73.</p>



<p><b>MUDPS89 – Fermanagh &amp; Omagh District Council</b></p>	<p><b>Comments on Special Countryside Areas (SCAs)</b> Part of Slieve Beagh falls within the FODC area and whilst we do not propose an SCA for that part of Slieve Beagh, the ACMD designation proposed for that area in our Draft Plan Strategy would apply.</p>	<p>SSE Renewables is opposed draft Policy SCA1 and to the extent of the proposed SCA as it has not been based on a robust evidence base. The SCA has been identified based on a desktop assessment and flawed landscape character assessment. As such the draft policy fails against soundness test CE2.</p> <p>This reason is elaborated on further in Section 7 (para 7.1 to 7.5) of representation Ref. MUDPS150.</p>
<p><b>Comments on Area of Significant Archaeological Interest (ASAI)</b></p>	<p>The Council welcomes the policy relation to the Beaghmore Stone Circles and Creggandevsky as they are impact shared environmental assets.</p>	<p>SSE Renewables is opposed to draft Policy HE1, HE2 and HE3 as the Council fails to identify the particular features of the ASAI's to be protected and fails to provide evidence of the harmful effects of wind turbines and high structures on ASAI's. As such the policy fails against soundness tests CE2 and CE3.</p> <p>These reasons are elaborated on further in Section 6 of representation Ref. MUDPS150.</p>
<p><b>Comments on proposed Area of Constraint on Wind Turbines &amp; High Structures (AoCWTHS)</b></p>	<p>The FODC Wind Energy Strategy also identified limited capacity for wind turbines within the Clogher Valley and at Slieve Beagh.</p>	<p>Draft Policy TOHS1 is inconsistent with the approach set out in the SPPS and PPS18 and is not based on a robust evidence base. As such it fails against soundness test CE1, CE2, CE3 and C4.</p> <p>These reasons are elaborated on further in Section 8 of representation Ref. MUDPS150.</p>
<p><b>MUDPS108 – Quarryplan (on behalf of Norman Emerson Group)</b></p>	<p>Welcomed that the Lough and landing points of interest to LNST are not included within the proposed SCA.</p> <p>The landing points should be specifically identified within the plan as not being included within the proposed SCA.</p>	<p>SSE Renewables is opposed draft Policy SCA1 and to the extent of the proposed SCA as it has not been based on a robust evidence base. The SCA has been identified based on a desktop assessment and flawed landscape character assessment. As such the draft policy fails against soundness test CE2.</p> <p>This reason is elaborated on further in Section 7 (para 7.1 to 7.5) of representation Ref. MUDPS150.</p>
<p><b>MUDPS115 – Department for Infrastructure</b></p>	<p><b>Comments on draft Policy TOHS1</b> The proposed policy wording within TOHS1 does not make reference to the positioning of new wind turbines. The DfI would expect this to be included.</p>	<p>Draft Policy TOHS1 is inconsistent with the approach set out in the SPPS and PPS18 and is not based on a robust evidence base. As such it fails against soundness test CE1, CE2, CE3 and C4.</p> <p>These reasons are elaborated on further in Section 8 of representation Ref. MUDPS150.</p>
<p><b>Comments on draft Policy RNW1</b></p>	<p>Policy does not address issues relating to access, parking and infrastructure requirements.</p> <p>The Council should provide undertake an analysis of the geography of MUDC to inform its capacity for renewable energy development.</p> <p>The policy does not reflect SPPS as it references 'adverse impact', rather than 'unacceptable landscape impact'. No detail of the planning considerations is given within the policy.</p> <p>There is no indication within RNW1 that the settings of the Sperrins, Slieve Beagh and Clogher Valley will be a consideration. Cross reference to the proposed SCA and AOCCWTHS should be included within the planning criterion in RNW1.</p>	<p>SSE is also opposed to the inclusion of specific reference to wind turbines as a separate entity from 'high structures'. The singling out of this type of structure suggests that it is more harmful, when in fact careful consideration is given to the siting and location of turbines and required under prevailing planning policy.</p> <p>SSE Renewables is opposed to draft Policy RNW1 as it is unduly restrictive and is inconsistent with the SPPS and PPS18. This policy also conflicts with the Council's own position paper on renewable energy. As such the draft policy fails soundness text CE1, CE2, CE4 and C3.</p> <p>These reasons are elaborated on further in Section 5 of representation Ref. MUDPS150.</p> <p>SSE Renewables is also opposed to draft Policy SCA1 and TOHS1 as they fail against soundness test CE1, CE2, CE3 and C4. Any cross-reference to these draft Policies in draft Policy RNW1 would therefore render it unsound.</p>

	Reference to decommissioning does not reflect the SPPS. There are a number of occasions where the justification and amplification text conflict with the policy working.	
	<b>Comments on draft Policy HE1, HE2 and HE3</b> Welcomes the proposed policies but as per the SPPS, the policies do not articulate the site or their setting. The policies should reference the statutory protection afforded to ASAI's.	SSE Renewables is opposed to draft Policy HE1, HE2 and HE3 as the Council fails to identify the particular features of the ASAI's to be protected and fails to provide evidence of the harmful effects of wind turbines and high structures on ASAI's. As such the policy fails against soundness tests CE2 and CE3. These reasons are elaborated on further in Section 6 of representation Ref. MUDPS150.
	<b>Comments on draft Policy SCA1</b> The exceptional criteria listed within the policy, undermines the intent of the SCA which seek to protect the area from all forms of development. This is a contradiction in policy. The Council should be able to demonstrate that this policy is sustainable.	SSE Renewables is opposed draft Policy SCA1 and to the extent of the proposed SCA as it has not been based on a robust evidence base. The SCA has been identified based on a desktop assessment and flawed landscape character assessment. As such the draft policy fails against soundness test CE2. This reason is elaborated on further in Section 7 (para 7.1 to 7.5) of representation Ref. MUDPS150.
	<b>Comments on draft Policy NH6</b> The policy should refer to the quality of the 'landscape, heritage and wildlife'.	SSE Renewables is opposed to draft Policy NH6 as it cross refers to draft Policy RWW1 which is considered unsound. The supporting text to draft Policy NH6 sets out that account will be taken of landscape character assessment produced as part of the Development Plan process which is considered to be flawed. This draft policy fails against soundness test CE2. This reason is elaborated on further in Section 7 (para 7.6 to 7.9) of representation Ref. MUDPS150.
MUDPS121 – Shores of Traad Community Group	See representation Ref. MUDPS73.	See response to representation Ref. MUDPS73.
MUDPS122 – Shores of Traad Community Group	See representation Ref. MUDPS73.	See response to representation Ref. MUDPS73
MUDPS123 – Shores of Traad Community Group	See representation Ref. MUDPS73.	See Response to representation Ref. MUDPS73
MUDPS131 – Mid & East Antrim Borough Council	Note the proposed Special Countryside Area designation at Lough Neagh/Lough Beg and Lower River Bann. Mid & East Antrim will also be taking full account of the importance of Lough Beg and Lower Bann in bringing forward the Draft Plan Strategy. The mechanisms proposed for this have been the subject of discussions with MUDC in the past and whilst the mechanism for protecting such areas may differ between council we view that the approach taken by MUDC is sound. The extent of the SCA boundary at Lough Beg should be extended to the Council boundary down the middle of the Lough to ensure a complete approach.	SSE Renewables is opposed draft Policy SCA1 and to the extent of the proposed SCA as it has not been based on a robust evidence base. The SCA has been identified based on a desktop assessment and flawed landscape character assessment. As such the draft policy fails against soundness test CE2. This reason is elaborated on further in Section 7 (para 7.1 to 7.5) of representation Ref. MUDPS150.
MUDPS134 – Department for	Welcomes Policy SCA1 and in particular that ancillary open development relating to recreation and open space uses would be accepted.	SSE Renewables is opposed draft Policy SCA1 and to the extent of the proposed SCA as it has not been based on a robust evidence base. The SCA has been identified



<p><b>Communities</b></p>	<p>Recommend that the presumption in support of development to provide responsible and sustainable access to the enjoyment of the SCA.</p>	<p>based on a desktop assessment and flawed landscape character assessment. As such the <b>draft policy fails against soundness test CE2</b>. This reason is elaborated on further in Section 7 (para 7.1 to 7.5) of representation Ref. MUDPS150.</p>
<p><b>MUDPS137 – WYG (on behalf of Specialist Joinery Group)</b></p>	<p><b>Comments on draft Policy RNNW1</b> The proposed policy is more flexible than what was outline in the Preferred Options Paper and this is welcomed.</p>	<p>SSE Renewables is opposed to draft Policy RNNW1 as it is unduly restrictive and is inconsistent with the SPPS and PPS18. This policy also conflicts with the Council's own position paper on renewable energy. As such the <b>draft policy fails soundness text CE1, CE2, CE4 and C3</b>. These reasons are elaborated on further in Section 5 of representation Ref. MUDPS150. Furthermore, when considered alongside draft Policy TOHS1 this policy would result in the sterilisation of the District for wind energy development.</p>
<p><b>MUDPS141 – Standing Our Ground Women of Sperrins</b></p>	<p>We particularly welcome the introduction of Special Countryside Areas (SCAs).</p>	<p>SSE Renewables is opposed draft Policy SCA1 and to the extent of the proposed SCA as it has not been based on a robust evidence base. The SCA has been identified based on a desktop assessment and flawed landscape character assessment. As such the <b>draft policy fails against soundness test CE2</b>. This reason is elaborated on further in Section 7 (para 7.1 to 7.5) of representation Ref. MUDPS150.</p>
<p><b>MUDPS144 – McKenna Family</b></p>	<p>Welcome the proposed Areas of Constraint on Wind Turbines and High Structures</p>	<p>Draft Policy TOHS1 is inconsistent with the approach set out in the SPPS and PPS18 and is not based on a robust evidence base. As such it <b>fails against soundness test CE1, CE2, CE3 and C4</b>. These reasons are elaborated on further in Section 8 of representation Ref. MUDPS150. See response to representation Ref. MUDPS141.</p>
<p><b>MUDPS159 – Causeway Coast and Glens Borough Council</b></p>	<p>Notes the designation of the SCA and AOCWTHS</p>	<p>SSE Renewables is opposed to draft Policy TOHS1 and SCA1. Draft Policy TOHS1 is inconsistent with the approach set out in the SPPS and PPS18 and is not based on a robust evidence base. As such it <b>fails against soundness test CE1, CE2, CE3 and C4</b>. These reasons are elaborated on further in Section 8 of representation Ref. MUDPS150. <b>Draft Policy SCA1 fails against soundness test CE2</b> as it is not based on a robust evidence base. This reason is elaborated on further in Section 7 (para 7.1 to 7.5) of representation Ref. MUDPS150.</p>
<p><b>MUDPS150 – SSE Renewables</b></p>	<p>Notes the Council's approach to Historic Environment</p>	<p>SSE Renewables is opposed to draft Policy HE1, HE2 and HE3 as the Council fails to identify the particular features of the ASAI's to be protected and fails to provide evidence of the harmful effects of wind turbines and high structures on ASAI's. As such the <b>policy fails against soundness tests CE2 and CE3</b>. These reasons are elaborated on further in Section 6 of representation Ref. MUDPS150.</p>
<p><b>MUDPS156 – SSE Renewables</b></p>	<p>Notes the Council's approach to Natural Environment.</p>	<p>SSE Renewables is opposed to draft Policy NH6 as it cross refers to draft Policy RNNW1 which is considered unsound.</p>

<p>MUDPS162 – Protect Slieve Gallion</p>	<p>Slieve Gallion should be identified as an area to be protected. The SCA proposed for Slieve Beagh and High Sperrins SCAs should look to alternative ways to provided electricity.</p>	<p>The supporting text to draft Policy NH6 sets out that account will be taken of landscape character assessment produced as part of the Development Plan process which is considered to be flawed. <b>This draft policy fails against soundness test CE2.</b> This reason is elaborated on further in Section 7 (para 7.6 to 7.9) of representation Ref. MUDPS150.</p>
<p>MUDPS163 – Traad Shore Community Group</p>	<p>See representation Ref. MUDPS73.</p>	<p>SSE Renewables is opposed draft Policy SCA1 and to the extent of the proposed SCA as it has not been based on a robust evidence base. The SCA has been identified based on a desktop assessment and flawed landscape character assessment. <b>As such the draft policy fails against soundness test CE2.</b> This reason is elaborated on further in Section 7 (para 7.1 to 7.5) of representation Ref. MUDPS150.</p>
<p>MUDPS167 – Natural Environment Division</p>	<p><b>Comments on draft Policy SCA1</b> Support in principle for the proposed SCAs. Concerned that the exceptions do not refer to the impact on natural heritage, including international designations, nor the legislative obligations regarding these designations under the Birds and Habitats Directive. This is contrary to the SPPS. The Plan fails to take account of DEARA POP response regarding the need to create a separate Area of High Scenic Value policy area at Lough Neagh/Lough Beg. A building on land excluded from the SCA still has potential to negatively impact on the landscape quality of the rest of the SCA. A buffer should be added to the Lough Neagh/Lough Beg SCA to ensure it is not impacted by adjacent development.</p>	<p>SSE Renewables is opposed draft Policy SCA1 and to the extent of the proposed SCA as it has not been based on a robust evidence base. The SCA has been identified based on a desktop assessment and flawed landscape character assessment. <b>As such the draft policy fails against soundness test CE2.</b> This reason is elaborated on further in Section 7 (para 7.1 to 7.5) of representation Ref. MUDPS150.</p> <p>SSE Renewables is opposed to the specific reference to international designations within draft Policy SCA1. The dPS provides for internationally/nationally and locally designated sites under draft Policies NH1, NH3 and NH4 and it is intended that where relevant all development proposals will be assessed against the provisions of these policies. It would therefore be unduly restrictive and indeed unnecessary to refer to such designations in draft Policy SCA1.</p> <p>SSE Renewables is opposed to draft Policy NH6 as it cross refers to draft Policy RNW1 which is considered unsound. The supporting text to draft Policy NH6 sets out that account will be taken of landscape character assessment produced as part of the Development Plan process which is considered to be flawed. <b>This draft policy fails against soundness test CE2.</b> This reason is elaborated on further in Section 7 (para 7.6 to 7.9) of representation Ref. MUDPS150.</p> <p>SSE Renewables is opposed to draft Policy RNW1 as it is unduly restrictive and is inconsistent with the SPPS and PPS18. This policy also conflicts with the Council's own position paper on renewable energy. <b>As such the draft policy fails soundness text CE1, CE2, CE4 and C3.</b> These reasons are elaborated on further in Section 5 of representation Ref. MUDPS150. Furthermore, when considered alongside draft Policy TOHS1 this policy would result in the sterilisation of the District for wind energy development.</p>
<p><b>Comments on draft Policy NH6</b> Policy is weakened as some of the policy tests in PPS2 are only provided for within supporting text. This should be moved in to the main policy text. The policy test should also include the need for proposals to respect local architectural styles and patterns.</p>	<p><b>Comments on draft Policy RNW1</b> The proposed AOCWTHS covers a number of internationally designates sites. This policy creates a presumption in favour of the development of up to 15m high structures in in the AOCWTHS but does not adequately protect the designated sites.</p>	



MUDPS168 - Natural Environment Division	<p><b>Comments on draft Policy RNW1</b></p> <p>Slieve Beagh is designated for the protection of Hen Harriers. Teal Lough SAC is an area of active blanket bog and Owenkillew River SAC is designated for various species and bog woodland. Although development is constrained in the AOCWTHS, the continuous zoning of an AOCWTHS, which includes part of the designated European site, sets a precedent and create a presumption in favour of development up to a 15m hub height at Slieve Beagh.</p> <p>Renewable development represents a threat to foraging habitat and disturbance to nest and roosting sites and risk of collisions.</p> <p>The policy gives no consideration to the potential impact on the integrity of these sites.</p>	<p>SSE Renewables is opposed to draft Policy RNW1 as it is unduly restrictive and is inconsistent with the SPPS and PPS18. This policy also conflicts with the Council's own position paper on renewable energy. <b>As such the draft policy fails soundness text CE1, CE2, CE4 and C3.</b></p> <p>These reasons are elaborated on further in Section 5 of representation Ref. MUDPS150.</p> <p>Furthermore, when considered alongside draft Policy TOHS1 this policy would result in the sterilisation of the District for wind energy development.</p>
MUDPS174 – The National Trust	<p><b>Comments on draft Policy RNW1</b></p> <p>The policy fails to protect heritage assets from inappropriate renewable energy development. Planning criteria should be applied to protect heritage assets and their settings.</p> <p>Rigorous policy testing on heritage and landscape considerations should also be applied to wind turbine proposals.</p>	<p>SSE Renewables is opposed to draft Policy RNW1 as it is unduly restrictive and is inconsistent with the SPPS and PPS18. This policy also conflicts with the Council's own position paper on renewable energy. <b>As such the draft policy fails soundness text CE1, CE2, CE4 and C3.</b></p> <p>These reasons are elaborated on further in Section 5 of representation Ref. MUDPS150.</p>
MUDPS178 – Pat Haughey	<p><b>Comments on draft Policy NH6</b></p> <p>The policy fails to recognise that AONBs are designated not only for their distinctive landscape character but also for their wildlife importance and rich cultural and architectural heritage. The policy should be expanded to apply a robust policy test for the AONB to cover its special character.</p> <p>The policy fails to mention the need to take account of the Landscape Character Assessment and the Sperrin AONB Management Plan and is therefore not consistent with the SPPS.</p>	<p>SSE Renewables is opposed to draft Policy NH6 as it cross refers to draft Policy RNW1 which is considered unsound.</p> <p>The supporting text to draft Policy NH6 sets out that account will be taken of landscape character assessment produced as part of the Development Plan process which is considered to be flawed. <b>This draft policy fails against soundness test CE2.</b></p> <p>This reason is elaborated on further in Section 7 (para 7.6 to 7.9) of representation Ref. MUDPS150.</p>
MUDPS178 – Pat Haughey	<p><b>Comments on Draft Policy RNW1</b></p> <p>MUDC should be trying to preserve the Sperrins AONB and the entire district.</p> <p>According to paragraph 22.14 of the dPS, there will be a presumption in favour of renewable energy development unless it will be detrimental to human health or residential amenity.</p> <p>This policy allows for more wind turbines.</p> <p>Wind turbines should not be permitted in the Sperrins.</p>	<p>SSE Renewables is opposed to draft Policy RNW1 as it is unduly restrictive and is inconsistent with the SPPS and PPS18. This policy also conflicts with the Council's own position paper on renewable energy. <b>As such the draft policy fails soundness text CE1, CE2, CE4 and C3.</b></p> <p>These reasons are elaborated on further in Section 5 of representation Ref. MUDPS150.</p> <p>Furthermore, when considered alongside draft Policy TOHS1 this policy would result in the sterilisation of the District for wind energy development.</p>
MUDPS181	See representation Ref. MUDPS 141.	See response to representation Ref. MUDPS141.
MUDPS182 – Concerned Broughderg Residents Association	See representation Ref. MUDPS 141.	See response to representation Ref. MUDPS141.
MUDPS191	See representation Ref. MUDPS 178.	See response to representation Ref. MUDPS141.
MUDPS194 - 202	<p>Template Letter</p> <p>Welcome the provision being made to protect and preserve the qualities and characteristics of vulnerable and distinctive landscapes.</p>	<p>SSE Renewables is opposed to draft Policy TOHS1 and SCA1.</p> <p>Draft Policy TOHS1 is inconsistent with the approach set out in the SPPS and PPS18 and is not based on a robust evidence base. <b>As such it fails against soundness test</b></p>

Welcomes the introduction of Special Countryside Areas and AOCWTHS.  
South Sperrins should be afforded further protection.

**CE1, CE2, CE3 and C4.** These reasons are elaborated on further in Section 8 of representation Ref. MUDPS150.

**Draft Policy SCA1 fails against soundness test CE2** as it is not based on a robust evidence base. This reason is elaborated on further in Section 7 (para 7.1 to 7.5) of representation Ref. MUDPS150.

Emma Walker

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