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**Our ref: Submission to Lisburn & Castlereagh City Council LDP Draft Plan Strategy**

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Local Development Plan Team  
Civic Headquarters  
Lagan Valley Island  
Lisburn BT27 4RL

Dear Sirs,

**Lisburn & Castlereagh City Council LDP Draft Plan Strategy 2032**

Please find enclosed a representation in response to the public consultation to the LDP Draft Plan Strategy on behalf of **NIE Networks**. This representation outlines our observations and highlights several concerns regarding the soundness of the draft policies.

We have reviewed the documents in the context of the planning advice provided by the Department for Infrastructure and in particular the guidance provided by Development Plan Practice Note 6 – Soundness, and have provided comments on the proposals in this context.

**Background**

NIE Networks is the electricity Distribution Network Operator (DNO) and Transmission Network Owner in Northern Ireland (NI). We are responsible for the safe, secure and reliable transmission and distribution of electricity throughout NI, and have an obligation to develop and maintain an efficient, coordinated and economical system of electricity distribution and transmission infrastructure. This critical infrastructure supports and facilitates sustainable economic and social growth in communities and businesses across the region. As such, the Development Plan process is an essential element in helping NIE Networks meet their obligations, and we welcome the opportunity to make observations on the draft Plan Strategy

**Regional Development Strategy 2035 (RDS)**

The RDS sets out the long term policy direction for the sustainable development of the economy, and provides guidance on developing a modern and sustainable economic infrastructure to facilitate economic growth and promote connectivity. RG5 strives to deliver a sustainable, reliable and secure energy supply, and highlights strengthening the grid as a key objective. It recognises that this will involve *'increasing electricity interconnection capacity to strengthen the linkages between transmission and distribution networks'* (RG5), which closely aligns with the objectives and responsibilities of NIE Networks.

In this context, NIE Networks is committed to a substantial investment programme focused on strengthening the electricity network, which involves replacement, maintenance and upgrade of ageing assets, as well as the development of safe and efficient connections, to facilitate the delivery of a reliable electricity supply. We recognise and acknowledge that this needs to be carefully planned and assessed to ensure it achieves a sustainable balance of strengthening the grid whilst ensuring minimal impacts on amenity and the environment.

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With respect to Lisburn & Castlereagh CC, NIE Networks already has an extensive transmission and distribution infrastructure throughout the Council area, and the development of planning policy regulating these utilities, the draft strategy to support the strengthening of electricity linkages and capacity, various land uses, and future land use zonings are of particular importance to us. We welcome and support the Councils overall strategic objectives:

*F: A Connected Place: Supporting Sustainable Transport and Other Infrastructure*

*8. Facilitate the delivery of telecommunications and utilities infrastructure throughout the Plan period*

*(Page 39, Part 1, Draft Strategy)*

### **Strategic Policy 22 Telecommunications and Other Utilities**

*The Plan will support development proposals that:*

*(a) facilitate the delivery of sustainable telecommunications and other utilities infrastructure requirements to meet need over the Plan period, encouraging future proofing to adapt to technological change;*

*(b) Minimise any visual intrusion and environmental impacts to protect both rural and urban landscape.*

*(Page 149, Part 1, Draft Strategy)*

These objectives recognise the importance of providing and upgrading energy infrastructure in a supportive and balanced manner, which seeks to address needs whilst minimising impact on visual amenity and the environment. While NIE Networks understand and support these overall objectives it is critical to ensure that the implementation and any subsequent policy wording is carefully considered to ensure it accurately reflects regional policy, and is considered sound.

It is our view that several of the proposed policies do not meet the required tests for soundness as set out in DDPN 6 for the reasons set out below.

### **Policy UT1: Utilities**

#### **Unsound by virtue of Consistency Test C1, C4, CE1 and CE4**

Policy UT1 outlines the policy direction and guidance for development proposals for utilities infrastructure. The first line of the policy notes a presumption in favour of undergrounding electricity infrastructure to new developments. NIE Networks does not believe this is a sound policy, for the reasons set out below.

#### **Unsound by virtue of Consistency Test C1**

It is our understanding that Local Development Plans are required to take proper account of the Regional Development Strategy (RDS) and any other relevant policy and guidance. In general terms the RDS provides the framework for the Programme for Government (PFG) and the Investment Strategy for Northern Ireland (ISNI) and the LDP should be consistent with these policy documents. NIE Networks believe that a policy approach which carries a presumption in favour of undergrounding is at odds with a number of the RDS aims:

- To support strong, sustainable growth for the benefit of all parts of Northern Ireland ;
- Support our towns, villages and rural communities to maximise their potential;
- Promote development which improves the health and well-being of communities;
- Improve connectivity to enhance the movement of people, goods, energy and information between places;
- Protect and enhance the environment for its own sake;
- Take actions to reduce our carbon footprint and facilitate adaptation to climate change;

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The RDS objectives also seek to:

- Increase the contribution that renewable energy can make to the overall energy mix which will require a significant increase in all types of renewable electricity installations.
- Strengthen the grid to meet the demand from an increasing number of renewable electricity installations.
- Develop "Smart Grid" Initiatives which will improve the responsiveness of the electricity grid to facilitate new forms of renewable generation, to improve reliability, productivity, and energy efficiency and empower customers to make a more informed choice in relation to their energy usage.

To achieve these objectives, electricity infrastructure is required to connect development to the electricity network, to support residents, communities, and businesses and to enable them to sustainably grow, achieve their potential, improve their health, well-being, and connectivity. The infrastructure required to facilitate this connection i.e. to transmit and distribute the electricity between the electricity generators and customer premises, includes an interconnected network of overhead lines, pylons, poles, conductors, underground cables and sub-stations, which will more than likely require planning consent.

NIE Networks is governed by the Utility Regulator for Northern Ireland (UREGNI), and they agree a budget for each price control period in advance, which is funded by the NI customer through the Distribution Use of System (DUoS) tariff. NIE Networks generally pays for all the infrastructural alterations required to facilitate new developments. This cost is passed on to NI customers through the DUoS tariff. The cost for new connections is paid for in full by the customer. Within that context, NIE Networks has a legal obligation (under the Electricity (NI) Order 1992) to offer the NI customer the *'least cost, technically acceptable'* solution for a new connection or alteration to the electricity network to facilitate development. In the majority of rural and suburban areas, this will always be an overhead line connection.

In a scenario where a planning application for an overhead line connection would be refused by the Planning Authority on the basis of its location, NIE Networks must re-quote the customer for a more expensive solution, for example, longer lines to avoid identified areas of landscape importance or underground cabling (if technically feasible / environmentally acceptable). The technical issues involved in undergrounding will almost always deem this as more expensive solution, namely:

- Underground cable in general, is much more expensive than overhead equivalent;
- Different supporting infrastructure can vary in terms of costs and technical complexity, for example, a pad or ground-mounted substation versus a pole mounted transformer, can equate to a cost difference of up to tens of thousands;
- Undergrounding cables can result in serious logistical and environmental challenges particularly in respect of water crossings. Where cables are proposed to be delivered in the road network there are numerous instances where bridging structures over water bodies are either inadequate by virtue of age of the infrastructure and its structural integrity or there is simply insufficient cover in the road structure to permit delivery in the road bed. In such instances where those water bodies, as is often the case, provide a potential pathway to important nature conservation sites, there is substantial environmental risk in delivering an underground crossing with associated substantial increased costs which are ultimately passed on to the potential customer;
- The route length of cable can be substantially greater than an overhead line solution, as the cable must follow roads or field boundaries; subject to technical and environmental constraints, overhead lines can take the shortest route across fields;
- There are restrictions on maximum cable length due to technical constraints;
- It is much more difficult to obtain legal agreements in respect of underground cable routes as the land-take is greater and these are generally taken under easements which to some extent sterilises the remaining landcorridor.

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It should be noted however, that there may well be situations that emerge where the environmental considerations are so critical that undergrounding of a particular section of a connection may be the most appropriate solution. Similarly, if a new development requires the provision of other supporting infrastructure such as a new sub-station, the costs and technical constraints of undergrounding such a structure would more than likely be prohibitive.

This will inevitably result in delays to the delivery of development and in some cases, the customer may consider the increased cost of a connection to be prohibitive, meaning that developments and projects will not proceed. This may deter or inhibit development both in rural and urban communities, or new/ expanding commercial growth. Delays in connections, increasing connection costs and increasing costs of infrastructural alterations place additional pressures on customers' bills.

There does not appear to be any evidence base in terms of costing/cost-benefit analysis or a review of the technical constraints involved in undergrounding in the Development Plan documents, to support this strict policy and consider its implications for new connections for new development within the wider Council area. As such, there is no robust evidence base for bringing forward this proposal and it is considered unsound in the context of Test CE2. In addition, the policy is there considered unsound by virtue of Test C1, in that it has serious implications for the delivery of the RDS objectives. An alternative wording for the Policy has been suggested below.

### **Unsound by virtue of Consistency Tests C4 and CE4**

As indicated previously, NIE Networks has a legal obligation to offer the *'least cost, technically acceptable'* connection, which in suburban and rural areas will be an overhead line solution. A policy presumption in favour of undergrounding of cables will result in increased / prohibitive connection costs, and deter growth and development of renewable projects which require connections to the grid.

The Council will be aware that the NI Executive's target for achieving 40% of its electricity consumption from renewable sources by 2020, as set out in the 'Strategic Energy Framework for Northern Ireland', has been met ahead of schedule. DfE is currently reviewing the Strategic Energy Framework for the 2020-2030 period, and the current draft sets out a considerably higher percentage target going forward. This mirrors the approach elsewhere in Great Britain, where England, Wales and Scotland have all pledged to considerably increase targets for energy from renewable sources, to align with overall EU requirement.

Policies which restrict development of electricity infrastructure in certain locations are at odds with emerging Government-led policy in relation to decarbonisation and the drive to secure more energy from renewable sources. If the Government targets within Northern Ireland increase considerably, similar to elsewhere in GB, new electricity infrastructure will be required to meet this target and facilitate growth.

Policies which limit the ability to build new and upgrade existing infrastructure, would impact the ability to achieve these Government targets, and could also increase connection costs for individuals and businesses. This draft Strategy Plan provides an important opportunity to take account of this emerging policy, and to future proof policy and incorporate greater flexibility in accommodating more renewable development and the necessary infrastructure to support it. As such, it is considered that the Policy UT1 is unsound by virtue of Soundness Test C4 and CE4 in that it fails to take account of emerging Government Policy in relation to energy and is not sufficiently flexible to facilitate the provision of essential electrical infrastructure to meet the Government objectives summarised above.

Finally, NIE Networks would also highlight that, with the exception of the first line, this policy provides guidance solely for the development of electricity infrastructure. In addition, the amplification text also relates solely to electricity infrastructure. In this context, the Council may wish to reconsider the title of this policy.

### **Unsound by virtue of Consistency Test CE1 and CE4**

NIE Networks recognise that delivery of electricity infrastructure may have potential visual and other environmental impacts, and it is appropriate to assess and balance any such impacts against the need for



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the project and any critical technical considerations. As such, the policy approach to the delivery of electricity infrastructure needs to build in an element of reasonable flexibility to allow the Planning Authority to exercise reasonable and appropriate planning judgement in weighing up proposals. It is recognised that policy makers cannot anticipate all situations or proposals, and as such, it must allow for every case to be considered separately and on its own merits.

NIE Networks respectfully suggests that the delivery of the strategic / regionally important electricity network should be given appropriate weight in the planning balance, which is in line with the approach taken in existing policy documents including consideration of impacts on nature conservation sites and the landscape generally in PPS2. This is an important consideration when examining the soundness of the policy against the test of consistency. The current policy approach and wording does not allow for an adequate level of flexibility to exercise planning judgement and cannot be considered a coherent and effective policy approach. As such is not consistent with Tests CE1 and CE4.

Taking into account the issues raised in this submission, NIE Networks has suggested an alternative wording below which addresses these key points:

*'The provision of utility services such as water, wastewater, electricity and gas to new development proposals should be laid underground, where considered feasible and viable.*

*Proposals for all overhead electricity lines and associated infrastructure, either regional transmission or local distribution networks, will be subject to the following:*

- a) Proposals for pylons, poles and overhead lines must demonstrate that the route minimises visual intrusion by taking appropriate account of the natural features of the environment and having particular regard to designated areas of landscape or townscape sensitivity;*
- b) Avoidance of areas of significant nature conservation, historic environment or archaeological interest, where possible;*
- c) Wirescape should be kept to a minimum;*
- d) Associated infrastructure works should be visually integrated, making use of existing and proposed landscaping;*
- e) Proposed power lines should comply with the 1998 International Commission on Non-Ionizing Radiation Protection (ICNIRP)*

I can confirm that NIE Networks wish to appear at the Independent Examination, in respect of the issues raised in this submission.

I trust this is of assistance and would confirm that NIE Networks are happy to meet with you and the relevant members of your team, should you wish to discuss these matters further.

Yours sincerely,

Network Development Manager