

DEPARTMENT FOR THE ECONOMY COMMENTS ON MID AND EAST ANTRIM BOROUGH COUNCIL LOCAL DEVELOPMENT PLAN 2030 - DRAFT PLAN STRATEGY

ENERGY SUSTAINABILITY AND INFRASTRUCTURE

Issues to be welcomed

- Energy efficiency welcomes the fact that renewable energy developments should have a decommissioning policy.

Issues of concern

- The definitions within the policy for the development/infrastructure of renewables don't appear to have changed since our previous comments in May 19. It still mentions unacceptable impacts and cautious approach without actually defining what these would be or offering examples and therefore still open to interpretation.
- In Para 9.3.9 it advises that proposals should demonstrate the environmental, economic and social benefits. However the justification for any new renewable development appears to focus more on what impacts the various technologies shouldn't have rather than any benefits the technologies may bring.

Data upgrades/factual inaccuracies

- Para 9.3.1: The official figure should be updated to the June 2019 figure for renewables consumption of 44% or the official figure for the 12 months to September 2019 will be available in December.

FURTHER EDUCATION

Following attendance by a College Representative at the Council's consultation event, Ballymena Show grounds on 3 December, the Deputy Director of Further Education advises that the Council should engage directly with the college on this.

- Northern Regional College welcomes the opportunity to contribute to the consultation process for Mid and East Antrim's Local Development Plan 2030. The College has an excellent working relationship with the Council and has responded to previous consultations. Since the consultation on the Preferred Options Paper, the College has successfully received planning approval from the Council for the redevelopment of the Farm Lodge campus. A productive and positive working relationship has been developed with the Council and is something we look forward to maintaining and building upon as we progress through the delivery of the new Local Development Plan and the construction of our new campus. The College commends the work that has gone into the draft plan strategy and the detail contained within.
- While the College is primarily involved with the delivery of Further and Higher Education, it also has an important remit for business engagement in the region and as such has a keen interest in how the plan impacts on economic development in the area and skills development. Manufacturing, engineering and tourism are also important strategic areas for the College and we will continue to work closely with the Council as part of the Manufacturing Taskforce and in the submission for the Heathrow Hub.

- The College understands the relationship between the Local Development Plan and the Community Plan and differences in emphasis. We are also cognisant that the detail relating to further education may be contained in later policy documents. The main priority from the College's perspective relating to this strategy is the public transport infrastructure and road network to support student and staff mobility to the amalgamated Ballymena campus and also between council areas, for example between Larne and Newtownabbey and Carrickfergus and Newtownabbey. It is vitally important that there are excellent transport links to the College's campuses to allow students to access the College at the times needed. This is especially important given the emphasis on social inclusion and the wider rural agenda.

TOURISM

- The Mid & East Antrim Local Development Plan 2030, Draft Plan Strategy, provides clear proposals for the future assessment of proposed built developments. The Draft Plan provides a clear framework to identify where potential development opportunities may exist coupled with any additional tests that should be considered.
- The Draft Plan Strategy is clear that future tourism development opportunity will largely be contained to existing urban or rural settlements and certain additional key attractions. Coupled with the tourism strategy themes, this provides a clear framework to enable tourism development while:
 1. Protecting and safeguarding key tourism assets;
 2. Enabling sustainable tourism development;
 3. Identifying tourism potential; &
 4. Providing environmental and landscape protection of key assets.
- Tourism NI welcomes the policies relating to the safeguarding of tourism assets and the development of tourism activities namely Policies TOU1-TOU8 (inclusive).
- Both DfE and Tourism NI recognise that the Draft Plan Strategy seeks to balance sustainable high quality development that protects the built and natural landscapes while supporting development of the local tourism economy. This approach is complementary to the strategic drive in respect to tourism in Northern Ireland and will form a key aspect to our overarching NI Tourism Strategy, going forward.
- Tourism NI welcomes the engagement that has taken place with Mid & East Antrim District Council to develop the Draft Plan Strategy.

TELECOMMUNICATIONS

Strategic Context for Telecommunications

Telecoms is a reserved matter under the remit of the Department for Digital, Culture, Media and Sport (DCMS) in London. The UK Government (UKG) and Westminster Parliament are responsible for setting the overall policy and regulatory framework for telecoms. Ofcom, as the UK's independent regulatory authority, is responsible for implementing the framework, and for making regulatory decisions under its statutory duties.

The Digital Economy Act 2017 sets out the UKG's role in defining the strategic priorities and outcomes in relation to telecoms through a Statement of Strategic Priorities (SSP), which Ofcom must have regard to when carrying out its regulatory functions.

Relevant UKG strategies can be found on the DCMS website including: Future Telecoms Infrastructure Review – DCMS (published July 2018). This is a key document setting out a national, long term, strategy for digital connectivity for the UK, including plans for legislative and regulatory interventions in the coming years and aspirations including 'nationwide full fibre connectivity by 2033' and the UK as 'a world leader in 5G'.

Northern Ireland

In Northern Ireland, the Department's focus is to improve access to a broadband service of at least 30Mbps (superfast). In the draft Programme for Government 2016-2021, Outcomes 5 and 11¹ are the primary areas where delivery on telecoms infrastructure is captured.

Through the Communications Act 2003, the Department has limited powers to intervene in the market and can do so only to encourage private sector investment in geographical areas that would not be commercially attractive to the industry. Any public intervention has to be undertaken with caution to avoid distortion of the market and to comply with EU broadband and competition regulations/guidance.

There are future proposals for the development of a Digital Infrastructure Strategy as outlined in the Draft Industrial Strategy for NI however, this is at a preliminary stage in development.

Mid and East Antrim Council is a partner in the Belfast Region City Deal, and it would be expected that the Deal and its associated economic impacts would be referenced in the Draft Plan Strategy.

Project Stratum

The overarching objective for Project Stratum is simply stated; to provide universal, or near universal, high speed broadband coverage in Northern Ireland by increasing provision (broadband access infrastructure such as: cables, ducts, and other electronic systems), in areas which are currently poorly served and not capable of attracting wholly commercial investment - in other words, the remaining 10% of premises in Northern Ireland currently unable to access broadband services delivering speeds of 30Mbps or greater. The Project Stratum intervention area is predominantly rural and covers a broad swathe of Northern Ireland, targeting approximately 98,000 premises.

The project has been developed in response to the opportunity presented by the Confidence and Supply Agreement between the Conservative Party and the Democratic Unionist Party following the General Election in June 2017, which promised £150m to help improve the availability of high speed broadband in Northern Ireland.

The Department, in agreement with the Department of Agriculture, Environment and Rural Affairs (DAERA), has confirmed that an additional £15m of funding will be made available and applied to eligible expenditure for Project Stratum. The total identifiable public funding for Project Stratum is, therefore, £165m.

¹ <https://www.executiveoffice-ni.gov.uk/topics/making-government-work/programme-government-and-budget>

The project has commenced its procurement, with contract award anticipated in spring 2020. The project is currently planned, subject to approvals, to roll out over the period 2020 – 2024.

Planning for new builds and shared access to infrastructure

As noted above, the UKG strategic framework to 2033 has been articulated in the 'Future Telecoms Infrastructure Review'. One aspect of this framework is work to address deployment barriers and reducing cost for efficient delivery of infrastructure, including an approach to ensuring fibre connectivity in new builds.

DCMS has published a suite of guidance for local authorities on a range of related matters through the Digital Connectivity Portal:

<https://www.gov.uk/guidance/digital-connectivity-portal>

The Department wishes to draw your attention to this helpful guidance and encourages the Council to consider actions such as the reuse of public assets, and shared access to existing infrastructure, 'dig once' and the provision of ducting within Public Realm projects etc. as additional measures that could support the aim of improving connectivity within the Council area.

Whilst the current publicly supported telecoms infrastructure projects, such as Project Stratum, will go a long way to correcting the deficit in access for premises currently identified as below 30Mbps, it is important that planning approvals for new premises ensure that appropriate connectivity is provided for at the outset and we would direct you to the DCMS advice that:

'Local authorities can help to create incentives for future investment in digital infrastructure in their area by ensuring Local Plans effectively support it. To do this, Local Plans can outline how planning policies will support the rollout of both fixed and mobile infrastructure.'

This could include policies that will support the future of mobile connectivity and the rollout of small cells for 5G, which is most likely to be needed in dense, urban areas.

For example, a Local Plan could ensure that all new developments have sufficient ducting space for full fibre connectivity and/or support the effective use of rooftops and street furniture to accommodate mobile digital infrastructure, including small cells for 5G.'

We would, therefore, recommend that consideration be given to:

1. Ensuring that no new homes are built without access to appropriate telecommunications infrastructure; and
2. Ensuring provision of appropriate telecommunications infrastructure, not only to new, larger (25 home +), developments, but also existing single dwellings.

MINERALS AND PETROLEUM AND GEOLOGICAL SERVICES NORTHERN IRELAND

The Department for the Economy is responsible for a number of key Programme for Government objectives including ensuring that we build a strong and competitive, regionally balanced economy where we have more people in better jobs whilst ensuring that we live and work sustainably. It is within this context that the Department's Minerals and Petroleum Branch and the Geological Survey of Northern Ireland (MAPB and GSNI) make the following response.

MAPB/GSNI welcomes the opportunity to engage with Mid East Antrim Borough Council in the preparation of its draft Plan Strategy (DPS).

We welcome the fact that the minerals sector is recognised in a number of the strategic objectives in the DPS such as the economic objective to promote sustainable economic growth and to support sustainable development in the countryside. In particular we support the specific environmental objective in the Draft Plan Strategy – 'to promote and facilitate the use of mineral resources in an efficient and sustainable manner and to support initiatives for the reduction and recycling of waste'. These strategic objectives are also captured in the objective in your Spatial Growth Strategy – to facilitate sustainable development in the open countryside, balancing the need to protect the environment and rural character while sustaining a strong and vibrant rural community.

The overview of the policy on minerals correctly notes the important economic contribution of minerals to the Mid and East Antrim Borough Council area and how this contributes to delivering the Council's priorities in its Local Development and Community Plans. The Department agrees that more work needs to be done to assess the data from Annual Quarry Returns and the extent of existing planning permissions to understand the future supply levels for construction minerals and to determine if current production rates are able to meet demand from the planned development in the Council area. An assessment should be made by Council of the existing quarries to ensure that there are sufficient reserves for the length of time of the LDP. It will also be important to ensure that, where Council imports materials such as sand and gravel, supplies from other council areas will support future development.

We note the proposal to delay the finalisation of decisions on Mineral Reserve Areas and Areas of Constraint on Mineral Development until this assessment has been completed and we will continue to work with Councils and DfI through the Regional Minerals Working Group to support this work.

We note that Council has picked up on many of our observations at the Project Meeting on 7 May 2019. We would offer a few further comments on the proposed policies for your consideration:

MIN 1 - Extraction and Processing of Hard Rock and Aggregate

We welcome the inclusion of a separate policy for hard rock and aggregates. We note that the Council is proposing a presumption against this type of extraction in SCAs with the exception of salt extraction which is considered of regional significance. It should be noted that DfE licence salt extraction under the Mineral Development Act 1969 and therefore we consider salt to be a valuable mineral and therefore would be considered under MIN2.

The wording of the policy indicates that planning permission 'can' be granted when council is satisfied – we would suggest that it should read that planning permission 'will' be granted once council is satisfied that the requirements of MIN 1 have been met.

The Justification and Amplification (J&A) section should reflect the rationale and evidence for the absolute exclusion of hard rock and aggregate developments in SCAs.

The J&A narrative indicates that a cautious approach will be applied in all other areas designated for landscape quality. This is more restrictive than the principles set out in SPPS para 6.155. Rather than using the general reference to a 'cautious approach', we would suggest that the J&A section should reflect how the principles of para 6.155 will be applied to ensure sufficient supplies of construction aggregates while also ensuring appropriate protection of designated areas. If the Council consider there is evidence that this balance would exclude SCAs then this should be set out more clearly in the J&A section as in 7.4.19.

MIN 2 – Valuable Minerals

This policy as currently drafted needs to be reconsidered to reflect SPPS 6.157 more accurately. SPPS 6.157 states that there should be no presumption against extraction of economically valuable minerals in any area but, within a statutory policy area, due weight will be given to the reason for any statutory zoning. MIN2 as drafted is more restrictive than the SPPS by excluding SCAs and indicating a cautious approach in other designated areas.

We would suggest that the absolute protection for SCAs is removed and that the reference to a cautious approach is revisited as this does not reflect the principle of the SPPS in respect of valuable minerals – perhaps a reiteration of the 6.157 principle and that set out in your J&A – ***'that in assessing applications Council will ensure that the rationale for any designation is not undermined by the development proposal'***. This is well articulated in 7.4.20 without the need for reference to a 'cautious' approach. This allows Council to carefully balance the consideration of any adverse impact on the designation with the potential economic impact.

MIN 3 – Hydrocarbons

We welcome that separate policies have been included for valuable minerals and hydrocarbons. This allows for a more appropriate consideration of these very different minerals to be made. The policy refers to 'extraction of hydrocarbons and gases by methods such as hydraulic fracturing' – the term gases is superfluous here as hydrocarbons encompasses oil, gas and condensate.

MIN 4 – Areas of Constraint on Mineral Development.

The proposed policy is well balanced and offers the necessary exception for the treatment of valuable minerals and those of limited occurrence. In order to fully reflect SPPS 6.164 the policy should also allow for short-term extraction. We would however caution against applying a set timeframe on 'short-term' as the nature of the proposed extraction methods and the commodity to be extracted would need to be considered in each case to assess the economic value of short-term extraction against any potential impact on the ACMD designation. If the aim is to minimise the impact of a mineral development then this would be best achieved by good design and operational practice with appropriate mitigation measures, specific planning conditions and effective regulatory oversight and enforcement rather than an arbitrary time limit.

Review of the Council proposed ACMD gives no immediate cause for concern in terms of the current Mineral Petroleum Licensing (MPL) and quarry operations. As discussed at the meeting on 7 May 2019:

- Further high value prospectivity of the Council area may be identified in the future, but currently the Lon 2 licence area in the north and west is the only active MPL.
- There is a minor overlap of the Garron Plateau and Lon2, but no other coincidence with current MPL areas.
- The OMYA limestone quarry at Glenarm is also within the Garron ACMD, but it is noted that this has been accommodated in the ACMD

MIN 5 – Area of Salt Reserve.

We welcome the proposals to designate an area of salt reserve at Carrickfergus based on discussion with ISME Ltd.

MIN 6 – Development at Risk of Subsidence due to past or present underground mineral extraction.

GSNI agree with the policy of a general presumption against development in known areas of land instability and/or coastal erosion unless the applicant has demonstrated to the Council that there are no consequential risks to health and safety through a detailed investigation. We acknowledge the commitment to consult with GSNI on all applications within or close to areas of known risk and the encouragement for all applicants to engage with GSNI at an early stage.

The DPS acknowledges the limited information currently available to identify areas at risk from coastal erosion and GSNI agree with the Council's approach that, as and when this information becomes available, the policy will apply to those areas.

Min 8 – Restoration and Management of Mineral Sites.

The proposals for restoration are welcomed. The three benefits listed, at least one of which restoration proposals should secure, reflects the SPPS but Council may wish to consider extending the list of benefits to allow for other wider benefits by adding '**other community, economic or environmental benefits**' in order to capture future benefits which may go beyond those listed. I understand the Council has discussed the range of financial guarantee options available with the industry to ensure the policy is sufficient to cover all options.

Minerals Technical Supplement

In Technical Supplement 8 at Section 1.3, the only value attributed to the minerals industry is the sales value of mineral extracted. It may be useful to consider using the University of Ulster Economic Policy Centre Report ([The Report](#)) as evidence of the wider economic impact of the sector which provides data by council area on jobs and GDP. The UU Report regional figures have been used in the DPS introduction to Minerals section but the UU Report also provides figures on a sub-regional/Council basis.

In conclusion, the Council Local Development Plan team is to be congratulated on developing the most comprehensive minerals chapter that we have reviewed to date. With some revisions, as set out above, it would serve as a template for other Plans.

STRATEGIC POLICY

Industrial Strategy/Programme for Government

- The Department welcomes the linkages set out within the Council's Plan to the draft Industrial Strategy/Programme for Government.
- Particularly welcome are the core planning principle of supporting sustainable economic growth including focuses on tourism, energy and infrastructure and the wider objective to grow and diversify the economy and work hard to create a vibrant business culture, building on sectoral strengths in advanced manufacturing, agri-food, financial and business services, and digital sectors.
- Local Government is an important partner in delivery of economic outcomes. We would welcome ongoing engagement with local councils including Mid and East Antrim Borough Council during the development of the final Industrial Strategy and ongoing work on the Programme for Government.

Circular Economy

- The Department is currently developing a policy framework for Circular Economy in Northern Ireland. In this context, we welcome the move towards a circular waste economy and the shift away from landfill disposal of waste.

Background:

- The draft NI Industrial Strategy was issued for consultation between January and April 2017. Mid and East Antrim Council responded to the consultation and its response, alongside other responses, and feedback gained from the engagement event with NILGA, will be analysed in developing a final Industrial Strategy.