

Hannah Flynn

From: Morrow Paul <Paul.Morrow@nienetworks.co.uk>
Sent: 03 February 2022 15:56
To: Local Development Plan
Cc: Aideen McFerran
Subject: Response to proposed changes to draft Plan Strategy
Attachments: scan_dngxm_2022-02-03-15-53-00.pdf

Hi,

Please see attached for a brief response to the proposed changes to the draft Plan Strategy on behalf of NIE Networks.

Please could you confirm upon receipt.

Kind regards,

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Our ref: Submission to the DCSDC Draft LDP Strategy

Date: 3rd February 2022

Local Development Plan Team
Derry City & Strabane District Council
98 Strand Road
Derry
BT48 7NN

Dear Sirs,

Derry & Strabane District Council LDP Draft Plan Strategy 2032 – Schedule of Proposed Changes

Please find enclosed a representation in response to the public consultation to the LDP Draft Plan Strategy – Schedule of Proposed Changes on behalf of NIE Networks. This representation outlines our observations and highlights several concerns regarding the soundness of the proposed changes and how they potentially impact on the soundness of the LDP Strategy.

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 proposed changes in that context.

General

NIE Networks welcomes the proposed changes in response to our previous submissions and confirms that our position remains as previously stated in respect of all other matters that have not been addressed by these proposed changes.

Comments on Other Proposed Changes

- (i) **PC18 & PC19:** The proposed change to remove the word 'significant' from GDP1 is unsound, in that it not consistent with the terms of the SPPS and meeting the objectives of the 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. It notes that businesses depend in efficient connections for goods and services including the necessary electricity infrastructure to service economic growth (Section 3,2).

The SPPS at paragraph 6.194 states that *'appropriate weight'* should be given to biodiversity in determining applications and in paragraph 6.224 renewable energy proposals will be required to demonstrate that they 'will not result in an unacceptable adverse impact' on biodiversity interests. This does not support the removal of *'significant'* as doing so means that any loss of biodiversity interest is not acceptable which is not consistent with the SPPS or RDS and in particular RG5, which 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.

As such, it is considered that the proposed policy changes are unsound in respect to tests C1, C3, and CE2.

- (ii) **PC119 – Proposed New Policy ODC 1.** NIE Networks has no objection in principle to the proposed new policy but would respectfully suggest that any such policy covering 'Other Development in the Countryside' should also make provision for critical infrastructure, including energy infrastructure, that is essential in the countryside.

In that context we would propose amended wording:

There are a range of types of development, including essential service and energy infrastructure, which in principle are considered to be acceptable in the countryside and that will help sustain rural communities and contribute to the aims of sustainable development.

It is our view that failure to include the above amended wording would render the proposed new policy unsound in the context of test CE2.

- (iii) **PC177 – Precautionary Principle.** The proposed change to include a provision that the 'precautionary principle' should apply across all of the NE policies in the LDP is not consistent with the SPPS (paragraph 6.174) which states that the principle should apply to the impacts of a proposed development on national or international significant landscape or natural heritage resources. The wider application of the precautionary principle is therefore inconsistent with the SPPS, RDS and the Economic objectives of the LDP with the focus on driving significant job creation, investment driven growth, new and expanded businesses and commercial enterprise, strong vibrant retail centres improvements to public services, and continued regeneration in a sustainable manner. A robust and sustainable energy infrastructure is a fundamental element in delivering on these aspirations and the application of the precautionary principle will unreasonably fetter the delivery of that infrastructure.

As such, it is considered that the proposed policy change is unsound in respect to tests C1, C3, and CE2.

- (iv) **PC178:** There appears to be a typographical error in the proposed amendment of paragraph 21.13 in respect of 'Sites of Community Interest'. In the context of the preceding change, it is proposed that this should read 'Sites of Community Importance.'

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,

Paul Morrow

NIE Networks, Lead Asset Engineer