



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

## **MID ULSTER**

### **Telecommunications and Overhead Cables**

**May 2016**

## **Telecommunications and Overhead Cables**

**Purpose:** To provide members with an opportunity to consider existing planning policies as they pertain to Telecommunications and Overhead cables and to consider the need to tailor these policies for Mid Ulster in light of the forthcoming Local Development Plan.

**Content:** The paper provides information on:

- (i) The context of Telecommunications and Overhead Cables in Mid Ulster and existing planning policies**
- (ii) Mid Ulster District Council (MUDC) objectives for Telecommunications and Overhead Cables and the linkages between the MUDC objectives for future growth and the Sustainability Appraisal, Regional Planning Policy and Strategic Planning Policy Statement objectives**
- (iii) Consider existing policies and consider preferred and alternative policy options, tailored to local circumstances, for Telecommunications and Overhead Cables within the Local Development Plan**

**Recommendation:** That the Planning Committee notes the findings and considers how this paper shall be used to inform the Preferred Options Paper (POP) and strategic policies in the Local Development Plan (LDP)

### **1.0 Introduction**

- 1.1 The purpose of this paper is to inform the Planning Committee of current planning policies associated with telecommunications and overhead cables and assess whether or not they are fit for purpose against the Council's objectives for enhancing the environment and improving infrastructure and whether they need to be tailored to meet local circumstances through the new Local Development Plan (LDP) 2030.
- 1.2 This paper contains an assessment of how existing planning policies relevant to telecommunications and overhead cables take account of objectives contained within the Regional Development Strategy 2035 (RDS 2035), the Single Planning Policy Statement (SPPS), Sustainability Appraisal themes and MUDC Sustainable Development Objectives.
- 1.3 This paper will focus on the existing policy provision for Telecommunications which are primarily contained within Planning Policy Statement (PPS) 10:

Telecommunications. But will also include consideration of the existing policy provision for overhead cables which is currently contained within the Planning Strategy for Rural Northern Ireland, Regional Planning Policies: Public Services and Utilities (PSU) 11 Overhead Cables.

- 1.4 Having the best available telecommunications system across the district is a key ingredient to economic success. As such MUDC's strategy is to facilitate the best telecommunication without significantly compromising our most important landscapes or the environment and amenity of our residents. In addition, the need for power lines/overhead cables to ensure that the needs of our community are served is also recognised. This is best achieved by giving protection to sites of natural or built heritage including archaeology and offering appropriate protection to our most sensitive landscapes through the application of appropriate development management planning policies. Mid Ulster Council also has a role in encouraging and lobbying telecommunication and electricity suppliers to encourage the use of underground cables particularly in town centres and in areas of heritage importance and generally in the urban area.
- 1.5 By way of background it is useful to note that the broadband market in Northern Ireland is fully privatised with the principal provider being British Telecom (BT) with other providers such as Plusnet, EE and SKY. Northern Ireland currently enjoys the best fixed line broadband infrastructure in the UK<sup>1</sup> although there are some rural areas which still have limited connectivity. However whilst fixed line broadband coverage in Northern Ireland is the best in the UK, mobile broadband coverage is the poorest in the UK<sup>2</sup>. Mobile Data Coverage in the Mid Ulster District, like the majority of the west of Ireland, is poor by comparison with the rest of the UK.
- 1.6 In accordance with the aims of the RDS 2035 and the SPPS, it is vital to ensure that we continue to improve the telecommunications in order to ensure that businesses remain competitive and that rural communities do not feel cut off or isolated.

## **2.0 The Objectives**

### **(a) Mid Ulster Council**

- 2.1 Position Paper One, Population and Growth, outlined a number of policy objectives that will assist in formulating the aims and objectives for enhancing the environment and improving infrastructure in Mid Ulster. The main objectives relevant to Telecommunications and overhead cables are:
- *The need to improve connectivity through telecommunication which both meets the needs of business and private households whilst reducing the need to travel.*
  - *The need to accommodate investment in power, water and sewerage infrastructure, and waste management particularly in the interests of public health.*

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<sup>1</sup> Irish Central Border Area Network (ICBAN) Telecommunications Action Plan

<sup>2</sup> Ibid

- *The need to provide and encourage use of energy both as a means of generating money for the local economy, attracting investment in enterprise and providing sustainable and affordable lighting and heating for the population.*

## **(b) Sustainability Appraisal (SA)**

- 2.2 A Sustainability Appraisal is a systematic process which must be carried out during the preparation of a LDP in order to promote sustainable development by assessing the extent to which an emerging plan will achieve required environmental, economic and social objectives. All LDP strategic planning policies will be subject to SA incorporating Strategic Environmental Assessment (SEA).
- 2.3 Key objectives of the Sustainability Appraisal which have relevance to Telecommunications and overhead cables are:
- **To reduce the effect of traffic on the environment** - Reduce traffic volumes and congestion.
  - **Maintain and enhance the character and quality of landscapes and townscapes** - Improve the landscape character and visual amenity of open spaces; enhance the quality of priority areas for townscape and public realm enhancements; protect and enhance local distinctiveness and sense of place; and minimise visual intrusion and protect views.
  - **Improve accessibility to key services especially for those most in need** - Improve the level of investment in key community services; make access more affordable; and make access easier for those without access to a car.
  - **Conserve and enhance biodiversity and conserve and where appropriate enhance the historic environment and cultural assets.**

## **(c) Regional Development Strategy (RDS) and Strategic Planning Policy Statement (SPPS)**

- 2.4 The Regional Policy Context for telecommunications and overhead cables is provided by the Regional Development Strategy (RDS) 2035, the Strategic Planning Policy Statement (SPPS) and Planning Policy Statement (PPS) 10 Telecommunications and Policy PSU11 Overhead Cables of the Planning Strategy for Rural Northern Ireland. The RDS sets out clear policy aims and objectives regarding public utilities which includes telecommunications and would also include overhead cables:

### **Regional Development Strategy (RDS)**

- 2.5 **Telecommunications** – Policy RG3 of the RDS 2035 acknowledges that Northern Ireland currently enjoys a first class telecommunications network but that in such a fast moving market, competitive advantage can soon be lost if continued development is not facilitated. Therefore it is important to continually improve international and internal connectivity.

- 2.6 The RDS 2035 envisages that next generation broadband services will be available to provide support for 85% of businesses.
- 2.7 Policy SFG14 of the RDS 2035 also recognises that rural areas can be disadvantaged by their remote location in terms of access to essential services and important information technologies. In this regard, it is important to ensure that telecommunication services in rural areas are not neglected.
- 2.8 Therefore, the key policy aims of the RDS 2035 regarding telecommunications are:
- Invest in infrastructure to facilitate higher broadband speeds, whilst also considering the impact such infrastructure may have on the environment.
  - Increase the use of broadband.
  - Improve telecommunications services in rural areas to reduce rural /urban imbalance.
  - Utilise existing connectivity with North America and mainland Europe in order to further aid foreign and direct investment.

### **Strategic Planning Policy Statement (SPPS)**

- 2.9 The SPPS is a statement of the DOE's policy on planning matters that should be implemented across Northern Ireland and it was formally adopted in September 2015. It was agreed with the Northern Ireland Executive and its objectives were judged to be in general conformity with those of the RDS. Where the SPPS introduces a change of policy direction and/or provides a policy clarification that would be in conflict with the retained policy, the SPPS should be accorded greater weight in the assessment of individual planning applications. However, where the SPPS is silent or less prescriptive on a particular planning policy matter than retained policies this should not be judged to lessen the weight to be afforded to the retained policy.
- 2.10 The aim of the SPPS in relation to telecommunications and overhead cables is to facilitate the development of such infrastructure in an efficient and effective manner whilst keeping the environmental impact to a minimum.
- 2.11 The SPPS objectives for telecommunications and overhead cables are:
- Ensure that where appropriate, new telecommunications development is accommodated by mast and site sharing.
  - Ensure that the visual and environmental impact of telecommunications and other utility development is kept to a minimum.
  - Minimise, as far as practicable, undue interference that may be caused to radio spectrum users (eg) mobile phone services, media broadcasting and wireless broadband services, by new telecommunications development, and;

- Encourage appropriate provision for telecommunications systems in the design of other forms of development.
- 2.12 The SPPS regional strategic policy states that all new telecommunications development should address important planning considerations such as siting, design and impact on visual amenity and advises that to inform plan preparation, Councils may consult with telecommunications operators and other relevant stakeholders in relation to the anticipated extent of the network coverage required over the plan period.
- 2.13 This policy recognises that in certain circumstances, LDP's may allocate specific sites for major new telecommunications development as well as setting out requirements on operators, for example, to demonstrate the need for new development and existing network constraints.
- 2.14 It also states that account should be taken of the potential effects of new telecommunications development, and any necessary enabling works, on visual amenity and environmentally sensitive features and locations. Operators will be also encouraged to site share wherever possible.
- 2.15 Applications for such development should be accompanied by a statement declaring that the proposal meets ICNIRP (The 1998 International Commission on Non-Ionizing Radiation Protection). Due to the cost associated with retrofitting telecommunications applicants should be encouraged to consider provision for such technology as early as possible in the design stage of proposals.
- 2.16 With specific reference to power lines (overhead cables) the SPPS advises that current Government policy is that exposures to power-line Electro Magnetic Fields (EMFs) should comply with the 1998 International Commission on Non-Ionizing Radiation Protection (ICNIRP) Guidelines. A voluntary Code of Practice Power Lines: Control of Microshocks and other indirect effects of public exposure to electric fields A voluntary Code of Practice (DECC, July 2013) has been agreed by the Department of Energy and Climate Change, the Department of Health, the Energy Networks Association, the Welsh Government, the Scottish Government, and the Northern Ireland Executive. It sets out what is regarded as compliance with those aspects of the EMF exposure guidelines that relate to indirect effects as far as the electricity system is concerned. Further Government policies relating to EMFs from overhead power lines, advise that as a precautionary measure they should, where reasonable, have optimum phasing. This is the subject of a companion Code of Practice "Optimum phasing of high voltage double-circuit power lines". This Code of Practice applies in England, Wales, Scotland, and Northern Ireland.
- 2.17 The SPPS also states that any proposal for the development of new power lines should comply with the 1998 International Commission on Non-Ionizing Radiation Protection (ICNIRP). Furthermore any proposal for the development of new power lines should also comply with ICNIRP and have regard to

potential impact on amenity avoiding areas of landscape sensitivity, including Areas of Outstanding Natural Beauty (AONBs).

- 2.17 Mid Ulster District Council must take into account the implications of this strategic policy in the preparation of its LDP and in the determination of planning applications. The LDP should reflect the aim, objectives and policy approach of the SPPS, but be tailored to the specific circumstances of Mid Ulster. Such circumstances have been identified through the Council Preparatory Papers and Countryside Assessment which includes an Environmental Assets Appraisal and Landscape Assessment.

### **3.0 Consideration and Assessment of Planning Policy Statement 10 (PPS 10) - Telecommunications.**

- 3.1 PPS 10 sets out the existing planning policy for telecommunications development. It embodies the Government's commitment to facilitate the growth of new and existing telecommunications systems whilst keeping the environmental impact to a minimum. It also addresses health issues associated with telecommunications development. It is important to note that policy TEL 2, contained within PPS 10 is no longer an operational policy due to the switch over from terrestrial television to digital television.
- 3.2 The purpose of the following section of the paper is to assess the effectiveness of PPS 10 in more detail and to consider the following:
1. Does the remaining policy of PPS 10, TEL 1, accord with the objectives of the SPPS and the LDP objective in relation to enhancing the environment and improving infrastructure?
  2. Whether or not policy TEL 1 needs to be tailored to local circumstances.

#### **Control of Telecommunication Development – Policy TEL 1**

- 3.3 Policy TEL 1 of PPS 10 permits telecommunications development, together with any enabling works, where it will not impact on visual amenity or cause harm to environmentally sensitive features or locations. It requires developers to demonstrate that all proposals have been sited and designed to minimise visual and environmental impact whilst having regard to technical and operational constraints. Furthermore, it states that new telecommunication masts will only be acceptable where the sharing of another mast or structure is not feasible or where a new mast is a better environmental solution.
- 3.4 TEL 1 also requires applications for development by Code System Operators or Broadcasters to include information about purpose, need and how it fits into their wider network along with mitigation measures. In cases where the proposal relates to a mobile telecommunications base station a statement must be provided indicating location, height, frequency and output along with a declaration that the proposal meets ICNIRP guidelines.
- 3.5 The aim of the SPPS in relation to telecommunications is to efficiently and effectively facilitate such infrastructure and to keep environmental impact to a minimum. TEL 1 is in keeping with this aim as it requires that proposals should

not result in unacceptable damage to visual amenity or harm to environmentally sensitive features or locations.

- 3.6 The regional strategic objectives in the SPPS promote mast and site sharing where appropriate. TEL 1 has a similar requirement for mast and site sharing. Like the aim of the SPPS, there is also a regional strategic objective to ensure minimum visual and environmental impact. Again, TEL 1 has a similar requirement. The SPPS includes a regional strategic objective to minimise undue interference. This was previously dealt by policy TEL 2 but was specific to interference with terrestrial television and is no longer an issue. However the regional strategic objective is specific to interference caused to radio spectrum users. This is not dealt with in TEL 1 and needs to be addressed in the Local Development Plan. The final regional strategic objective of the SPPS encourages the provision for telecommunications systems in the design of other forms of development. TEL 1 does encourage this however it is dealt with in Annex A of PPS 10, Accommodating Telecommunications Infrastructure in New Development.
- 3.7 MUDC has a clear objective for the LDP regarding telecommunications (ie) *To improve connectivity through telecommunication which both meets the needs of business and private households whilst reducing the need to travel.* Policy TEL 1 clearly facilitates the improvement of connectivity. The policy can be used to assess both minor and larger telecommunications applications which will reflect the needs of both businesses and private households. While not being specific about how it may reduce the need to travel, TEL 1 will result in a reduce need to travel.
- 3.8 The SPPS goes on to detail specific regional strategic policies for telecommunications. The first of these deals with siting, design and impact on visual amenity. Given that telecommunication infrastructure often takes the form of a high structure (e.g.) mast, it is important that any new policy incorporates a similar test to ensure our local landscapes are protected. It is relevant to note here that there is an intention to designate areas in the new LDP in which high structures will not be permitted (i.e.) Areas of Constraint.
- 3.9 The SPPS advises in its regional strategic policy that Councils may consult with telecommunications operators to inform plan preparation. The SPPS contains a regional strategic policy which has a provision for allocating specific sites in the LDP for major new telecommunications development. It is unlikely that this type of designation will be a necessary requirement in Mid Ulster. An operational policy within the LDP should accommodate all proposals.
- 3.10 There is a regional strategic policy in the SPPS which places a requirement on operators to demonstrate a need for new telecommunications development as well as existing network constraints. This is a requirement for Code System Operators or Broadcasters in TEL 1. It will be necessary to include this provision in the new LDP.
- 3.11 The SPPS recognises that the potential effects of new telecommunications development, including any enabling works, on visual amenity and



environmentally sensitive features and locations should be given consideration in the LDP. This should also be a test in the new LDP policy as it will ensure the plan stands up to sustainability appraisal as well as ensuring compliance with the objectives of the SPPS regarding telecommunications. This regional strategic policy also places the onus on the applicant to submit information that considerations have been assessed and mitigated (eg) site sharing. It is important to also emphasize this in the LDP.

- 3.12 Like TEL 1, the SPPS regional strategic policy requires applications for telecommunications equipment to be accompanied by a statement declaring that it meets ICNIRP guidelines (The 1998 International Commission on Non-ionizing Radiation Protection). This requirement will remain in the LDP to protect against exposure to electromagnetic fields.
- 3.13 The SPPS regional strategic policy encourages applicants to consider telecommunications as early as possible in the design stages of proposals. This will avoid costly retrofitting. This however is only desirable and it may not be necessary to include this as a policy criteria.

#### **4.0 Consideration and Assessment of a Planning Strategy for Rural Northern Ireland Public Services and Utilities (PSU) 11: Overhead Cables**

- 4.1 PSU 11 sets out the existing planning policy for overhead cables development. It embodies the Government's commitment to facilitate the development of such infrastructure in an efficient and effective manner whilst keeping the environmental impact to a minimum.
- 4.2 The purpose of the following section of the paper is to assess the effectiveness of PSU 11 in more detail and to consider the following:
1. Does the policy accord with the objectives of the SPPS and the LDP objective in relation to enhancing the environment and improving infrastructure?
  2. Whether or not the policy needs to be tailored to local circumstances.

#### **Overhead Cables – Policy PSU 11**

- 4.3 The SPPS states, "In relation to power lines current Government policy is that exposures to powerline Electro Magnet Fields (EMFs) should comply with the 1998 International Commission on Non-Ionizing Radiation Protection (ICNIRP) Guidelines. A voluntary Code of Practice Power Lines: Control of Microshocks and other indirect effects of public exposure to electric fields A voluntary Code of Practice (DECC, July 2013) has been agreed by the Department of Energy and Climate Change, the Department of Health, the Energy Networks Association, the Welsh Government, the Scottish Government, and the Northern Ireland Executive. It sets out what is regarded as compliance with those aspects of the EMF exposure guidelines that relate to indirect effects as far as the electricity system is concerned. Further Government policies relating to EMFs from overhead power lines, advise that as a precautionary measure they should, where reasonable, have optimum phasing. This is the subject of a

companion Code of Practice “Optimum phasing of high voltage double-circuit power lines”. This Code of Practice applies in England, Wales, Scotland, and Northern Ireland.”

- 4.4 Any proposal for the development of new power lines should comply with the ICNIRP and be considered having regard to potential impact on amenity and should avoid areas of landscape sensitivity, including Areas of Outstanding Natural Beauty (AONBs).”
- 4.5 A PSRN, Policy PSU 11 Overhead Cables states,

**“The siting of electricity power lines and other overhead cables will be controlled in terms of the visual impact on the environment with particular reference being given to designated areas of landscape or townscape value.**

One aspect of modern life is the presence of pylons and poles carrying overhead wires for telephone or electricity supply. This "wirescape" can be visually obtrusive particularly where the wires and poles figure above the skyline or where they dominate the streetscape in a built-up area.

Proposals for the development of new power lines or alterations to existing power lines may require to be accompanied by an Environmental Statement.

When considering a development proposal for the siting of electricity power lines and other overhead cables, the lines should be planned to:

- avoid areas of landscape sensitivity;
- avoid sites and areas of nature conservation or archaeological interest;
- minimise their visual intrusion;
- make sure that they follow the natural features of the environment; and
- ensure that wirescape in urban areas is kept to a minimum with preference being given to undergrounding services where appropriate.

In designated areas of landscape or townscape value, for example Conservation Areas or AONBs Planning Service will seek to enhance the visual amenity of the area by encouraging the removal of all unnecessary overhead wires and wires on building elevations. When new paving and footpaths are being laid, as part of an Environment Improvement Scheme, consideration will be given to putting services underground. The main emphasis will be placed on integration into the existing landscape/ townscape.”

- 4.6 A PSRN, Policy PSU 11 Overhead Cables accords with Regional Strategic Policy (SPPS).

## **5.0 Policy Options for Telecommunications and Overhead Cables**

- 5.1 As having the best available telecommunications system across the district is a key ingredient to economic success, MUDC’s strategy is to facilitate the best telecommunication without significantly compromising our most important landscapes or the environment and amenity of our residents. The role and

importance of overhead cables is also recognised and as such, it is considered Mid Ulster has two potential policy approaches for dealing with telecommunications and overhead cables:

- 5.2 **Option 1** - Adopt a policy approach which is in line with current planning policy in relation to both telecommunication and overhead cables. It is considered that this approach would not fit with the approach that Mid Ulster wish to adopt in relation to protection of important and sensitive landscapes and designation. It is felt that simply adopting the current policy approach does not provide enough direction in relation to the protection of important local landscapes
- 5.3 **Option 2** – Tailor the current policy approach to recognise our most sensitive landscapes where telecommunication and overhead cables would have a significant adverse impact. This approach means that certain areas will be designated as Areas of Constraint in the context of High Structures or Special Countryside Areas where development above 15m would conflict with the Plan, e.g. telecommunication masts and overhead cables, so as to protect these sensitive landscapes and designations in Mid Ulster. It is worth noting that in a previous preparatory Position Paper on Utilities (Position Paper Six<sup>3</sup>) issues regarding telecommunications was discussed and at that time the Government were funding a ‘Not Spot’ initiative and due to this we had previously considered the possible need to include an exception in our Areas of Constraint and SCA’s to allow for ‘Not Spot’ development. That programme has since ended and funding ceased and it considered that no such exception is required in our approach. It is intended however that the high structures policy will allow development up to 15m and in many cases this would address ‘not spot’ issues should they arise. This policy approach will also reflect the approach of the SPPS and in relation to telecommunications will encourage site sharing of masts wherever possible and will have a requirement on the applicant to declare compliance with ICNIRP guidelines.

#### **Preferred Option**

- 5.4 Option 2 is our preferred option and suggested wording for a policy could be along the following lines:

***Outside of ‘Areas of Constraint on Wind Turbines and High Structures’ and Special Countryside Areas telecommunication development (including necessary enabling works) and overhead cable development will conform with the plan where:***

- ***Siting and design of the development, including any necessary enabling works will not result in an unacceptable impact on visual amenity and environmentally sensitive features and locations.***
- ***Operators demonstrate the need for new telecommunication development, existing network constraints, potential effects of such development and measures to mitigate visual and environmental impacts.***

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<sup>3</sup> MID ULSTER, Position Paper Six, Public Utilities, 5 May 2015.

- ***Applications for the development of telecommunications equipment should be accompanied by a statement declaring compliance with ICNIRP guidelines for public exposure to electromagnetic fields.***
- ***Operators demonstrate that the development shall not cause undue interference to radio spectrum<sup>4</sup> users.***
- ***In the case of overhead cables the chosen route follows the natural features of the environment and in urban areas wirescape is kept to a minimum with preference being given to undergrounding.***

***In the case of telecommunications new masts should only be considered where site sharing is not feasible or where it offers an improved environmental solution.***

***Subject to the above considerations telecommunication development and overhead cables will normally be restricted to 15m in height in 'Areas of Constraint on Wind Turbines and High Structures' and Special Countryside Areas. Exceptions will only be considered where it has been demonstrated that the proposal is of regional importance.***

## **6.0 Recommendation**

- 6.1 The proposed policy options, including the preferred option contained within this paper will be subjected to Sustainability Appraisal and Strategic Environmental Assessment before any final decisions are made on which options should go forward to the Preferred Options Paper (POP).

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<sup>4</sup> The **radio spectrum** is that part of the electromagnetic spectrum corresponding to radio frequencies, i.e. that part with frequencies lower than around 300 GHz. Different parts of the radio spectrum are allocated for different radio transmission technologies and applications. In some cases, parts of the radio spectrum is sold or licensed to operators of private radio transmission services (for example, cellular telephone operators or broadcast television stations).