



Virgin Media response to Antrim and Newtownabbey Borough Council consultation on the draft Plan Strategy (part of the Local Development Plan)

Virgin Media are grateful for the opportunity to feed in to this important consultation on the draft Plan Strategy as Antrim and Newtownabbey Borough Council develop its Local Development Plan.

Below, therefore, we have set out the current national planning policy position in regard to digital infrastructure, why we believe this is an issue for local economies and communities, and a suggested way forward.

Current Position

At present, spatial planning is governed by the Strategic Planning Policy Statement for Northern Ireland (SPPS). This was approved in Sept 2015 and has not been updated since. The documents are broadly equivalent to the English planning policy framework (see below) as they set residential and business land allocations and provide policies and guidance for developers.

The aim of the SPPS in relation to telecommunications and other utilities is to facilitate the development of such infrastructure in an efficient and effective manner whilst keeping the environmental impact to a minimum. To inform plan preparation the SPPS encourages councils to consult with telecommunications operators, and other relevant stakeholders, in relation to the anticipated extent of the network coverage required over the plan period.

However, there is no reference within this to choice, fibre, ultrafast broadband or future-proofed digital infrastructure. The 'Good Design' section of the SPPS does recognise that "design is not limited to the appearance of a building or place but should also encompass how buildings and places function in use and over the lifetime of a development.....Future proofing developments for modern technology such as telecommunications can also help minimise the need for expensive retrofitting" (para 4.24).

Northern Ireland planning policy has not kept pace with recent changes to planning statutes in England and Wales, and the guidance that local authority planners work to. These changes have added requirements for broadband deployment to be included as a material consideration within Local Development Plans.

Before these changes, the planning system in England and Wales (and as currently constituted in Northern Ireland) failed to adequately address the issue of broadband deployment to new housing developments, meaning that suppliers could continue installing networks that did not provide ultrafast digital connectivity or consumer choice. This placed Local Developments Plans at odds with the aims and ambitions of national government and, in many cases, denied homeowners the benefits of ultrafast broadband speeds.

Why this is a problem

If fibre deployment is not addressed when a site is being developed, it could be subject to poor connectivity and fail to provide consumer choice for anything up to the first five years of occupation until road work restrictions are lifted.



In addition, the costs for providers, such as Virgin Media, of deploying networks retrospectively can be prohibitively expensive, and for DFI, as the Highways Authority, this leads to unnecessary and disruptive civils work. Given the increasing importance attached to broadband from those moving house, Virgin Media is encouraging Local Authorities to carefully consider the recent policy changes to ensure residents have greater choice and availability of faster broadband connections.

In many cases, developers wrongly perceive that making provision for multiple networks will add additional cost or slow down a development. However, Virgin Media has a streamlined, straightforward new development process (and portal for developers¹ with accompanying Developer's Guide²) and a dedicated New Build team and will ensure that the provision of our infrastructure into a new development does not impose any additional cost on the developer.

The provision of ultrafast broadband has a significant economic and social impact upon local areas and local economies. Broadband speeds are now a significant factor in attracting and retaining people to live in an area. Research over the past few years has found that one in five of us sort out broadband access before water supply, while nearly two thirds of us consider high-capacity broadband as equally if not more important than an extra bedroom.

Recent Changes and Virgin Media's position

Virgin Media's response to the Ministry of Housing, Communities and Local Government (MHCLG) consultation on the National Planning Policy Framework (NPPF) in England and Wales recommended the following additions to any future Framework:

1. Full fibre connectivity (wherever it is feasible)
2. Multiple supplier consultation

These have now been reflected within section 112 of the revised National Planning Policy Framework published in July 2018³ and it reads as follows:

*"Advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being. Planning policies and decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections. Policies should set out how high quality digital infrastructure, **providing access to services from a range of providers**, is expected to be delivered and upgraded over time; and should **prioritise full fibre connections to existing and new developments** (as these connections will, in almost all cases, provide the optimum solution)."*

Virgin Media believes that this revised framework should be reflected in the planning policies of the Devolved Administrations given the alignment to the national policy aims on broadband infrastructure, such as Department for Economy's ambitions under Project Stratum and Full Fibre Northern Ireland. Mandating full fibre connectivity will allow consumers to access the best available broadband without the need for future upgrades, and the unnecessary disruption that would bring. Mandating that developers engage with multiple suppliers as part of the planning process will, crucially, increase consumer choice and market competition driving down prices.

¹ <https://keepup.virginmedia.com/content/networkExpansion/doc/New%20Build%20Handbook%20v1.58.pdf>

² <http://www.virginmedia.com/developer>

³ <https://www.gov.uk/government/publications/national-planning-policy-framework--2>



Further support for this approach comes from the Local Government Association (LGA) along with recommendations for a Broadband Kitemark. Cllr Mark Hawthorne, Chairman of the LGA's People and Places Board released the following statement⁴:

“Connecting our rural residents to future-proofed, fast and reliable broadband is vital to helping them get on in life and benefit from the advantages that decent digital connectivity can bring. The standard of digital connectivity we provide to our new build homes should reflect our national ambition to roll out world-class digital infrastructure across the country. Residents will no longer tolerate digital connectivity taking a backseat in developers’ plans.

We call on the Government, homebuilders and the broadband industry to work with us and develop the details of this proposal and give homebuyers the confidence to invest in a new home, knowing they won’t be stuck in the digital slow lane.”

Virgin Media are now actively seeking to encourage Local Planning Authorities to include broadband policies in their Local Development Plans which mandate both full fibre connections and a choice of infrastructure suppliers on each site. We believe there is a real opportunity here for Local Authorities in Northern Ireland to take a lead and have had encouraging conversations with the Department for Infrastructure in that regard.

In addition, there is potential to support this with Supplementary Planning Guidance for developers on the importance of ultrafast broadband and choice (and providing them information to contact relevant providers).

Case Study: Ashford Borough Council

Ashford Borough Council (ABC) has been leading the way. After receiving many complaints from residents on poor digital connections in new developments they drafted a policy which included the following.

Policy EMP6 - Promotion of Fibre to the Premises (FTTP)

The Council considers that FTTP is essential infrastructure and vital to the delivery of sustainable development. Therefore, all qualifying development shall deliver FTTP. Qualifying development includes:

- *All residential and employment schemes proposed in, or adjoining, the urban area of Ashford, including on those sites allocated in this Local Plan on periphery of the urban area of Ashford.*
- *Residential schemes promoting 10 dwellings or more in the remaining parts of the Borough,*
- *Employment schemes promoting 10 or more jobs (FTE) in the remaining parts of the Borough.*

Proposals for qualifying development will be required to be supported by a FTTP Statement, to be agreed by the Council. This statement will establish how FTTP will be provided to serve the development and that it will be engaged at first occupation.

Exceptions to the approach outlined above could be justified in circumstances where it is not practical, viable or feasible to deliver FTTP. In such cases, evidence will be needed from the applicant to demonstrate that a departure from policy is justified. For other residential and

⁴ <https://www.localgov.co.uk/Councils-call-for-new-Fibre-to-the-Premises-Kitemark-for-new-homes/45055>



employment schemes, FTTP will be encouraged by the Council as a means of expanding the local fibre network.

Where FTTP is not to be delivered, non-Next Generation Access technologies that can provide speeds in excess of 24Mbps should be provided as an alternative.

Ashford finished its Examination in Public on its Local Plan earlier this year and is the first authority in the country to take this policy through the examination process. The inspector took the opportunity to ask the council questions on implementation and viability.

Following the examination in public the policy was updated to provide clarity about how it should be implemented. It now requires applicants to produce an FTTP statement to support any planning application which will establish how and when FTTP will be secured through new development, working with the relevant telecom provider. It also now provides a clear steer as to the type and scale of development that would trigger these policy requirements

Folkestone & Hythe District Council are using Ashford's submission version policy wording in their Local Plan Ashford and the draft New London Plan is proposing that all developments should ensure that sufficient ducting space for future digital full fibre connectivity infrastructure is provided to all end users within new developments, unless an affordable alternative 1GB/s-capable connection is made available to all end users.

Preferred Options in Antrim & Newtownabbey

Virgin Media is in the process of rolling out its ultrafast broadband in a number of areas across Antrim and Newtownabbey.

Therefore, and taking into account the proposals, set above, we certainly support the intention set out in SP 3.16 that the Council will work "to secure an enhanced range, quality and coverage of telecommunications and broadband services across the Borough that will enable people and businesses to access a wide range of services and the latest technologies."

However, we would argue there is a real opportunity for the preferred option to be one which ensures that new developments across the Borough are future-proofed in terms of digital connectivity by mandating or encouraging developers to consult a variety of infrastructure providers, promote choice of networks and prioritise ultrafast or gigabit-capable broadband.

Further information

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