

Dear [REDACTED]

Thank you for the opportunity to comment on the Newry Mourne & Down District Council Draft Plan Strategy, NI Water's review is attached to this email.

NI Water is committed to working closely with Newry Mourne & Down District Council and would be happy to consult further on any of the issues raised within this letter.

Kind regards,

[REDACTED]

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Newry Mourne & Down District Council
 Local Development Plan Team
 Planning Office
 Downshire Civic Centre
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Your Ref:

Our Ref:

Date: 22nd September 2025

Dear Sir/Madam,

RE: Consultation on Newry Mourne & Down District Council – Draft Plan Strategy

Thank you for the opportunity to comment on the Newry Mourne & Down District Council Draft Plan Strategy. NI Water has reviewed the Draft Plan Strategy (DPS) and its supporting evidence base (Appendices 2A–2F and Technical Supplements).

While NI Water welcomes the acknowledgement of wastewater infrastructure capacity as a key consideration, we find the Draft Plan Strategy potentially unsound under the Department for Infrastructure soundness tests:

- **CE1 – Evidence:** The evidence base overstates deliverability, with housing and urban capacity figures presented without consideration of existing wastewater capacity constraints, which could potentially create a misleading picture of available supply.
- **CE2 – Deliverability:** Some allocations may be undeliverable in key settlements (Newry, Downpatrick, Newcastle, Warrenpoint) where significant wastewater capacity constraints exist within the networks and are currently at Red or Amber status, risking development that cannot connect to existing infrastructure.
- **CE3 – Monitoring:** There is no clear mechanism linking phasing of development (e.g. release of Phase 2 housing) to NI Water's annual Wastewater Capacity sheet or Pre-Development Enquiry (PDE) process, limiting the ability to manage growth in step with infrastructure.
- **C1 / C3 – Consistency:** The DPS does not fully align with the Regional Development Strategy or the Sustainable Water Strategy, both of which require

growth to be **planned and phased** in line with available infrastructure capacity.

➤ **P1 – Accuracy of Facts:** The DPS contains factual inaccuracies, reliance on historical wastewater capacity sheet wrongly labelled ‘June 2024’ and out of date investment information (updated sheet issued in February 2025 not reflected in DPS).

NI Water has a duty to ensure that development plans are deliverable, evidence-based, and aligned with infrastructure investment cycles. While we acknowledge that the draft Plan Strategy (dPS) references water and wastewater infrastructure, the supporting text does not adequately reflect the significant capacity constraints within the Council area, nor does it explain how infrastructure is planned, funded, and delivered. It is essential that the dPS acknowledges the regulatory framework governing public utility investment and incorporates this into spatial planning.

Our duty is to ensure that the Draft Plan Strategy (DPS) is informed by up to date and balanced water and wastewater evidence, so that development is deliverable, monitored, and consistent with regional policy (RDS 2035, Sustainable Water Strategy 2015–2040).

Wastewater infrastructure availability is not clearly addressed in development assessments, particularly in rural areas where constraints are more pronounced or infrastructure may be absent. Additionally, the dPS does not identify odour zones around wastewater treatment works and pumping stations. These zones represent significant planning constraints. Without recognition in the plan, NI Water will be required to issue negative responses to applications within these zones, and applicants may need to undertake detailed odour modelling. NI Water would also recommend that where non-mains infrastructure is considered, the dPS should clarify that odour zones apply and that a Wastewater Consent is required prior to planning approval.

The inclusion of Policy FRD6 and its supporting text is welcomed, which recognises the importance of phasing and sustainable drainage systems (SuDS). The recognition that SuDS should be integrated into site design from the outset and that both hard and soft SuDS offer benefits for flood risk management, water quality, biodiversity, and amenity is strongly supported.

Detailed Assessment

1.1 Plan Strategy (Utilities)

- Reference: Utilities Section (pp.126–127).
- Topic: Acknowledges wastewater constraints but misstates PC21 period (listed as 2024–2027).
- Soundness Tests: CE1, CE2, CE3, C1/C3, P1 **Risk:** Evidence error (P1/CE1).
- NI Water’s Recommendation: Correct PC21 dates. Add: “Major housing, employment, retail and transport developments will only be delivered where NI Water confirms wastewater capacity or solutions are agreed for the disposal of foul sewage. Phasing of development will follow NI Water’s annual wastewater capacity information.

Technical supplement 9

- TS9 uses a wastewater capacity table labelled “June 2024” that carries PC15-era content. This is not the latest sheet that NI Water provided in June 2024 but in fact an old version of the sheet which has not been used by NI Water for some years. Therefore, this is not the current position in relation to NI Water wastewater capacity.
- TS9 says “the most recently available information is from June 2024 and is included in Appendix B,” but the wastewater capacity material is actually in Appendix F (internal inconsistency).
- Appendix F contains Figure 2: No recent data with several entries carry PC15-era programme notes, e.g. “Upgrade of this WwTW planned during 2015–2021.” That is the PC15 business planning period, not the PC21/extended PC21 period. To avoid doubt the dataset used includes historic PC15 content and is not up to date.
- Appendix F (June 2024): The “Status and Capacity of Wastewater Treatment Works (June 2024)” table relies on PC15-era content (e.g. “Upgrade ... 2015–2021”) and therefore does not reflect NI Water’s current investment programme under PC21 (2021/22–2026/7) and its extension to 2027/28 or the latest investment information provided to the Council in February 2025.
- NI Water’s last two meetings with the Council were in October 2022 and August 2023 when we briefed the Council on PC21 (2021/22–2026/27) investment, challenges and constraints and the Council had more recent PC21 information before publishing TS9 (June 2024). NI Water has offered to meet the Council post the August 2023 meeting, but the invitation was not acted upon by NMDDC Planners. In addition to this NI Water provided detailed comments to the Council in August 2023 on their Draft Plan Strategy Policy review. Unfortunately many of NI Water’s comments have not been incorporated into the current version of the Draft Plan Strategy.
- NI Water acknowledge that Newry Mourne & Down Council has accepted that the inclusion of this ‘out of date’ capacity information was an error on their part and have stated that the sheet will be updated following closure of the Consultation period.

1.3 Technical Supplement 3 – Economic Development (June 2025)

- Reference: District total table (p.63); Soundness (p.64).
- Topic: Allocates 236 ha employment land in constrained hubs (Newry, Downpatrick, Warrenpoint, Kilkeel, Ballynahinch). There does not appear to be any test against wastewater capacity.
- Soundness Tests: CE1, CE2, CE3, C1/C3.
- NI Water Recommendation: Employment land allocations should be qualified i.e. development in constrained settlements will only be approved where wastewater capacity is available or a developer led / funded solution has been agreed.

Justification:

Section 8 presents a self-certification of soundness but does not mention water/wastewater capacity.

However, relevance for NI Water, means industrial, business, and employment sites, which can often bring significant foul sewage and trade effluent loading.

The Council evidence assumes all 236 ha are deliverable but does not test sites against NI Water wastewater capacity.

NI Water's June 2024 wastewater capacity sheet confirms multiple employment hubs (Newry, Downpatrick, Kilkeel, Warrenpoint, Ballynahinch) currently have amber/red capacity status in relation to the wastewater network, with multiple Unsatisfactory Intermittent Discharges (UIDs).

The Sustainable Water Strategy (2015–2040) and RDS RG12 require that land-use planning be informed by sewerage infrastructure **and** investment programmes.

Soundness issues detailed.CE1 – Coherence & Evidence

TS3 does not integrate NI Water's latest WwTW headroom evidence (June 2024 / Aug 2025).

Reliance only on CBRE land supply and UUEPC floorspace studies gives an incomplete evidence base.

CE2 – Deliverability

Assumes all 236 ha can be developed, but many zoned employment lands are in settlements where wastewater network is at capacity (e.g. Newry, Kilkeel, Ballynahinch).

No phasing of land release tied to NI Water's PC21 upgrades or future PC28 prioritisation.

CE3 – Monitoring

No mechanism to track if zoned economic land is undeliverable due to wastewater capacity constraints.

NI Water's latest annual wastewater capacity sheet is not considered.

C1/C3 – Consistency

- RDS RG12 and Sustainable Water Strategy require sewer capacity to inform LDPs.
- TS3 does not demonstrate this, so there is a risk of inconsistency with higher-level policy.

1.4 Technical Supplement 4 – Retail (June 2025)

- Reference: Table 17 Retail Hierarchy.
- Topic: Directs growth to constrained hubs (Newry, Downpatrick, Newcastle, Warrenpoint, Kilkeel). No wastewater evidence.
- Soundness Tests: CE1, CE2, CE3, C1/C3.
- NI Water Recommendation: Add: "Retail/leisure growth contingent on NI Water wastewater capacity. Monitoring to include NI Water's Wastewater capacity information."

Justification

- Soundness section claims robust evidence base.

Identified gaps for NI Water

- No reference to wastewater treatment capacity in town centres, despite retail/leisure uses being high water consumers.
- Retail growth in Newry, Downpatrick, Newcastle, Warrenpoint, Kilkeel
- Monitoring framework only measures net retail floorspace outside town centres; it does not include wastewater capacity checks.

Soundness Issues

- CE1 (Evidence) – Evidence base omits infrastructure constraints.
- CE2 (Deliverability) – Retail allocations may not be deliverable without wastewater capacity.
- CE3 (Monitoring) – Monitoring does not consider NI Water annual Wastewater Capacity sheet.
- C1/C3 (Consistency) – Not aligned with RDS RG12 & Sustainable Water Strategy which require water/sewerage to inform plans.

1.5 Technical Supplement 5 – Transportation (June 2025)

NI Water Recommendation “Transport hub development must demonstrate wastewater capacity. NI Water upgrades or wastewater solutions secured. Transport policies TRS1 and TRA1–TRA11 should explicitly recognise that new transport hubs and associated mixed-use developments require wastewater treatment and network capacity.”

Justification:

Text for TRS1: - “Integration of transport and land use must include wastewater infrastructure capacity to ensure deliverability.”

Gaps for NI Water:

- No integration of transport hubs with wastewater infrastructure.
- Encourages growth along Belfast–Dublin corridor hubs (Newry–Warrenpoint cluster; Downpatrick–Newcastle) → these are all constrained settlements for wastewater networks.
- Park & ride, bus stations, and tourist transport facilities all create wastewater loading, yet capacity is not referenced.

Soundness Issues:

- CE1 (Evidence) – Transport evidence is from 2017 Prep Paper: no alignment with latest NI Water Wastewater Capacity Sheet.
- CE2 (Deliverability) – Hubs may not deliver growth without wastewater networks upgrades during PC21 and future Price Controls.
- CE3 (Monitoring) – Transport monitoring framework excludes wastewater infrastructure.
- C1/C3 (Consistency) – RDS requires included land use–infrastructure planning; does not consider wastewater capacity issues.

General Comments/Recommendations on text

Sustainability Appraisal Report – Pg 10.

The adoption of a Local Development Plan (LDP) that identifies areas for projected growth and promotes sustainable development will help coordinate the delivery of new and upgraded infrastructure.

NI Water is a regulated utility, and investment decisions for the upcoming Price Control period (PC28) will be prioritised and agreed with our environmental regulators, the Consumer Council for Northern Ireland, the Utility Regulator, and our Shareholder, the Department for Infrastructure. While NI Water will seek to support the Newry, Mourne and Down LDP through water and wastewater investment, alignment with proposed development areas may be constrained by funding availability and regulatory priorities.

Appendix 3 Sustainability Statement (Page 400)

The statement suggests that directing rainwater into combined sewers is a feasible choice. However, **NI Water would not permit connection of storm water to the combined sewer network.** NI Water requires that all storm water for developments must be discharged to an existing storm sewer or directly to a watercourse. This underscores the importance of adopting careful and sustainable approaches to rainwater management.

GP1 Supportive Infrastructure

Little information provided in documents on Water supply and issues within the Council area, see detail below:

Reference should be made to private water supplies being regulated by DWI/NIEA Drinking water catchments feed NI Water abstractions, which supply water to water treatment works for treatment of the water for the public drinking water supply. Under Article 7 of the Water Framework Directive, waters used for the abstraction of drinking water are designated as Drinking Water Protected Areas (DWPA). The objective of the Water Framework Directive is to ensure that no activity results in the deterioration of waters within the DWPA. If an activity falls within a DWPA or drinking water catchment, it is essential that water quality and quantity are protected.

The primary issue concerning development activities is the potential impact on drinking water quality and quantity. There is a risk that development activities could adversely affect raw water quality abstracted for drinking water and measures must be put in place to ensure that raw water quality and quantity are protected at all times. Any development must demonstrate measures to ensure water quality and quantity are protected.

In the context of the most recently published WR&SR plan (published on our website on 8th April 2025) there is a deficit in the Southern Water Resource Zone. Construction work has just commenced on one of the projects to remove this deficit with a new Water pumping station being constructed at Castor Bay WTW, to enable increased dispatch of water to the Southern Zone. A water resilience pumping station at Aughnagun (Newry) is also nearing design completion, which will enable flows to be balanced between Castor

Bay supply Zone and Fofanny Supply Zone. Further work is proposed, and funding will be sought within the 2028 Price Control (PC28) period to enable the Supply Demand Deficit within the zone to be removed.

OS6 Development of Facilities Ancillary to Water Sports

Policy relates to Permitted development of facilities ancillary to water sports adjacent to water ways, rivers, inland lakes and reservoirs. **To note NI Water would not permit water sports on its impounding reservoirs**

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The availability of NI Water sewers and sewage treatment is currently constraining many of the district's settlements. However, NI Water's capital investment programme is expected to deliver infrastructure improvements and alleviate constraints.

Due to significant funding constraints, many of NI Water's planned wastewater investments for the PC21 period have been deferred. If these constraints persist into the next Price Control period (PC28), investment will be prioritised towards base maintenance and the continued delivery of safe drinking water. As a result, there is likely to be very limited funding available for major wastewater infrastructure upgrades. Given the current funding position and outlook, NI Water is not in a position to support the view expressed by Newry, Mourne and Down District Council in its statement.

Capacity in Newry City

Newry has faced longstanding constraints on new development due to wastewater infrastructure limitations. In the past year, NI Water has developed a more innovative, incremental approach to address these challenges. This lower-cost, faster solution, currently in its pilot phase, has the potential to restore capacity in the catchment and could support phased development over the next 5 to 10 years. This approach is not without risk and is being planned for delivery within existing constrained budgets and supported by collaboration with industry and regulators.

In conclusion, NI Water would suggest the following amendments be considered by Newry Mourne & Down Council to ensure soundness of the Draft Plan Strategy:

- The replacement of historical wastewater capacity sheet with latest data issued by NI Water in August 2025, which reflects current wastewater capacity situation and updated investment plan for PC21 due to current funding constraints.
- Qualify all housing and urban capacity yields as indicative and explicitly subject to available wastewater capacity.
- Explicitly link the release of Phase 2 housing land and major urban capacity sites to available wastewater capacity or agreed developer-funded solutions.

- Strengthen the monitoring framework to require annual liaison with NI Water and publication of settlement headroom to guide phasing and ensure coordinated infrastructure planning.

NI Water remain committed to working closely with Newry Mourne & Down District Council to facilitate development wherever possible and would be happy to consult further on any of the issues raised within this letter. We would also request that the Council consult closely with NI Water during the Local Planning Policy stage of the Local Development plan to ensure the latest capacity information is considered during the land zoning phase.

Yours faithfully



Head of Investment Management
Engineering & Sustainability Directorate