

<b>Title of Report:</b>	<b>Planning Committee Report – LA01/2024/1430/F</b>
<b>Committee Report Submitted To:</b>	<b>Planning Committee</b>
<b>Date of Meeting:</b>	<b>25 June 2025</b>
<b>For Decision or For Information</b>	<b>For Decision</b>
<b>To be discussed In Committee YES/NO</b>	<b>NO</b>

<b>Linkage to Council Strategy (2021-25)</b>	
Strategic Theme	Cohesive Leadership
Outcome	Council has agreed policies and procedures and decision making is consistent with them
Lead Officer	Development Management and Enforcement Manager

<b>Budgetary Considerations</b>	
Cost of Proposal	Nil
Included in Current Year Estimates	N/a
Capital/Revenue	N/a
Code	N/a
Staffing Costs	N/a

<b>Legal Considerations</b>	
Input of Legal Services Required	NO
Legal Opinion Obtained	NO

<b>Screening Requirements</b>	Required for new or revised Policies, Plans, Strategies or Service Delivery Proposals.		
Section 75 Screening	Screening Completed:	No	Date:
	EQIA Required and Completed:	No	Date:

Rural Needs Assessment (RNA)	Screening Completed	No	Date:
	RNA Required and Completed:	No	Date:
Data Protection Impact Assessment (DPIA)	Screening Completed:	No	Date:
	DPIA Required and Completed:	No	Date:

**No:** LA01/2024/1430/F

**Ward:** Limavady & Benbradagh

**App Type:** Full Planning

**Address:** Lands approximately 6km North East of Limavady, accessed of the Broad Road, in the townland of Gortcorbies, Co Derry/Londonderry

**Proposal:** Variation of Condition 14 (Noise Limit) of Planning Approval LA01/2022/0981/F (Wind Farm)

**Con Area:** n/a

**Valid Date:** 13.12.2024

**Listed Building Grade:** n/a

**Target Date:** 11.07.2025

**Agent:** Renewable Energy Systems Ltd, Willowbank Business Park, Willowbank Road, Millbrook, Larne, BT40 2SF

**Applicant:** Renewable Energy Systems Ltd, Willowbank Business Park, Willowbank Road, Millbrook, Larne, BT40 2SF

**Objections:** 0      **Petitions of Objection:** 0

**Support:** 0      **Petitions of Support:** 0

## **Executive Summary**

- The proposal is for the variation of condition 14 of extant planning approval LA01/2022/0981/F, Dunbeg South wind farm, which comprises of 9 wind turbines with a maximum tip height of 149.9m. Condition 14 relates to noise levels. No other changes are proposed.
- The principle of a wind farm on this site was established under LA01/2018/0200/F. LA01/2022/0981/F amended the original approval. Both approvals are live planning permissions.
- As EIA development it was accompanied by an Environmental Statement (ES).
- No objections or letters of support have been received regarding the proposal. The only statutory consultee was the Council's Environmental Health Department (EHD). EHD had no objection to the proposal.
- As the principle of development is established, the only thing to be considered under this application is the acceptability of the variation of the condition.
- Giving the consented windfarm significant weight as a material consideration, this proposal is considered acceptable at this location having regard to the Northern Area Plan 2016 and all other material considerations.
- Approval is recommended subject to the proposed conditions.

**Drawings and additional information are available to view on the Planning Portal-**

**<https://planningregister.planningsystemni.gov.uk/simple-search>**

## **1.0 RECOMMENDATION**

- 1.1 That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 9 and the policies and guidance in sections 7 and 8 and resolves to **APPROVE** planning permission subject to the conditions set out in section 10.

## **2.0 SITE LOCATION & DESCRIPTION**

- 2.1 The site is the consented Dunbeg South wind farm which was originally approved under LA01/2018/0200/F on 17 December 2020, with subsequent amendments approved under LA01/2022/0981/F on 1 February 2024. The extant approval is for 9 turbines with a tip height of 149.9m.
- 2.2 The site, which covers 40.4ha, is located approx. 6km northeast of Limavady in the south eastern part of the Binevenagh Area of Outstanding Natural Beauty (AONB) as indicated in the Northern Area Plan 2016. The site is accessed off the Broad Road (A37), which is a Protected Route, and the main road linking Limavady and Coleraine.
- 2.3 The area is rural in nature and there are no dwellings in proximity to the site. The nearest occupied dwelling is on Bolea Road and is 1239m from the closest turbine.

## **3.0 RELEVANT HISTORY**

- 3.1 LA01/2018/0200/F - Construction of a wind farm comprising 9 No. wind turbines (maximum 149.9 meters to blade tip) and associated infrastructure including external electricity transformers, crane hardstandings, underground cabling, control building, substation compound, newly created site entrance, new and upgraded on-site access tracks, turning heads and all other associated ancillary works. During construction and commissioning there will be a number of temporary works including a construction compound with car parking, temporary parts of crane hardstanding and welfare facilities – Approved 17.12.2020

LA01/2022/0981/F - Proposed amendment to the previously consented Dunbeg South Wind Farm (LA01/2018/0200/F) - Construction of wind farm comprising 9 No. wind turbines (maximum 149.9 metres to blade tip) and associated infrastructure including external electricity transformers, crane hardstandings, underground cabling, control building, substation compound, newly created site entrance, new and upgraded on-site access tracks, turning heads and all other associated ancillary works. During construction and commissioning there will be a number of temporary works including a construction compound with car parking, temporary parts of crane hardstanding and welfare facilities. This amendment is to include an alternative turbine model increasing the rotor diameters up to a maximum of 117m and retaining a hub height up to a maximum of 100m. The overall tip height of the turbines shall remain at the previously consented 149.9m – Approved 01.02.2024

#### **4.0 THE APPLICATION**

- 4.1 The proposal is to vary condition 14 of planning approval LA01/2022/0981/F for the consented Dunbeg South Wind Farm under section 54 of the Planning Act (NI) 2011. The condition relates to the consented noise levels of the wind farm.
- 4.2 The condition states:  
*The level of noise immissions from the combined effects of the permitted wind turbines (including the application of any Tonal Penalty when calculated in accordance with the procedures described on pages 104 - 109 of ETSU-R-97 and any Amplitude Modulation penalty when calculated in accordance with the procedures described in condition 20 shall not exceed values set out in Table 1. Noise limits for any dwellings which lawfully exist or have planning permission for construction at the date of this consent but are not listed in Table 1 shall be represented by the physically closest location listed in Table 1 unless otherwise agreed by the Council.*

*Table 1: Permitted Wind Farm Noise Limits dB LA90*

*Property as  
identified  
within*

*Section 10 Standardised wind speed at 10m height (m/s) within  
the site averaged over 10-minute  
periods*

	4	5	6	7	8	9	10	11	12
H6	26.6	29.5	33.6	34.9	34.9	34.4	34.4	34.4	34.4
H7	28.5	31.4	35.5	36.8	36.8	36.3	36.3	36.3	36.3
H8	28.6	31.5	35.6	36.8	36.9	36.4	36.4	36.4	36.4
H9	27.5	30.4	34.5	35.7	35.8	35.3	35.3	35.3	35.3
H10	26.2	29.1	33.2	34.5	34.5	34.0	34.0	34.0	34.0
H11	24.7	27.6	31.7	32.9	33.0	32.5	32.5	32.5	32.5
H12	24.6	27.5	31.6	32.8	32.9	32.3	32.3	32.3	32.3
H13	24.2	27.0	31.1	32.4	32.4	31.9	31.9	31.9	31.9
H14	24.1	26.9	31.0	32.3	32.3	31.8	31.8	31.8	31.8
H15	24.7	27.6	31.7	32.9	33.0	32.5	32.5	32.5	32.5
H16	24.9	27.7	31.9	33.1	33.2	32.6	32.6	32.6	32.6
H17	24.5	27.4	31.5	32.8	32.8	32.3	32.3	32.3	32.3
H18	24.2	27.1	31.2	32.5	32.5	32.0	32.0	32.0	32.0
H19	24.5	27.3	31.5	32.7	32.8	32.2	32.2	32.2	32.2
H21	21.6	24.4	28.6	29.8	29.9	29.3	29.3	29.3	29.3
H22	21.3	24.1	28.2	29.5	29.6	29.0	29.0	29.0	29.0
H23	21.1	23.9	28.1	29.3	29.4	28.8	28.8	28.8	28.8
H24	21.0	23.8	28.0	29.2	29.3	28.7	28.7	28.7	28.7
H25	20.8	23.6	27.7	29.0	28.5	28.5	28.5	28.5	28.5
H26	22.3	25.2	29.3	30.5	30.6	30.0	30.0	30.0	30.0
H27	22.9	25.8	29.9	31.1	31.2	30.7	30.7	30.7	30.7
H28	22.7	25.5	29.6	30.9	31.0	30.4	30.4	30.4	30.4
H29	23.4	26.3	30.4	31.7	31.7	31.2	31.2	31.2	31.2
H30	23.4	26.3	30.4	31.6	31.7	31.1	31.1	31.1	31.1
H31	23.6	26.5	30.6	31.9	31.9	31.4	31.4	31.4	31.4
H32	22.8	25.7	29.8	31.1	31.1	30.6	30.6	30.6	30.6
H33	23.1	26.0	30.1	31.3	31.4	30.8	30.8	30.8	30.8
H34	23.1	26.0	30.1	31.3	31.4	30.9	30.9	30.9	30.9
H35	23.2	26.1	30.2	31.5	31.5	31.0	31.0	31.0	31.0
H36	23.1	25.9	30.0	31.3	31.4	30.8	30.8	30.8	30.8
H37	22.8	25.7	29.8	31.1	31.1	30.6	30.6	30.6	30.6
H38	22.8	25.6	29.8	31.0	31.1	30.5	30.5	30.5	30.5

H39	20.7	23.5	27.7	28.9	29.0	28.4	28.4	28.4	28.4
H40	21.8	24.7	28.8	30.0	30.1	29.5	29.5	29.5	29.5
H41	27.6	31.0	34.4	35.7	35.7	35.1	35.1	35.1	35.1

4.3 A variation is sought to vary the noise limits within table 1 only. No other amendments are proposed.

4.4 The proposed condition is:

*The level of noise immissions from the combined effects of the permitted wind turbines (including the application of any Tonal Penalty when calculated in accordance with the procedures described on pages 104 - 109 of ETSU-R-97 and any Amplitude Modulation penalty when calculated in accordance with the procedures described in condition 20 shall not exceed values set out in Table 1. Noise limits for any dwellings which lawfully exist or have planning permission for construction at the date of this consent but are not listed in Table 1 shall be represented by the physically closest location listed in Table 1 unless otherwise agreed by the Council.*

Table 1: Permitted Wind Farm Noise Limits dB LA90

House	Standardised 10 m Height Wind Speed, m.s-1									
	Daytime (07:00 – 23:00)									
	3	4	5	6	7	8	9	10	11	12
H6	28.7	32.0	36.2	38.0	39.9	40.0	40.0	40.0	40.0	40.0
H7	29.4	32.7	36.9	38.7	40.6	40.7	40.7	40.7	40.7	40.7
H8	29.0	32.3	36.5	38.3	40.2	40.3	40.3	40.3	40.3	40.3
H9	28.2	31.5	35.7	37.5	39.4	39.5	39.5	39.5	39.5	39.5
H10	26.5	29.8	34.0	35.8	37.7	37.8	37.8	37.8	37.8	37.8
H11	25.2	28.5	32.7	34.5	36.4	36.5	36.5	36.5	36.5	36.5
H12	25.1	28.4	32.6	34.4	36.3	36.4	36.4	36.4	36.4	36.4
H13	24.7	28.0	32.2	34.0	35.9	36.0	36.0	36.0	36.0	36.0
H14	24.6	27.9	32.1	33.9	35.8	35.9	35.9	35.9	35.9	35.9
H15	25.3	28.6	32.8	34.6	36.5	36.6	36.6	36.6	36.6	36.6
H16	25.4	28.7	32.9	34.7	36.6	36.7	36.7	36.7	36.7	36.7
H17	25.1	28.4	32.6	34.4	36.3	36.4	36.4	36.4	36.4	36.4
H18	24.8	28.1	32.3	34.1	36.0	36.1	36.1	36.1	36.1	36.1
H19	25.0	28.3	32.5	34.3	36.2	36.3	36.3	36.3	36.3	36.3
H21	22.3	25.6	29.8	31.6	33.5	33.6	33.6	33.6	33.6	33.6
H22	22.0	25.3	29.5	31.3	33.2	33.3	33.3	33.3	33.3	33.3
H23	21.9	25.2	29.4	31.2	33.1	33.2	33.2	33.2	33.2	33.2
H24	21.8	25.1	29.3	31.1	33.0	33.1	33.1	33.1	33.1	33.1

H25	21.6	24.9	29.1	30.9	32.8	32.9	32.9	32.9	32.9	32.9
H26	23.0	26.3	30.5	32.3	34.2	34.3	34.3	34.3	34.3	34.3
H27	23.6	26.9	31.1	32.9	34.8	34.9	34.9	34.9	34.9	34.9
H28	23.4	26.7	30.9	32.7	34.6	34.7	34.7	34.7	34.7	34.7
H29	24.1	27.4	31.6	33.4	35.3	35.4	35.4	35.4	35.4	35.4
H30	24.1	27.4	31.6	33.4	35.3	35.4	35.4	35.4	35.4	35.4
H31	24.3	27.6	31.8	33.6	35.5	35.6	35.6	35.6	35.6	35.6
H32	23.5	26.8	31.0	32.8	34.7	34.8	34.8	34.8	34.8	34.8
H33	23.8	27.1	31.3	33.1	35.0	35.1	35.1	35.1	35.1	35.1
H34	23.8	27.1	31.3	33.1	35.0	35.1	35.1	35.1	35.1	35.1
H35	23.9	27.2	31.4	33.2	35.1	35.2	35.2	35.2	35.2	35.2
H36	23.7	27.0	31.2	33.0	34.9	35.0	35.0	35.0	35.0	35.0
H37	23.5	26.8	31.0	32.8	34.7	34.8	34.8	34.8	34.8	34.8
H38	23.5	26.8	31.0	32.8	34.7	34.8	34.8	34.8	34.8	34.8
H39	21.5	24.8	29.0	30.8	32.7	32.8	32.8	32.8	32.8	32.8
H40	22.6	25.9	30.1	31.9	33.8	33.9	33.9	33.9	33.9	33.9
H41	28.3	31.6	35.8	37.6	39.5	39.6	39.6	39.6	39.6	39.6
H42	28.9	32.2	36.4	38.2	40.1	40.2	40.2	40.2	40.2	40.2
H43	28.6	31.9	36.1	37.9	39.8	39.9	39.9	39.9	39.9	39.9
H44	28.0	31.3	35.5	37.3	39.2	39.3	39.3	39.3	39.3	39.3

*Night-time (23:00 – 07:00)*

	3	4	5	6	7	8	9	10	11	12
H6	28.7	32.0	36.2	38.0	39.9	40.0	40.0	40.0	40.0	40.0
H7	29.4	32.7	36.9	38.7	40.6	40.7	40.7	40.7	40.7	40.7
H8	29.0	32.3	36.5	38.3	40.2	40.3	40.3	40.3	40.3	40.3
H9	28.2	31.5	35.7	37.5	39.4	39.5	39.5	39.5	39.5	39.5
H10	26.5	29.8	34.0	35.8	37.7	37.8	37.8	37.8	37.8	37.8
H11	25.2	28.5	32.7	34.5	36.4	36.5	36.5	36.5	36.5	36.5
H12	25.1	28.4	32.6	34.4	36.3	36.4	36.4	36.4	36.4	36.4
H13	24.7	28.0	32.2	34.0	35.9	36.0	36.0	36.0	36.0	36.0
H14	24.6	27.9	32.1	33.9	35.8	35.9	35.9	35.9	35.9	35.9
H15	25.3	28.6	32.8	34.6	36.5	36.6	36.6	36.6	36.6	36.6
H16	25.4	28.7	32.9	34.7	36.6	36.7	36.7	36.7	36.7	36.7
H17	25.1	28.4	32.6	34.4	36.3	36.4	36.4	36.4	36.4	36.4
H18	24.8	28.1	32.3	34.1	36.0	36.1	36.1	36.1	36.1	36.1
H19	25.0	28.3	32.5	34.3	36.2	36.3	36.3	36.3	36.3	36.3
H21	22.3	25.6	29.8	31.6	33.5	33.6	33.6	33.6	33.6	33.6
H22	22.0	25.3	29.5	31.3	33.2	33.3	33.3	33.3	33.3	33.3
H23	21.9	25.2	29.4	31.2	33.1	33.2	33.2	33.2	33.2	33.2
H24	21.8	25.1	29.3	31.1	33.0	33.1	33.1	33.1	33.1	33.1
H25	21.6	24.9	29.1	30.9	32.8	32.9	32.9	32.9	32.9	32.9
H26	23.0	26.3	30.5	32.3	34.2	34.3	34.3	34.3	34.3	34.3

H27	23.6	26.9	31.1	32.9	34.8	34.9	34.9	34.9	34.9	34.9
H28	23.4	26.7	30.9	32.7	34.6	34.7	34.7	34.7	34.7	34.7
H29	24.1	27.4	31.6	33.4	35.3	35.4	35.4	35.4	35.4	35.4
H30	24.1	27.4	31.6	33.4	35.3	35.4	35.4	35.4	35.4	35.4
H31	24.3	27.6	31.8	33.6	35.5	35.6	35.6	35.6	35.6	35.6
H32	23.5	26.8	31.0	32.8	34.7	34.8	34.8	34.8	34.8	34.8
H33	23.8	27.1	31.3	33.1	35.0	35.1	35.1	35.1	35.1	35.1
H34	23.8	27.1	31.3	33.1	35.0	35.1	35.1	35.1	35.1	35.1
H35	23.9	27.2	31.4	33.2	35.1	35.2	35.2	35.2	35.2	35.2
H36	23.7	27.0	31.2	33.0	34.9	35.0	35.0	35.0	35.0	35.0
H37	23.5	26.8	31.0	32.8	34.7	34.8	34.8	34.8	34.8	34.8
H38	23.5	26.8	31.0	32.8	34.7	34.8	34.8	34.8	34.8	34.8
H39	21.5	24.8	29.0	30.8	32.7	32.8	32.8	32.8	32.8	32.8
H40	22.6	25.9	30.1	31.9	33.8	33.9	33.9	33.9	33.9	33.9
H41	28.3	31.6	35.8	36.4	35.5	38.0	39.6	39.6	39.6	39.6
H42	28.9	32.2	36.4	38.2	39.3	38.6	40.2	40.2	40.2	40.2
H43	28.6	31.9	36.1	36.9	36.0	38.6	39.9	39.9	39.9	39.9
H44	28.0	31.3	35.5	36.4	35.5	38.1	39.3	39.3	39.3	39.3

- 4.5 The reason stated for the variation is that the current Dunbeg South Wind Farm noise limits take into account the combined surrounding developments of Dunbeg Wind Farm, Dunmore Wind Farm, Dunbeg Extension Wind Farm, and Dunmore Extension Wind Farm, which were either operational, consented or pending planning permission at the time of the original application in 2018.
- 4.6 The applicant notes that the planning permission for Dunbeg Extension Wind Farm has now lapsed and the associated land now forms part of the applicant's Dunbeg South Extension project. Furthermore, the Dunmore Extension Wind Farm planning permission has also lapsed and no attempt has been made to keep the associated consent alive. Therefore, the current conditioned noise limits applied to Dunbeg South Wind Farm relate to a very different cumulative scenario than now exists. As a result, the applicant is seeking to vary the noise limits to reflect the current cumulative wind farm noise scenario in the area and to maximise the energy production of the larger rotor granted consent under LA01/2022/0981/F. In addition, the applicant is seeking to have different noise levels consented for both day and night. The reason stated for this is that the ETSU-R-97 good practice guidance states that different limits should be applied during daytime and night-time.

- 4.7 The daytime limits, derived from the background noise levels measured during ‘quiet daytime’ periods, are intended to preserve outdoor amenity, while the night-time limits are intended to prevent sleep disturbance. This is the reason why some of the noise levels for some properties, at certain wind speeds, are lower at night than during the day. Such as for properties 41 to 44 where the daytime limits are slightly higher at standardised wind speeds of 6 to 8 metres per second.

### **Design & Access Statement**

- 4.8 Article 6 of the Planning (General Development Procedure) Order (NI) 2015 requires the submission of a Design & Access Statement with a major application. However, Article 6(4)(a) states *‘This Article does not apply to an application for planning permission which is for — (a) permission to develop land without compliance with conditions previously attached, made pursuant to section 54 of the 2011 Act, unless those conditions relate to design and access issues’*.
- 4.9 As the condition to be varied does not relate to design and access issues, a Design an Access Statement in not required for this application.

## **5.0 PUBLICITY & CONSULTATIONS**

### **External**

- 5.1 No neighbours were identified for notification within the terms of the legislation. The application was initially advertised on 19 February 2025 in the local papers.
- 5.2 There were no objections to this proposal and no letters of support.

### **Internal**

- 5.3 As the condition to be varied relates to noise, the Council’s Environmental Health Department (EHD) was the only consultee. EHD had no objection to the proposal.

### **Proposal of Application Notice**

- 5.4 Section 27 of the Planning Act (NI) 2015 requires the submission of a Proposal of Application Notice and the carrying out of

community consultation at least 12 weeks prior to the submission of the application.

- 5.5 However, where an application is submitted for a change or extension to 'Major Development' the proposal is not subject to Pre-Application Community Consultation.

## **6.0 MATERIAL CONSIDERATIONS**

- 6.1 Section 45(1) of the Planning Act (Northern Ireland) 2011 requires that all applications must have regard to the local plan, so far as material to the application, and all other material considerations. Section 6(4) states that in making any determination where regard is to be had to the local development plan, the determination must be made in accordance with the plan unless material considerations indicate otherwise.
- 6.2 The development plan is the Northern Area Plan 2016 (NAP). The site falls within the Binevenagh AONB as indicated in the plan. Due weight should be given to the relevant policies in the development plan.
- 6.3 The Regional Development Strategy (RDS) is a material consideration.
- 6.4 The Strategic Planning Policy Statement for Northern Ireland (SPPS) is a material consideration. As set out in the SPPS, until such times as a new local plan strategy is adopted, councils will apply specified retained operational policies.
- 6.5 The extant planning approvals LA01/2018/0200/F and LA01/2022/0981/F are a material consideration.
- 6.6 All material considerations and any policy conflicts are identified in the "Considerations and Assessment" section of the report.

## **7.0 RELEVANT POLICIES & GUIDANCE**

[Northern Area Plan 2016](#)

[Planning Act \(NI\) 2011](#)

[Strategic Planning Policy Statement \(SPPS\)](#)

[Planning Policy Statement 18: Renewable Energy](#)

## **8.0 CONSIDERATIONS & ASSESSMENT**

### **Principle of development**

- 8.1 The principle of the development of a windfarm on this site has been established through the granting of planning permission LA01/2018/0200/F on 17 December 2020 and LA01/2022/0981/F on 1 February 2024. The development approved under LA01/2018/0200/F can be commenced up until 17 December 2025 and the development approved under LA01/2022/0981/F can be commenced up until 2 February 2029. Therefore, both applications are still live and remain valid fallbacks which can be implemented should this application be refused. Therefore, both approvals are a material consideration. The only thing to be considered under this application is the acceptability of the variation of the noise condition.
- 8.2 The impact of the wind farm development on European protected sites was assessed under LA01/2018/0200/F in accordance with Regulation 43 (1) of the Conservation (Natural Habitats, etc.) Regulations (NI) 1995 (as amended). The proposal was deemed to have no adverse effect on the integrity or features of any European site, either alone or in combination with any other project. This application is seeking to vary conditioned noise levels, therefore, there will be no change to the impact of the development on European sites.
- 8.3 The proposal relates to the variation of a condition of an EIA development. Therefore, an Environmental Statement is automatically required under Regulation 11 of The Planning (Environmental Impact Assessment) Regulation (NI) 2017.
- 8.4 The applicant submitted a voluntary Environmental Statement as well as Further Environmental Information in relation to the impact of noise.

### **Consideration**

- 8.5 The proposal falls to be considered under Policy RE1 and paragraph 6.224 of the SPSS which require that all renewable energy development, associated buildings and infrastructure will not result in an unacceptable adverse impact. Of relevance to this proposal, which relates to the variation of noise levels only, is the impact of the development on residential amenity/sensitive

receptors and the cumulative impact of the assessment with regard to noise.

### **PPS 18 Renewable Energy – Policy RE1:**

#### **(a) public safety, human health, or residential amenity;**

##### *Residential Amenity*

- 8.6 The Council's Environmental Health Department (EHD) has assessed the proposal and have no objection to the proposed noise levels at any of the receptor locations. EHD are content with the proposal to amend the condition.

### **PPS 18 Requirements for Wind Development**

- 8.7 Under RE1 of PPS 18 applications for wind energy development will also be required to demonstrate certain criteria including, in relation to noise, the following:

**(ii) that the development has taken into consideration the cumulative impact of existing wind turbines, those which have permissions and those that are currently the subject of valid but undetermined applications;**

- 8.8 The cumulative impact of the turbines was originally assessed under LA01/2018/0200/F. As discussed above, the FEI notes that a different cumulative noise scenario now exists than that at the time of the original application in 2018. The cumulative impact of noise from the subject wind farm with other operational, consented and in planning wind energy developments which currently exist falls to be considered in order to assess the acceptability of the proposed amended noise levels.
- 8.9 The FEI has considered the cumulative impact of noise and notes that since the original assessment, 2 consents have lapsed. These consents have been excluded from the assessment and the recent Dunbeg South Extension application, which is under consideration by the Planning Department has been included.
- 8.10 The nearest occupied dwelling to a turbine is 103 Bolea Road which is located approx. 1239m from turbine T1. The next nearest dwellings are 109 Bolea Road, approx. 1190m from turbine T1, and 116 Bolea Road, approx. 1306m from turbine T1.

8.11 The new cumulative noise impact assessment indicates that the overall cumulative operational sound levels, with all sites operating unrestricted, may be marginally above the overall good practice guidance noise limits as set out in ETSU-R-97. However, with appropriate precautionary mitigation measures, in the form of a noise management strategy and the planning controls applied by this proposed variation and the controls proposed for the Dunbeg South Extension scheme, predicted operational noise levels are below the limits at all properties for all considered wind speeds and directions.

8.12 EHD has considered the cumulative noise impact assessment and advise that, provided the other noise related conditions are complied with, the proposed amended noise levels, for both daytime and night-time, when considered cumulatively with other wind energy development in the area, will be satisfactorily controlled to within ETSU-R-97 noise limits. The proposed levels, for both daytime and night-time, are therefore acceptable.

**(vi) that the development will not cause significant harm to the safety or amenity of any sensitive receptors (including future occupants of committed developments) arising from noise; shadow flicker; ice throw; and reflected light; and**

8.13 As set out above, EHD has no objections to the proposed amended noise levels and is content for the conditioned noise levels for the development to be amended.

8.14 All other conditions will remain as previously approved.

## **9.0 CONCLUSION**

9.1 The proposal is considered acceptable having regard to the Area Plan and other material considerations. The application is for the variation of a condition for a consented windfarm. The variation involves a change to the noise levels of the wind farm. It is considered that the proposed noise levels are acceptable. The proposal does not conflict with policy and will not have a detrimental impact on the residential amenity of the dwellings in proximity to the site. Therefore, the proposal is considered acceptable having regard to the policy guidance set out in the SPSS. Approval is recommended.

## **10.0 PROPOSED CONDITIONS**

- 10.1 The permission hereby granted shall be for a limited period and shall expire on 01 February 2059.

Reason: To enable The Council to consider the development in the light of circumstances then prevailing.

- 10.2 The approved temporary compound shall be removed and the ground reinstated within 18 months from the date of the commencement of the development hereby approved. The measures for ground reinstatement shall be submitted to and agreed in writing with the Council prior to any reinstatement taking place.

Reason: In the interests of visual amenity.

- 10.3 All above ground structures shall be dismantled and removed from the site 30 years from the date when the wind farm is commissioned to the electricity grid or shall be removed if electricity generation has ceased on site for a period of 12 months (unless further consent has been granted). The land shall be restored in accordance with an agreed scheme to be submitted to the Council at least one year prior to the commencement of any decommissioning works. This scheme shall include details of all works and measures to restore the site, the timeframe within which the works shall be carried out along with proposals for aftercare for a period of 3 years after completion of the restoration works.

Reason: To ensure the development is decommissioned in a manner that protects the ecology and hydrology of the site beyond the life span of the windfarm.

- 10.4 There shall be no development hereby permitted commenced until the works necessary for the improvement of the public road as shown on Drawing Nos: 24 rev1 and 25 rev1 dated 9 March 2020 (approved under LA01/2018/0200/F) have been carried out to the satisfaction of the Council.

Reason: In the interests of road safety and the convenience of road users.

- 10.5 The area within the visibility splays and any forward sight lines shall be cleared to provide a level surface no higher than 250 mm above the level of the adjoining carriageway before the development hereby permitted becomes operational and shall be retained and kept clear thereafter.

Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.

- 10.6 The gradients of the access shall not exceed 4% (1 in 25) over the first 10 metres outside the road boundary.

Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.

- 10.7 Effective wheel washing facilities shall be installed and operated for the duration of the construction period and any repair or remedial work periods thereafter.

Reason: To prevent the carry-over of mud or debris onto the public road in the interests of road safety and convenience of road users.

- 10.8 Prior to the commencement of construction on site, the applicant/agent shall in association with DfI Roads Maintenance Section carry out a condition survey of all haul routes and shall at the applicant's expense carry out and provide to DfI Roads a DVD detailing the condition of the existing public roads being considered as haul routes.

Reason: In the interests of road safety and the convenience of road users.

- 10.9 During construction works, the applicant/agent shall carry out and record daily inspections of all haul routes and submit this information to the DfI Roads Section Engineer on a weekly basis.

Reason: In the interests of road safety and the convenience of road users.

- 10.10 Prior to the commencement of development an Article 11 application for the haulage routes and any associated traffic

management proposals shall be submitted to and agreed in writing with DfI Roads.

Reason: In the interests of road safety and the convenience of road users.

10.11 Subject to the above conditions, the access shall be carried out in accordance with the stamped approved Drawing Nos: 24 rev1 and 25 rev1 dated 9 March 2020 (approved under LA01/2018/0200/F).

Reason: To ensure the access is carried out in accordance with the approved plans.

10.12 No development shall take place until details of the model of the turbine to be installed, its noise specification, colour and finish, have been submitted to and approved in writing by the Council.

Reason: To ensure that wind turbines with excessive sound power levels are not installed.

10.13 The developer shall notify the Council in writing of the date of commencement of works on site and of the date when the turbines have become fully operational.

Reason: To ensure compliance with appropriate conditions.

10.14 The level of noise immissions from the combined effects of the permitted wind turbines (including the application of any Tonal Penalty when calculated in accordance with the procedures described on pages 104 - 109 of ETSU-R-97 and any Amplitude Modulation penalty when calculated in accordance with the procedures described in condition 20 shall not exceed values set out in Table 1. Noise limits for any dwellings which lawfully exist or have planning permission for construction at the date of this consent but are not listed in Table 1 shall be represented by the physically closest location listed in Table 1 unless otherwise agreed by the Council.

Reason: To control the noise levels from the development at noise sensitive locations.

Table 1: Permitted Wind Farm Noise Limits dB LA90

House	Standardised 10 m Height Wind Speed, m.s-1									
	Daytime (07:00 – 23:00)									
	3	4	5	6	7	8	9	10	11	12
H6	28.7	32.0	36.2	38.0	39.9	40.0	40.0	40.0	40.0	40.0
H7	29.4	32.7	36.9	38.7	40.6	40.7	40.7	40.7	40.7	40.7
H8	29.0	32.3	36.5	38.3	40.2	40.3	40.3	40.3	40.3	40.3
H9	28.2	31.5	35.7	37.5	39.4	39.5	39.5	39.5	39.5	39.5
H10	26.5	29.8	34.0	35.8	37.7	37.8	37.8	37.8	37.8	37.8
H11	25.2	28.5	32.7	34.5	36.4	36.5	36.5	36.5	36.5	36.5
H12	25.1	28.4	32.6	34.4	36.3	36.4	36.4	36.4	36.4	36.4
H13	24.7	28.0	32.2	34.0	35.9	36.0	36.0	36.0	36.0	36.0
H14	24.6	27.9	32.1	33.9	35.8	35.9	35.9	35.9	35.9	35.9
H15	25.3	28.6	32.8	34.6	36.5	36.6	36.6	36.6	36.6	36.6
H16	25.4	28.7	32.9	34.7	36.6	36.7	36.7	36.7	36.7	36.7
H17	25.1	28.4	32.6	34.4	36.3	36.4	36.4	36.4	36.4	36.4
H18	24.8	28.1	32.3	34.1	36.0	36.1	36.1	36.1	36.1	36.1
H19	25.0	28.3	32.5	34.3	36.2	36.3	36.3	36.3	36.3	36.3
H21	22.3	25.6	29.8	31.6	33.5	33.6	33.6	33.6	33.6	33.6
H22	22.0	25.3	29.5	31.3	33.2	33.3	33.3	33.3	33.3	33.3
H23	21.9	25.2	29.4	31.2	33.1	33.2	33.2	33.2	33.2	33.2
H24	21.8	25.1	29.3	31.1	33.0	33.1	33.1	33.1	33.1	33.1
H25	21.6	24.9	29.1	30.9	32.8	32.9	32.9	32.9	32.9	32.9
H26	23.0	26.3	30.5	32.3	34.2	34.3	34.3	34.3	34.3	34.3
H27	23.6	26.9	31.1	32.9	34.8	34.9	34.9	34.9	34.9	34.9
H28	23.4	26.7	30.9	32.7	34.6	34.7	34.7	34.7	34.7	34.7
H29	24.1	27.4	31.6	33.4	35.3	35.4	35.4	35.4	35.4	35.4
H30	24.1	27.4	31.6	33.4	35.3	35.4	35.4	35.4	35.4	35.4
H31	24.3	27.6	31.8	33.6	35.5	35.6	35.6	35.6	35.6	35.6
H32	23.5	26.8	31.0	32.8	34.7	34.8	34.8	34.8	34.8	34.8
H33	23.8	27.1	31.3	33.1	35.0	35.1	35.1	35.1	35.1	35.1
H34	23.8	27.1	31.3	33.1	35.0	35.1	35.1	35.1	35.1	35.1
H35	23.9	27.2	31.4	33.2	35.1	35.2	35.2	35.2	35.2	35.2
H36	23.7	27.0	31.2	33.0	34.9	35.0	35.0	35.0	35.0	35.0
H37	23.5	26.8	31.0	32.8	34.7	34.8	34.8	34.8	34.8	34.8
H38	23.5	26.8	31.0	32.8	34.7	34.8	34.8	34.8	34.8	34.8
H39	21.5	24.8	29.0	30.8	32.7	32.8	32.8	32.8	32.8	32.8
H40	22.6	25.9	30.1	31.9	33.8	33.9	33.9	33.9	33.9	33.9
H41	28.3	31.6	35.8	37.6	39.5	39.6	39.6	39.6	39.6	39.6
H42	28.9	32.2	36.4	38.2	40.1	40.2	40.2	40.2	40.2	40.2
H43	28.6	31.9	36.1	37.9	39.8	39.9	39.9	39.9	39.9	39.9
H44	28.0	31.3	35.5	37.3	39.2	39.3	39.3	39.3	39.3	39.3

	Night-time (23:00 – 07:00)									
	3	4	5	6	7	8	9	10	11	12
H6	28.7	32.0	36.2	38.0	39.9	40.0	40.0	40.0	40.0	40.0
H7	29.4	32.7	36.9	38.7	40.6	40.7	40.7	40.7	40.7	40.7
H8	29.0	32.3	36.5	38.3	40.2	40.3	40.3	40.3	40.3	40.3
H9	28.2	31.5	35.7	37.5	39.4	39.5	39.5	39.5	39.5	39.5
H10	26.5	29.8	34.0	35.8	37.7	37.8	37.8	37.8	37.8	37.8
H11	25.2	28.5	32.7	34.5	36.4	36.5	36.5	36.5	36.5	36.5
H12	25.1	28.4	32.6	34.4	36.3	36.4	36.4	36.4	36.4	36.4
H13	24.7	28.0	32.2	34.0	35.9	36.0	36.0	36.0	36.0	36.0
H14	24.6	27.9	32.1	33.9	35.8	35.9	35.9	35.9	35.9	35.9
H15	25.3	28.6	32.8	34.6	36.5	36.6	36.6	36.6	36.6	36.6
H16	25.4	28.7	32.9	34.7	36.6	36.7	36.7	36.7	36.7	36.7
H17	25.1	28.4	32.6	34.4	36.3	36.4	36.4	36.4	36.4	36.4
H18	24.8	28.1	32.3	34.1	36.0	36.1	36.1	36.1	36.1	36.1
H19	25.0	28.3	32.5	34.3	36.2	36.3	36.3	36.3	36.3	36.3
H21	22.3	25.6	29.8	31.6	33.5	33.6	33.6	33.6	33.6	33.6
H22	22.0	25.3	29.5	31.3	33.2	33.3	33.3	33.3	33.3	33.3
H23	21.9	25.2	29.4	31.2	33.1	33.2	33.2	33.2	33.2	33.2
H24	21.8	25.1	29.3	31.1	33.0	33.1	33.1	33.1	33.1	33.1
H25	21.6	24.9	29.1	30.9	32.8	32.9	32.9	32.9	32.9	32.9
H26	23.0	26.3	30.5	32.3	34.2	34.3	34.3	34.3	34.3	34.3
H27	23.6	26.9	31.1	32.9	34.8	34.9	34.9	34.9	34.9	34.9
H28	23.4	26.7	30.9	32.7	34.6	34.7	34.7	34.7	34.7	34.7
H29	24.1	27.4	31.6	33.4	35.3	35.4	35.4	35.4	35.4	35.4
H30	24.1	27.4	31.6	33.4	35.3	35.4	35.4	35.4	35.4	35.4
H31	24.3	27.6	31.8	33.6	35.5	35.6	35.6	35.6	35.6	35.6
H32	23.5	26.8	31.0	32.8	34.7	34.8	34.8	34.8	34.8	34.8
H33	23.8	27.1	31.3	33.1	35.0	35.1	35.1	35.1	35.1	35.1
H34	23.8	27.1	31.3	33.1	35.0	35.1	35.1	35.1	35.1	35.1
H35	23.9	27.2	31.4	33.2	35.1	35.2	35.2	35.2	35.2	35.2
H36	23.7	27.0	31.2	33.0	34.9	35.0	35.0	35.0	35.0	35.0
H37	23.5	26.8	31.0	32.8	34.7	34.8	34.8	34.8	34.8	34.8
H38	23.5	26.8	31.0	32.8	34.7	34.8	34.8	34.8	34.8	34.8
H39	21.5	24.8	29.0	30.8	32.7	32.8	32.8	32.8	32.8	32.8
H40	22.6	25.9	30.1	31.9	33.8	33.9	33.9	33.9	33.9	33.9
H41	28.3	31.6	35.8	36.4	35.5	38.0	39.6	39.6	39.6	39.6
H42	28.9	32.2	36.4	38.2	39.3	38.6	40.2	40.2	40.2	40.2
H43	28.6	31.9	36.1	36.9	36.0	38.6	39.9	39.9	39.9	39.9
H44	28.0	31.3	35.5	36.4	35.5	38.1	39.3	39.3	39.3	39.3

10.15 Within 6 months of the development first becoming fully operational (unless otherwise extended by the Council) the wind

farm operator shall at their expense employ a suitably qualified and competent person to undertake a noise survey to assess the level of noise immissions from the wind farm. The duration of such monitoring shall be sufficient to provide comprehensive information on noise levels with all turbines operating across the range of wind speeds referred to in Condition 14 and covering a range of wind directions. Details of the noise monitoring survey shall be submitted to the Council for written approval prior to any monitoring commencing. The Council shall be notified not less than 2 weeks in advance of the date of commencement of the noise survey.

Reason: To assess compliance with noise immission limits as required by Condition No. 14.

10.16 Within 4 weeks of a written request by the Council, following a noise complaint from the occupant of a dwelling which lawfully exists or has planning permission at the date of this consent, the wind farm operator shall, at their expense employ a suitably qualified and competent person, to assess the level of noise immissions from the combined effects of the permitted wind turbines, at the complainant's property, following the procedures described in Pages 102-109 of ETSU-R-97 and if necessary, those described in condition 19. Details of the noise monitoring survey shall be submitted to the Council for written approval prior to any monitoring commencing. The Council shall be notified not less than 2 weeks in advance of the date of commencement of the noise monitoring.

Reason: To control the noise levels from the development at noise sensitive locations.

10.17 The wind farm operator shall provide to the Council the results, assessment and conclusions regarding the noise monitoring required by Conditions 15 and 16, including all calculations, audio recordings and the raw data upon which that assessment and conclusions are based. Such information shall be provided within 3 months of the date of a written request of the Council unless otherwise extended in writing by the Council.

Reason: To control the noise levels from the development at noise sensitive locations.

10.18 Wind speed, wind direction and power generation data shall be continuously logged throughout the period of operation of the wind farm. This data shall be retained for a period of not less than 12 months. The recorded wind data, standardised to 10m height above ground level and relating to any periods during which noise monitoring took place or any periods when there was a specific noise complaint, shall be provided within 3 months of the date of a written request of the Council unless otherwise extended in writing by the Council.

Reason: To facilitate assessment of monitoring exercises and complaint investigation.

10.19 Within 4 weeks from receipt of a written request from the Council, following an amplitude modulation (AM) complaint to it from the occupant of a dwelling which lawfully exists or has planning permission at the date of this consent, the wind farm operator shall submit a scheme for the assessment and regulation of AM to the Council for its written approval. The scheme shall be in general accordance with:

- Any guidance endorsed in National or Northern Ireland Planning Policy or Guidance at that time, or in the absence of endorsed guidance,
- Suitable published methodology endorsed as good practice by the Institute of Acoustics; or in the absence of such published methodology,
- The methodology published by Renewable UK on the 16th December 2013;

and implemented within 3 months of the written request of the Council unless otherwise extended in writing by the Council.

Reason: To control the levels of AM from the development at noise sensitive locations.

10.20 Noise and vibration due to site preparation works shall be controlled by adherence to Best Practicable Means, having regard to BS 5228:2009, Parts 1 and 2. The hours of working shall be restricted to 07.00 - 19.00 hours on Monday to Friday, 07.00 - 13.00 hours on Saturday with no such working on Sunday, unless otherwise agreed by Causeway Coast and Glens Borough Council. Outwith these hours, work at the site shall be limited to turbine erection, testing/commissioning works, emergency works, or

construction work that is not audible at any noise sensitive property.

Reason: To control noise levels from construction noise at noise sensitive locations.

10.21 No site works of any nature or development shall take place until a programme of archaeological work has been implemented, in accordance with a written scheme and programme prepared by a qualified archaeologist, submitted by the applicant and approved by the Council. The programme should provide for the identification and evaluation of archaeological remains within the site, for mitigation of the impacts of development, through excavation recording or by preservation of remains, and for preparation of an archaeological report.

Reason: to ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded.

10.22 Access shall be afforded to the site at all reasonable times to any archaeologist nominated by the Council to observe the operations and to monitor the implementation of archaeological requirements.

Reason: to monitor programmed works in order to ensure that identification, evaluation and appropriate recording of any archaeological remains, or any other specific work required by condition, or agreement is satisfactorily completed.

10.23 No development activity, including ground preparation or vegetation clearance, shall take place until a final Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Council. The approved CEMP shall be implemented in accordance with the approved details and all works on site shall conform to the approved CEMP, unless otherwise approved in writing by the planning authority. The CEMP shall include the following:

- a) Construction methodology and timings of works;
- b) Pollution prevention measures, including details of the establishment of buffer zones to watercourses and details of works on or adjacent to watercourses;

- c) Site Drainage Management Plan; including Sustainable Drainage Systems (SuDS), foul water disposal and silt management measures;
  - d) Peat Management Plan; including identification of peat/spoil storage areas, management and handling of peat/spoil and details of the reinstatement of excavated peat/spoil;
  - e) Details of grid connection route and proposed mitigation measures;
  - f) Water Quality Monitoring Plan;
  - g) Environmental Emergency Plan;
  - h) Details of the appointment of an Ecological Clerk of Works (ECoW) and their roles and responsibilities;
- Natural Heritage

Reason: To protect Northern Ireland priority/protected habitats and species, to ensure implementation of mitigation measures identified within the Environmental Statement and to prevent adverse impacts on the River Roe and Tributaries ASSI/SAC.

- 10.24 No development activity, including ground preparation or vegetation clearance, shall take place until a final Habitat Management Plan (HMP) has been submitted to and approved in writing by the Council. The approved HMP shall be implemented in accordance with the approved details, unless otherwise approved in writing by the Council. The HMP shall include the following:
- a) Clear aims and objectives of proposed habitat management/restoration;
  - b) Description of pre-construction, baseline habitat conditions;
  - c) Appropriate maps, clearly identifying habitat management areas;
  - d) Detailed methodology and prescriptions of habitat management/restoration measures, including timescales, and with defined criteria for the success of the measures;
  - e) Details of the prohibition of habitat damaging activities, including agricultural activities;
  - f) Confirmation of landowner agreement with all proposed habitat management measures for the lifetime of the wind farm;
  - g) Details of the regular monitoring of the effectiveness of habitat management measures using appropriate methodology (e.g. visual inspections, vegetation quadrats, fixed point photography) for the lifetime of the habitat management plan;

Reason: To compensate for the loss of and damage to Northern Ireland priority habitats and to mitigate for impacts to priority species/breeding birds.

- 10.25 Progress reports detailing the implementation and monitoring of the Habitat Management Plan shall be produced by a competent ecologist and submitted to the Council in years 1, 2, 3, 5, 10, 15, 20 and 25 after construction, within 6 months of the end of each monitoring year. These shall include details of any necessary contingency and/or remedial measures to ensure that the aims and objectives of the Habitat Management Plan are met.

Reason: To ensure proper implementation of the habitat management plan and make provisions for any necessary contingency and/or remedial measures.

- 10.26 No development activity, including ground preparation or vegetation clearance, shall take place until a Protected Species Management Plan (PSMP) has been submitted to and approved in writing by the Council. The approved PSMP shall be implemented in accordance with the approved details, unless otherwise approved in writing by the Council. The PSMP shall include the following:
- a) Details of the appointment of a competent ecologist as an Ecological Clerk of Works (ECoW), with the power to halt works, and their roles and responsibilities with regard to management of protected species;
  - b) Details of a pre-construction survey for badgers to determine any changes to setts;
  - c) Details of appropriate mitigation for protected species, particularly badgers, smooth newts and common lizards, to be implemented during the site preparation, construction and operational phases, including wildlife corridors, buffer zones and/or fencing;
  - d) Details of appropriate monitoring of impacts to protected species during construction works;
  - e) Details of appropriate procedures/measures to be followed should monitoring indicate potential impacts to protected species and/or potential breaches of wildlife legislation;

Reason: To ensure protection of species protected by law.

10.27 There shall be no site clearance or development activity within 25 metres of badger sett A2, as detailed in the Confidential Badger Report, submitted under LA01/2018/0200/F, date stamped 26 April 2019 by the Council, until written evidence has been provided to the Council that badgers have been excluded and the setts have been closed under the terms of a licence issued by the Northern Ireland Environment Agency.

Reason: To protect badgers.

10.28 No development activity, including ground preparation or vegetation clearance, shall take place between 1st March and 31st August until an Ornithological Mitigation Strategy (OMS) has been prepared by a suitably experienced and competent ornithologist and approved in writing by the Council. The approved OMS shall be implemented in accordance with the approved details, unless otherwise approved in writing by the Council. The OMS shall include:

- a) Details of the appointment of a suitably experienced and competent ornithologist, with the power to halt works, to supervise works during the bird breeding season;
- b) Details of the timing of ground preparation and vegetation clearance to avoid disturbance to breeding birds;
- c) Details of pre-construction bird surveys and appropriately timed bird surveys to be conducted throughout the construction phase;
- d) Details of appropriate mitigation measures to be implemented before and during the construction phase, including identifying the location of any recorded active nests or breeding activity, the establishment of species specific buffer zones to active nests or breeding territories (to be agreed with NIEA), temporarily halting works to avoid disturbance to breeding birds;
- e) Provisions for the reporting of the implementation of the OMS to the Council at the end of each bird breeding season during which works take place.

Reason: To protect breeding birds during the construction phase.

10.29 No development activity, including ground preparation or vegetation clearance, shall take place until an Ornithological Monitoring Plan (OMP) has been prepared by a suitably experienced and competent ornithologist and approved in writing by the Planning Authority. The approved OMP shall be implemented in accordance with the approved details, unless

otherwise approved in writing by the Council. The OMP shall include:

- a) Details of a programme of long term monitoring of breeding and wintering birds, covering breeding and non-breeding seasons, using appropriate survey methodology, in the first survey period after construction is completed (year 1) and in years 2, 3, 5, 10 and 15 thereafter. Surveys shall target hen harrier, kestrel, snipe and red grouse but shall also record numbers and distribution of any other breeding wader species, meadow pipit and skylark;
- b) Provisions for the implementation of contingency mitigation measures should monitoring reveal significant impacts on birds;
- c) Details of the production of monitoring reports which shall be submitted to the Council within 6 months of the end of each monitoring year and which shall include details of any contingency mitigation measures implemented.

Reason: To monitor and mitigate for the impact of the proposal on wild birds.

- 10.30 No turbine shall become operational until a Bat Mitigation and Monitoring Plan (BMMP) has been submitted to and approved in writing by the Council. The approved BMMP shall be implemented in accordance with the approved details, unless otherwise agreed in writing by the Council. The BMMP shall include the following:
- a) Details of the proposed monitoring of bat activity across the site using appropriate methodology for a period of 5 years following the commencement of operation of the turbines;
  - b) Details of bat carcass searches at selected turbines using appropriate methodology for a period of 5 years following the commencement of operation of the turbines;
  - c) Details of the production of yearly monitoring reports to be submitted to the planning authority within 6 months of the end of each monitoring year;
  - d) Provision for additional mitigation or contingency measures which may be deemed necessary depending on the results of the monitoring and which shall be implemented if instructed by the Planning Authority;
  - e) Provision for review of the mitigation measures and the length of the monitoring plan;

Reason: To monitor the impact of the proposal on bats.

10.31 All turbine blades shall be “feathered” when wind speeds are below the “cut-in speed” of the operational turbines. This shall involve pitching the blades to 90 degrees and/or rotating the blades parallel to the wind direction to reduce the blade rotation speeds below two revolutions per minute while idling.

Reason: To protect bats.

10.32 Not later than 12 months before the end of this permission a Decommissioning and Site Restoration Plan shall be submitted for the approval in writing of the Council. Such plan shall include the removal of above ground elements of the development to one metre below ground level, habitat restoration measures, including the reinstatement of access tracks, the management and timing of any works, environmental management provisions and a traffic management plan to address any traffic impact issues during the decommissioning period. The plan shall be implemented as approved within a time frame to be agreed with the Council.

Reason: To restore the site and protect the local environment beyond the lifetime of the permission.

10.33 Prior to the erection of any turbines, the developer shall commission an aviation consultant (approved by CODA) to revise all associated Instrument Flight Procedures (IFP) to illustrate a revised Low Holding Altitude of 2500 feet.

The developer shall submit and have agreed in writing with the Council, the draft IFPs which will be updated in the UK Aeronautical Information Publication (AIP).

Reason: In the interest of flight safety.

10.34 Prior to the erection of any turbines, the developer shall submit and have agreed in writing with the Council a scheme for the installation of aviation lighting. Upon erection of any of the turbines, the agreed lighting scheme shall be installed and operational for the lifetime of the turbines.

Reason: In the interest of flight safety.

10.35 In the event that City of Derry Airport (CODA) have installed a contemporary radar system prior to any of the turbines hereby

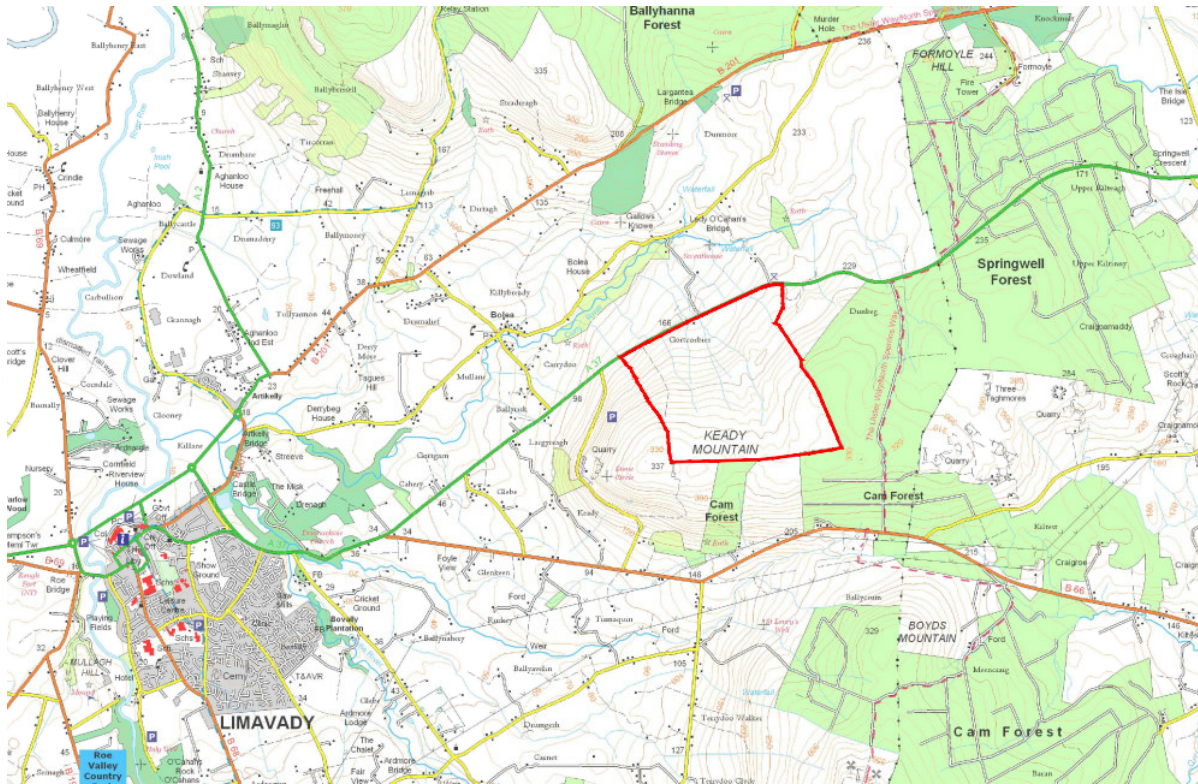
approved being erected then a Radar Mitigation Scheme (RMS) shall be agreed in writing with the Council. This scheme shall:

- Set out the appropriate measures to mitigate the impact of the development upon the operation of the installed CODA Air Traffic Control (ATC) radar and any ATC operation which are reliant on the radar.
- Set out the appropriate performance criteria to mitigate the impact of the development on the radar.

In the event that CODA (ATC) radar is installed prior to turbine erection, the turbines shall not become operational until all agreed measures and timescales within any previously agreed RMS have been implemented.

Reason: In the interest of flight safety

## Site Location



## Site Layout

