

Planning Committee Report B/2013/0241/F	26th April 2017
PLANNING COMMITTEE	

Linkage to Council Strategy (2015-19)	
Strategic Theme	Protecting and Enhancing our Environment and Assets
Outcome	Pro-active decision making which protects the natural features, characteristics and integrity of the Borough
Lead Officer	Principal Planning Officer
Cost: (If applicable)	N/a

**Lands approx. 640m East of
Largantea Bridge, Windyhill Road,
Dunmore, Limavady
B/2013/0241/F**

26th April 2017

<u>App No:</u>	B/2013/0241/F	<u>Ward:</u>	Limavady
<u>App Type:</u>	Full		
<u>Address:</u>	Land approx. 640m east of Largantea Bridge (Windyhill Road/Bolea Road) Dunmore		
<u>Proposal:</u>	Full planning application for a proposed extension to the approved Dunmore Windfarm (Ref: B/2007/0563/F) comprising 8 turbines, up to a maximum of 126m tip height (up to 85m hub height and up to 93m blade diameter), associated transformers, 2 permanent anemometer masts, communication tower, extension of existing site access tracks and construction of new site access tracks, temporary amendments to the junction of the Bolea Road and Windyhill Road, gates, substation and site control room, electrical cabling, a temporary site compound, two site entrances, minor road improvement works on Bolea Road and all other associated and ancillary works		
<u>Con Area:</u>	N/A	<u>Valid Date:</u>	31 st October 2013
<u>Listed Building Grade:</u>	N/A	<u>Target Date:</u>	15 th May 2014
<u>Applicant:</u>	Dunmore 2 Wind Farm Ltd		
<u>Agent:</u>	TCI Renewables		
<u>Objections:</u>	2	<u>Petitions of Objection:</u>	0
<u>Support:</u>	0	<u>Petitions of Support:</u>	0

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 **REFUSE** planning permission subject to the reasons set out in section 10.

2.0 SITE LOCATION & DESCRIPTION

- 2.1 The site is located within Dunmore townland, approximately 640m east of Largantea Bridge (Windyhill/Bolea Road), Dunmore approximately 6.5km North East of Limavady. The lands are on the Southern side of Windyhill Road between Limavady and Coleraine. The development lands are further bisected by the Bolea Road and will be accessed from the Bolea Road via the use

of 2 new site entrances and access track along with the use of 2 existing site entrances and tracks approved and constructed under B/2007/0563/F – Dunmore Wind Farm.

- 2.2 The site is located on an area of rough grazing pastures and that lands are currently used for livestock grazing. The 8 proposed turbines are located north of the 15 approved at Dunbeg wind farm. 3 of those proposed are located immediately adjacent to the constructed Dunmore windfarm, while the other 5 are to the West of Dunmore windfarm separated by the Bolea Road.

3.0 RELEVANT HISTORY

- 3.1 B/2007/0563/F Dunmore 7 turbines, approved at appeal 25.10.2010
- 3.2 B/2007/0560/F – Dunbeg 14 turbines, approved at appeal 28.01.2011
- 3.3 LA01/2016/0061/F – Dunbeg extension, 3 turbines, under consideration at this Committee.

4.0 THE APPLICATION

- 4.1 The application is for an extension of 8 turbines to the existing 21 turbine wind farm (Dunmore/Dunbeg). Each turbine will have an overall height of 126m with a permanent crane hardstanding area. There will also be associated:
- transformers,
 - an onsite control building
 - electrical substation,
 - new and upgraded on site access tracks,
 - gates,
 - underground electrical cabling,
 - a temporary site compound,
 - 2 permanent 80m meteorological masts

- access tracks connecting the new proposal to the approved wind farm

4.2 The turbines proposed will be no higher than 126m however to permit flexibility within construction the applicant has submitted 4 types of turbine which may be used in the event of an approval. These turbines vary in their configuration as follows.

Model	Tip Height	Hub Height	Blade Span
Siemens SWT 93	124.8m	78.3m	93m
Enceron E-82 E3	126m	85m	82m
Nordex N90 HS	125m	80m	90m
Vestas V90 3MW	125m	80m	90m

4.3 Each turbine will have a generational capacity of up to 3MW, giving a combined generation capacity of up to 24MW.

4.4 The application was accompanied by a voluntary environmental statement.

5.0 PUBLICITY & CONSULTATIONS

External

5.1 No neighbours were identified for notification within the terms of the legislation. There are 2 objections to this proposal from members of the public.

Internal

5.2 See appendix 2 for details of consultations carried out and the responses provided. Within this the outstanding issues and objections are as follows:

- The Honourable the Irish Society has concerns that property ownership interests would be damaged
- Transport NI are concerned regarding the proximity of T10 to the edge of Windyhill Road

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 Northern Area Plan 2016 (NAP) and the site falls within the falls within the Binevenagh Area of Outstanding Natural Beauty (AONB).
- 6.3 The site is located within Landscape Character Area (LCA) 36 – Binevenagh which has been assessed to have a high – medium landscape sensitivity to impact from wind turbine development.
- 6.4 The site is also with the following European designations River Roe and Tributaries Special Area of Conservation (SAC) and Areas of Special Scientific Interest (ASSI), Lough Foyle Special Protection Area (SPA), Ramsar and Areas of Special Scientific Interest (ASSI) and Bann Estuary Special Area of Conservation (SAC) and Areas of Special Scientific Interest, and within the Binevinagh AONB designation.
- 6.5 The Regional Development Strategy (RDS) is a material consideration.
- 6.6 The Strategic Planning Policy Statement for Northern Ireland (SPPS) is a material consideration. As set out in the SPPS, until such times as both a new local plan strategy is adopted, councils will apply specified retained operational policies.
- 6.7 Due weight should be given to the relevant policies in the development plan.
- 6.8 All material considerations and any policy conflicts are identified in the “Considerations and Assessment” section of the report.

7. RELEVANT POLICIES & GUIDANCE

The Northern Area Plan 2016

Strategic Planning Policy Statement (SPPS)

Planning Policy Statement 2: Natural Heritage

Planning Policy Statement 3: Access, Movement and Parking

Planning Policy Statement 6: Planning, Archaeology and The Built Heritage

Planning Policy Statement 18: Renewable Energy

Planning Policy Statement 18: Renewable Energy – Best Practice Guidance

Planning Policy Statement 18: Renewable Energy – Supplementary Planning Guidance – Wind Energy Developments in Northern Ireland’s Landscapes

Supplementary Guidance

8. SUMMARY OF CONSIDERATIONS & ASSESSMENT

- 8.1 Due to the complexity of this case, an executive summary has been provided for ease of reference. The detailed consideration and assessment is laid out in appendix 2
- 8.2 The main considerations in the determination of this application relate to: the principle of development; the impact on the AONB, compliance with PPS18, visual amenity, impact on the public safety, economic and social benefits.

Principle of development

- 8.3 The SPPS states in paragraph 6.223 that a cautious approach should be taken for renewable energy development proposals in designated landscapes which are of significant value such as an

Area of Outstanding Natural Beauty (AONB). It goes on to state that in such sensitive landscapes it may be difficult to accommodate renewable energy proposals without detriment to the region's cultural and natural heritage assets.

- 8.4 The SPPS also goes on to advise that the Council should take account of the proposal's contribution to the wider environmental benefits along with consideration of impact on health, safety and amenity, visual impact, impact on biodiversity and habitat, and future decommissioning.

Impact on AONB

- 8.5 Policy NH6 of PPS2 – Natural Heritage requires that planning permission will only be granted for a new development within and Area of Outstanding Natural Beauty (AONB) will only be granted where it is of an appropriate design, size and scale for the locality and a number of criteria are met. It is apparent that this proposal cannot meet the stringent controls for this AONB due to its detrimental impact on the character and appearance of the special features of the area ie Binevenagh and as such is unacceptable. This is laid out in detail in appendix 1.

Planning Policy Statement 18 - Policy RE1

- 8.7 Policy RE1 lays out the considerations for renewable energy projects and then additional considerations for wind farms. The detail of how the proposal has been assessed against each element of the policy is laid out in appendix 1 and should be read in conjunction with this summary. The main consideration are laid out below including the issues where the proposal fails to meet the policy or matters remain unresolved.

Visual Amenity

- 8.8 The proposal is considered to be unacceptable in terms of visual amenity and landscape character. The detail of this is laid out in appendix 1. However the main critical views are set out below. Photomontages are attached to show how the windfarm will appear in the landscape along with the existing windfarms when viewed from that area.

- Appendix 3– L5/V18 – Broad Road
- Appendix 4– L6 – Broad Road

- Appendix 5– L9/V14 – Windyhill Road
- Appendix 6– L12 – Largantea Picnic Area
- Appendix 7– L16 – Windyhill Road
- Appendix 8- L21/V21 Ballyquin Road

Impact on Public Safety

- 8.9 Transport NI have indicated that T10 is not the minimum measurement of 138.6m from the boundary of the public road as per their requirement. This is significant as this turbine is located within the fall distance of the Windyhill Road which would present a road safety risk for users of this road in the event of a catastrophic failure of the structure of the turbine. Due to the few metres required to move this outside the fall distance, this could be dealt with by micro-siting condition for this particular turbine or the submission of amended drawings relocating T10.
- 8.10 The applicant was not required to submit further amended drawings in the process of the application due to the principle of limiting their loss when the proposal was unlikely to be acceptable. Furthermore a condition cannot be applied in the event of a refusal therefore the only way to ensure that this issue is adequately addressed is to raise it as a refusal reason.

Economic & Social Benefits

- 8.11 Where a wind farm proposal is considered unacceptable, appropriate weight must be given to environmental, economic and social benefits.
- 8.12 While the approval of such a proposal will help NI achieve the renewable energy targets set in the Programme for Government there are no considerable tangible economic benefits for the Borough when weighed against the impact on this sensitive landscape.
- 8.13 It should be noted that while there will be considerable capital investment in the construction of the windfarm, the Council cannot ensure that this will be spent locally. Also even though there will be a community fund associated with the wind farm, again the Council will not have control over the implementation of this. Any

distribution of funds will be entirely managed by the wind farm company in line with their industry good practice guideline.

Appeal Precedents

- 8.14 Previous appeals on the site regarding windfarms are a significant material consideration. Permission was granted at appeal for both the existing wind farms which have now been constructed.
- 8.15 Dunmore (2009/A0037) for 7 turbines at a height of 125m and associated works on 18th October 2010. The PAC in this case was satisfied that the proposal “*would not detract from the intrinsic landscape which is recognised by the Binevinagh AONB designation*”. Moreover they considered that the proposal could “*coexist with tourism in the and perhaps even add to tourist interest in this area*”
- 8.16 Dunbeg (2009/A0363) for 14 turbines at a height of 90m on 27th January 2011. The Commissioner considered that the wind farm “*would be a new and distinctive element in the landscape but it would not interrupt important views or seriously harm the overall appearance of the area. For some people it might even add visual interest*”. In the report the Commissioner concluded that it would not impinge on the distinctive skyline of Binevenagh, would not have an unacceptable impact on the character of the wider landscape nor would it undermine the importance of the AONB.

Objections

- 8.17 Objection 1 – 18th March 2014 The Honourable The Irish Society advised that it has property ownership interests (sporting and access rights) in lands covered by or adjacent to this application, the future operation of which will be damaged if it goes ahead. The state that as they have not been consulted by the applicant, they are objecting to this application proceeding.
- 8.18 The Honourable The Irish Society was consulted in the process of the planning application by the Department and advised that they objected because they had not been consulted by the applicant. As no justification has been given for the objection, it cannot be given any weight.

8.19 Objection 2 - 10th January 2014 from resident of Castlerock who raised the following concerns:

- The development is situated in the heart of Binevenagh AONB
- The development would have an unacceptable impact on visual and landscape character contrary to PPS18 RE1
- Wind farm encirclement/cumulative impact
- Damage to open heather moor and bog and Altikeeragh ASSI area of blanket bog
- Hydrogeological and ecological damage
- Inability to restore the site to a standard appropriate to its location
- The development puts jobs at risk in the tourist industry and in local businesses.

8.20 All the issues raised in this objection have been dealt with in the main body of the report.

8.21 Objection 3 dated 10th January 2014 from resident of Coleraine objected to this because of:

- The area is designated as AONB
- Visual impact on Castlerock, Portstewart and Portrush
- Visual impact on views from the Coleraine to Londonderry train line
- Impact of views from at least 4 counties (not specified)

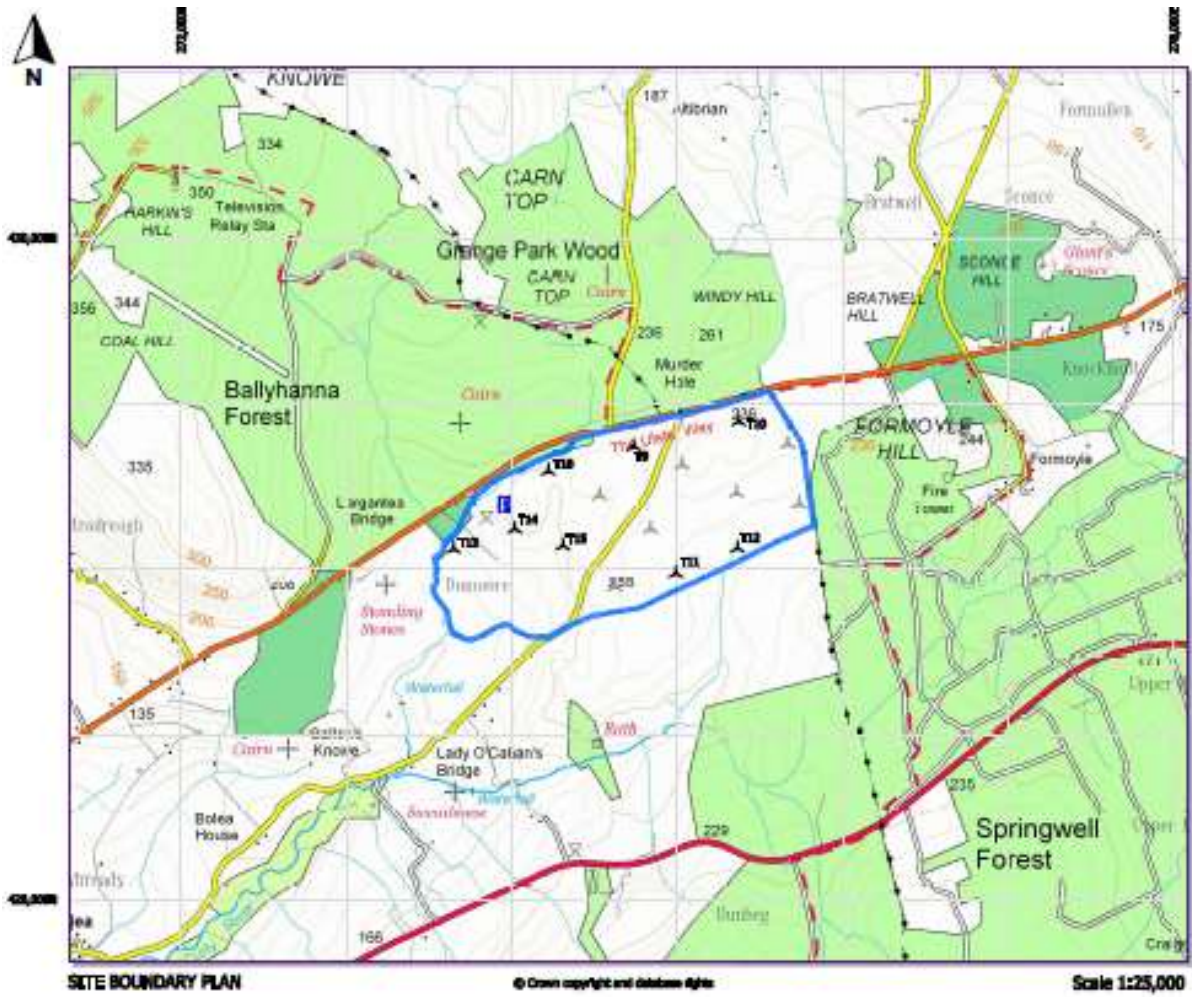
8.22 The wind farm will be visible from the additional areas identified by the objector. However these are very long distance views and within the context of the existing windfarms any detrimental impact will not be so significant to warrant a refusal on that basis.

9. CONCLUSION

9.1 This proposal is considered unacceptable in this location having regard to the Area Plan and other material considerations. The site is within a sensitive area, the proposed nature and scale of the proposal is considered unacceptable having regard to the policy guidance set out in policies, NH6 of PPS2, RE1 of PPS18, and Paragraphs 6.223 and 6.224 of the SPPS. The proposal will cause significant harm to visual amenity, landscape character and the AONB to warrant refusal. Refusal is recommended.

10. REFUSAL REASONS

- 10.1 The proposal is contrary to policy NH6 of PPS2 and paragraph 6.223 of the SPPS in that the siting and scale of the proposal is not sympathetic to the special character of the Area of Outstanding Natural Beauty in general and of the particular locality; and it does not respect the features of importance to the character, appearance or heritage of the landscape.
- 10.2 The proposal is contrary to policy RE1 of PPS 18 and paragraph 6.224 of the SPPS in that the development will have an unacceptable impact on visual amenity and landscape character by virtue of the number, scale size and siting of turbines.
- 10.2 The proposal is contrary to Policy RE1 of PPS 18 and paragraph 6.224 of the SPPS in that, if permitted, will have an unacceptable impact on road safety due to its proximity of turbine 10 to the edge of the Windy Hill Road.



Appendix 1: Detailed Consideration and Assessment

1. The main considerations in the determination of this application relate to: the principle of development; the impact on the AONB, impact on the public, safety, human health, residential amenity, visual amenity, landscape character, biodiversity, nature conversation, and local natural resources.

Principle of development

2. The SPPS states in paragraph 6.223 that a cautious approach should be taken for renewable energy development proposals in designated landscapes which are of significant value such as an Area of Outstanding Natural Beauty (AONB). It goes on to state that in such sensitive landscapes it may be difficult to accommodate renewable energy proposals without detriment to the region's cultural and natural heritage assets.
3. The SPPS also goes on to advise that the Council should take account of the proposal's contribution to the wider environmental benefits along with consideration of impact on health, safety and amenity, visual impact, impact on biodiversity and habitat, and future decommissioning.
4. An assessment was carried out under Regulation 43 (1) of the Conservation (Natural Habitats) Regulations (NI) 1995 (as amended) as the proposal falls within the River Roe and Tributaries Special Area of Conservation (SAC), Lough Foyle Special Protection Area (SPA) and Bann Estuary Special Area of Conservation (SAC). The stage 1 test of likely significant for the Habitats Regulations Assessment concluded that the mitigation planned and detailed in the ES and amended drawings will remove the likelihood of being any significant effects on European site.
5. The assessment has indicated that the proposal is not likely to have a significant effect on the selection features, conservation objectives or status of any European site subject to the submission of a final CEMP to be submitted prior to any works commencing on site.
6. The Northern Area Plan 2016 is silent on the matter of wind farm development in this area.

Compliance with PPS2 – Natural Heritage

7. Policy NH6 of PPS2 – Natural Heritage requires that planning permission will only be granted for a new development within and Area of Outstanding Natural Beauty (AONB) will only be granted where it is of an appropriate design, size and scale for the locality all of the following criteria are met:
 - a) The siting and scale of the proposal is sympathetic to the special character of the AONB in general of the particular locality; and**
8. Some of the key landscape characteristics of the Binevenagh AONB laid out in the Binevenagh Management Plan 2010-2020 are:
 - Sloping upland basalt plateau ending at a dramatic, cliff-like escarpment.
 - Escarpment summits have a distinctive profile and form a sequence of local landmarks.
9. It is the encroachment of the proposed extension of the existing wind farm onto the setting of Binevinagh that is unsympathetic to this special characteristic. The proposal elongates the windfarm out towards the upland plateau which has a detrimental impact on the distinctive character of the area.
 - b) it respects or conserves features (including buildings and other man-made features) of importance to the character, appearance or heritage of the landscape; and**
10. In this case the proposal does not respect the features of the landscape (the basalt plateau) in that begins to dominate it and detracts from the natural beauty of that feature. This is caused by the extension and visual encroachment of the windfarm towards the main western mountain mass of Binevenagh. This contrasts the existing wind farm which is confined within the basin of the landscape.
 - c) the proposal respects:**
 - **local architectural styles and patterns;**
 - **traditional boundary details, by retaining features such as hedges, walls, trees and gates; and**

- **local materials, design and colour.**

11. This proposal cannot respect local tradition due to the inherent nature of wind turbines. Significant weight cannot be given to the proposal's inability to meet this criterion.

Compliance with PPS 18

11. Policy RE1 requires that all renewable energy development, associated buildings and infrastructure will not result in an unacceptable adverse impact on:

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

Public safety

12. Section 1.3.54 of the Best Practice Guidance to PPS18 requires that the turbines should be set back at least fall over distance plus 10% from the "edge of any public road", right of way or railway line. The maximum base to tip height in this proposal is 126m which constitutes the fall over distance, therefore the fall over distance plus 10% is 138.6m. All turbines should be least 138.6m back from the Windy Hill Road. The closest turbines to the Windy Hill Road are T9, and T10 which are (approximately 139.1m, 139.1m respectively from the edge of actual road).
13. Transport NI have indicated that T10 is not the minimum measurement of 138.6m from the boundary of the public road as per their requirement. This is significant as this turbine is located within the fall distance of the Windyhill Road which would present a road safety risk for users of this road in the event of a catastrophic failure of the structure of the turbine. Due to the few metres required to move this outside the fall distance, this could be dealt with by micro-siting condition for this particular turbine or the submission of amended drawings relocating T10.

Human Health

14. There is no indication from any consultees or allegations from objectors that the proposed development will result in any detriment to human health.

Residential Amenity

15. RE1 of PPS18 states that, “for wind farm development a separation distance of 10 times rotor diameter to occupied property, with a minimum distance not less than 500m, will generally apply.” In this case the Siemens SWT 93 has the largest rotor diameter of the 4 types proposed at 93m therefore requiring a separation distance of 930m from any occupied property.
16. 2 properties have been identified as being within 930m of a proposed turbine. 194 Windy Hill Road is located approximately 908m from T10 and 98 Bolea Road is approximately 900m from T13. A noise impact assessment has been submitted as part of the Environmental Statement which monitored baseline
17. EHO had no objections to the noise impact statement submitted and moreover, 194 Windy Hill Road is a financial beneficiary of the Dunmore Windfarm (evidence submitted 27th February 2017) and is located 710m from T8 of the existing Dunmore Wind Farm. In the case of this property it can be considered that there is will be no significant detrimental impact from noise created by the proposed windfarm when considering the circumstances and proximity of the existing windfarm.
18. Environmental Health have indicated that they are content with the proposed noise levels predicted at sensitive receptors and as such have no objection subject to conditions being applied in the event of an approval.

(b) visual amenity and landscape character;

19. In this case it is considered that there will be significant detrimental impact on both visual amenity and landscape character due to its siting within the Binevenagh AONB and critical views from the public roads within the vicinity. This is laid out in detail below.

(c) biodiversity, nature conservation or built heritage interests;

20. Natural Environment Division are content that the design and mitigation measures mean that there is no significant detrimental impact on nature conservation or biodiversity.

21. Disturbance to any badgers on site can be mitigated by buffers and exclusion zones which will be agreed as part of a construction methodology statement in the event of an approval.
22. Bat surveys have indicated the presence of bats but NIEA are content that surveys conditioned as part of any approval would adequately monitor any impact on the bat population.
23. NIEA are also content that the mitigation measures listed in the ornithology section of the ES are adequate to protect bird life at the site but should be conditioned in the event of any approval granted.
24. There is a standing stone (LDY 006:043) located close to the northern boundary of the site, opposite the junction of the Windyhill Road with Altikeeragh Road. NIEA – Built heritage have not indicated any significant detrimental impact on any built heritage or designated sites subject to all mitigation measures being submitted and agreed within a Construction & Environmental Management Plan (CEMP) prior to commencement of works.

(d) local natural resources, such as air quality or water quality; and

25. Water Management Unit (WMU) of NIEA are content that there is no impact on water quality. Due to the nature of the development there will be limited impact on air quality except for dust suppression upon construction. WMU have been supplied with details on this and are content that this can be dealt with within the Construction Management Statement which would be conditioned for submission post approval but pre construction of the wind farm if permitted.
26. The site is hydrologically connected to the River Roe and Tributaries ASSI and SAC, Lough Foyle SPA, Ramsar and ASSI, and Bann Estuary ASSI/SAC. However NIEA are content that detail and clarification provided that the mitigation measures supplied are sufficient to prevent any significant adverse impacts on the receiving water environment and the designated sites. This is subject to a CEMP being submitted and agreed prior to the commencement of

works and should be conditioned as such in the event of any approval.

(e) public access to the countryside.

27. The site in question is not publicly owned land and as such public access to the site upon the construction of the proposed development will be no different than before, that is, access to the land will depend on the landowners consent.

PPS 18 Requirements for Wind Development

28. In RE1 of PPS 18 applications for wind energy development will also be required to demonstrate all of the following:

(i) that the development will not have an unacceptable impact on visual amenity or landscape character through: the number, scale, size and siting of turbines;

29. The site is located within LCA 36 – Binevenagh which has been assessed to have a high – medium landscape sensitivity to impact from wind turbine development. The site is also located within the Binevenagh Area of Outstanding Natural Beauty (AONB). In this case it is important to understand that, while the area is determined to be very sensitive to wind development and is of an outstanding quality, there are already 2 existing wind farms here totalling 21 turbines. This means that the consideration must demonstrate any unacceptable impact as beyond the impact of the original 2 wind farms.
30. Of the 8 proposed turbines, T11 and T12 sit in the midst of the constructed Dunbeg wind farm on the South and the constructed Dunmore 1 wind farm on the North. Their addition to the landscape will only be evident to the most perceptive or studied viewer. To the majority their addition will be imperceptible particularly when combined with the 60mph speed limit of the Dunhill and Windyhill Roads.
31. Particular concern should be expressed about the following views which the applicant has aimed to address with the further

submission of photomontages and a Supplementary Landscape and Visual Impact Assessment (SLVIA).

32. The views of concern for the Council are not views that are situated near many dwellings or footpaths, however they are main roads within a well used tourist trail and used daily by commuters and so are viewed by many people every day. The Council considers that the views travelling to Coleraine are as special as those seen when travelling towards Limavady because of the setting of Binevenagh and should be afforded the same protection
33. From Broad Road Upper (V18 & L5) regarding T13, T14, T15, photomontage L6 shows T13, T14, T15 and T16 extending beyond the existing group of turbines and visually extends the wind farm horizontally along the landscape. While T15 extends the wind farm, T14 and T16 form a sub group and T13 appears to sit in isolation from the rest of the wind farm. This expansion appears to be approximately a horizontal increase of 25%. This is only apparent in the 70 degrees field of view but is visible for around 4.2km of the 20km of the Broad Road and includes an area of hard shoulder (L5) (see map 1 Broad Road/Dunhill Road Turbine Visibility Review).
34. These views emphasis the expansion into a previously untouched portion of this sensitive landscape and as such can only be considered detrimental to it by significantly detracting from the main features and characteristics of the landscape at Binevenagh.
35. Map 2 of the Turbine Visibility Review shows that there will be full visibility of the proposed wind farm for 3.3Km (19%) of the 17Km of the Windyhill Road. Of this 1.2Km would be less than 300m away from road users. L9/V14 shows T13 approximately 242m from the Windyhill Road. T16 T9 and T10 are positioned closer to the road at approximately 139m and they clearly add to the oppressive nature of the wind farm at this part of the road. For comparison the existing wind farm's closest turbine (T4) to the road is approximately 280m from the road edge.
36. Another significant view is from Largantea Picnic area. Here T9, T10 and T16, are 139m back from the road. L11, L12 and L13 photomontage clearly shows the dominance and full extent of the mast and blades when the existing turbines are partially obscured by the landform. This is particularly important because there is the

potential (due to parking, facilities) that people will not always be moving through this area but will actually stop and absorb the views of the landscape. The PAC has previously indicated that it considered that wind farms may not deter tourists from visiting here and may even be a positive attraction in the landscape. However there is no doubt that the addition of these 3 turbines will be detrimental to that viewing experience by appearing overbearing where previously impact of the existing wind farms was limited.

37. The offer by the windfarm of assisting with the provision of interpretive materials at this site does not assuage any concerns about the impact on the viewer. However this may be something that could be conditioned in the event of an approval.
38. The impact of a wind turbine 126m high at 139.1m from the public road should not be underestimated. They will dominate the landscape views and will be overbearing for the road users. This is particularly evident in L15 and L16 which show the overbearing nature of T9 and T10 respectively in the context of the approved wind farm at this particular location.
39. L18 is taken from the junction of Sconce Road onto Windyhill Road and again emphasises how overbearing the turbines will be perceived when located that distance from the road.
40. The ancillary development consists of:
 - transformers,
 - an onsite control building
 - electrical substation,
 - new and upgraded on site access tracks,
 - gates,
 - underground electrical cabling,
 - a temporary site compound,
 - 2 permanent 80m meteorological masts
 - access tracks connecting the new proposal to the approved wind farm
41. The proposed electrical sub-station/control building compound is 671.25sqm in area and consists of a building and outside yard area. The yard contains equipment cabinets, transformers, and reactors, while the building houses stores, control rooms and switch rooms.

The building will be 6.25m high to the ridge and 22.5m long. The external finish of the building is to be white rough cast render with chipping sand a slate effect tiles roof. The yard will store the transformers and a 15m communications tower which will be contained within a fenced area. The fencing will be 2.4m galvanised steel palisade fencing. The building proposed is a modest building in materials appropriate to the countryside. The yard area is relatively small and the items within it do not project much beyond the height of the fencing and will have limited visual impact when viewed from public viewpoints. The communications tower at 15m is considerably higher than the building but within the context of a windfarm and due to its lattice form, it will not be visually intrusive.

42. The new access to be provided is from Windy Hill Road onto the Bolea Road to meet the existing track and then a new track will branch off to service T9, T16, T14 and T15. The remaining turbines are serviced by the tracks of the existing wind farm with only small branches of new track for T11 and T12. The impact on visual amenity is acceptable as tracks are single and they have been broadly sited to avoid sensitive habitats.
43. Temporary gates have been proposed at the access from Windyhill Road onto Bolea Road. 2 sets of permanent gates have been proposed on the access track adjacent to T9 from the Bolea Road. They are to be 6m wide, galvanised MS 5 bar double leaf gates on proprietary posts which is acceptable in the countryside.
44. The proposal shows that not all underground electrical cabling follows access tracks with some cable crossing areas of unmapped habitat. Natural Environment are now content that the laying of cables in these areas will not result in an unacceptable adverse impact on biodiversity or nature conservation and may damage habitats and cause sediment runoff into watercourses. The proposed methodology for providing cable trenches between Bolea Road and T12, and between T11 and T12 is acceptable subject to being detailed within the HMP and CMS.

45. The amended location of the temporary site compound is no longer located on an area of modified blanket bog which is considered to be active peatland and is therefore acceptable.
46. The layout also shows 2 meteorological masts as part of the development. These will be trellis formed, 85m high, 2m at their widest point reducing to 0.6m at the tip. These have limited visual impact on the landscape as they are not solid in form and therefore acceptable visually within the context of a wind farm. There is no indication that they are sited on any sensitive area or impacting negatively on biodiversity or nature conservation.

(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;

47. Due to the proximity of the approved windfarms Dunmore and Dunbeg, the proposal and the cumulative impact on the landscape is evident. While views from Ballyquin Road (L21/V21) are distant views there is no doubt that T13, T14 and T16 are extending the wind farm development along the dip in the landscape and towards the setting of Binevenagh. Previously (with the exception of 1 turbine) the windfarm nestled at the base of the hill. It is also possible to see how in conjunction with the previous approvals that this proposal would gradually extend the development out towards the significant feature of Binevenagh Mountain.
48. It should also be noted that there is a current undetermined application for an extension to the Dunbeg windfarm under LA01/2016/0061/F. However due to the siting of these turbines within the body of the existing windfarms, this proposal is unlikely to significantly add to any cumulative detrimental impact on the landscape.

(iii) that the development will not create a significant risk of landslide or bog burst;

49. None of the consultees have indicated that landslide or bog burst is a risk within this proposed development.

(iv) that no part of the development will give rise to unacceptable electromagnetic interference to communications installations; radar or air traffic control systems; emergency services communications; or other telecommunication systems;

50. There is no indication from consultees that the development will give rise to unacceptable interference to communication installations, emergency services communications or other telecommunications systems.

(v) that no part of the development will have an unacceptable impact on roads, rail or aviation safety;

51. City of Derry Airport (CODA) and Belfast International Airport (BIA) were both consulted. While BIA has no objection, the significantly closer CODA has advised that the proposed turbines would be “in clear line of sight of the proposed CoDA radar system. However, a mitigation scheme has been agreed between CODA and the applicant which should be conditioned in the event of a planning approval.
52. Not all turbines are more than the required distance from the public road as calculated by the height plus 10%. This is particularly important due to the proximity of turbines T9, T10 and T16 adjacent to the Windyhill Road. T10 is within the fall distance of the public road as outlined above.

(vi) that the development will not cause significant harm to the safety or amenity of any sensitive receptors¹ (including future occupants of committed developments) arising from noise; shadow flicker; ice throw; and reflected light; and

53. EHO have no objections to the noise levels predicted within the submission and would be content for noise to be managed by condition in the event of any approval.

54. Paragraphs 1.3.73 to 1.3.78 of the Best Practice Guide assert that shadow flicker is only likely to occur at distances greater than 10 rotor diameters from a turbine so in this case it would be receptors within 930m (10 x maximum rotor diameter of 93m). 7 receptors/dwellings have been identified within this distance but none are within 500m of the turbines. None of the receptors would experience shadow flicker impact of more than 30 minutes per day (if taking the mean data) and none will experience any shadow flicker for more than 30 hours per year. This is also the case for the potential for shadow flicker caused by the cumulative impact of the proposed wind farm and the existing wind farms. All detailed figures are laid out within P339 of the Environmental statement.
55. While these figures were not adjusted for the relocation of T9 submitted in December 2016, this turbine was only moved 3.95m SSE of the original location (closer to 4 of the receptors), and therefore is not likely to increase the shadow flicker to a level that would exceed the prescribed limits.
56. Paragraph 1.3.79 of the Best Practice Guidance advises that ice throw is unlikely in Northern Ireland and as such limited consideration has been given to this.

(vii) that above-ground redundant plant (including turbines), buildings and associated infrastructure shall be removed and the site restored to an agreed standard appropriate to its location.

57. The removal of the turbines and any of the associated infrastructure will be dealt with by condition if approved. Ongoing restoration of the site will be dealt with in the Final Habitat Management Plan which will be submitted if the application is approved.

Development on Active Peatland

58. Policy RE1 of PPS18 also states that any development on active peatland will not be permitted unless there are imperative reasons of overriding public interest. On this site NIEA have identified blanket bog habitat which it considers to be active blanket bog which is a European priority habitat (response dated 2nd December 2014).

59. A revised layout has ensured that the temporary construction compound is no longer site on an area of active blanket bog.

Habitat Management Plan

60. Policy RE1 of PPS 18 also specifies that the Habitat Management Plan (HMP) should be submitted and agreed before any permission is granted. Policy NH5 of PPS 2 also states that appropriate mitigation and/or compensatory measure will be required. In this case an outline HMP has been submitted.
61. NIEA consider that the likely impact of the proposal on priority habitats constitutes a significant environmental effect under the planning (EIA) regulations (NI) 2015. However they are content with the habitat and species mitigation measures proposed within the Outline Habitat Management and Enhancement Plan subject to the final details being provided in a Final Habitat Management Plan.

Economic Consideration

62. Paragraph 4.1 of policy RE1 of PPS18 states that “the Department would support renewable energy proposal unless they would have unacceptable adverse effects which are not outweighed by the local and wider environmental, economic and social benefits.” In this case where there are unacceptable adverse effects, ie the detrimental impact to the visual amenity and landscape within the AONB, the Council must consider the environmental, economic and social benefits. The SPPS, in paragraph 6.225, it states that these benefits should be given “appropriate weight” in determining whether planning permission should be granted.
63. The applicant has identified the social and economic benefits of the windfarm which are laid out in section 20 of the Environmental Statement. The applicant cites financial benefits of capital investment, rural diversification, landowner income, education, and tourism.
64. Capital investment is only available for a very limited of period of time when the wind farm is being constructed or decommissioned. Long term maintenance is very specialised and limited to a small number of jobs at this wind farm which are unlikely to significantly benefit the local people. It should be noted that planning cannot

ensure that local or even Northern Ireland businesses are used in the construction, maintenance and decommissioning of this windfarm. Therefore any job opportunity projections should be considered accordingly.

65. The landowner income is directed at limited people (ie the landowner and those who acquire a financial interest in the windfarm). The applicant identifies this type of development as farm diversification, however it is not directly related to farming and has an impact far beyond the owner and local residents.
66. The applicant has also highlighted the potential for educational visits and tours to the turbine when tied with the increase in courses linked to the wind energy sector. The applicant notes that the land is privately owned and visitation would be based on the agreement of the landowner. It must be noted that Altahullion wind farm (north of Dungiven) has a dedicated tourist turbine which is signposted using brown tourist signage so one would question the demand for a second visitor accessible wind farm in such close proximity. Also it is clear that any visits or tours would be at the convenience of the landowner and as such may be sporadic. Finally there is no economic benefit here, only a possible educational one which can easily be achieved with the existing wind farms.
67. The applicant has provided citations of research which demonstrates that tourists are “generally positive or neutral to the prospect of windfarm development”. They have also cited examples where wind farms, with dedicated visitor centres, receive tens of thousands of visitors. This is not a wind farm with a dedicated visitor centre and so this is not comparable.
68. Tourism is put forward as a benefit with large figures for visitors given for the UK’s first commercial wind farm and Europe’s largest windfarm. These are circumstances unique to these particular wind farms with no hope that this could be emulated in this proposal. It is clear that the land is privately owned and any visitors would have to be prearranged with the farmer. Also this small number of turbines cannot possibly generate the interest of the UK’s first commercial wind farm and Europe’s largest wind farm. The fact that Altahullion wind farm north of Dungiven, where there is a dedicated tourist

turbine within a reasonable travelling distance from the proposed site, shows that the tourism and educational aspect of wind turbines is adequately catered for in the immediate area.

69. Overall it appears that any direct tourist benefit provided by this wind farm will be negligible. Also it is important to weigh this up against any loss of tourism caused by the perceived degradation of the landscape. The applicant considers that loss of tourism will not occur and has provided survey data to support this stance. The data provided is from a relatively small sample (300 visitors) and was conducted by RenewableUK and the Scottish Renewables Forum. The survey was conducted in Argyll, Scotland, so without viewing the questions asked in the survey and knowing the specific area it is impossible to see if the results are relevant to Northern Ireland and in particular to this very unique AONB. It appears that this positive and supportive view of tourism and windfarms should be given limited weight.
70. The only tangible benefits identified are reducing NI's dependence on fossil fuels by the use of wind energy, rates payable to the Council and the establishment of a community fund.
71. The target for the use of renewable energy is laid out in the Programme for Government 2011- 2015 which commits to "encourage achievement of 20% of electricity consumption from renewable sources and 4% renewable heat by 2015"; The Northern Ireland Strategic Energy Framework for Government 2011 states that Northern Ireland will "seek to achieve 40% of its electricity consumption from renewable sources by 2020".
72. In January 2017, NIE reported that 25.13% of energy was from renewable sources which demonstrates that this target was met and is now being exceeded. It is important to acknowledge that this target is not an upper limit which once reached should not be surpassed. It is clear that Northern Ireland is already meeting its renewable obligations adequately whether or not this proposed windfarm is constructed. Approval of this windfarm would also contribute to the achievement of the 40% renewable energy target as laid out in the Northern Ireland Strategic Energy Framework for Government 2011

73. The projected rates value would be £249,940 annually (subject to 61.26 per £ at 2013 values) which would be £6,248,500 over a 25 year lifetime of the wind farm. While it is impossible to estimate the value of the landscape to the public and visitors to this area, there is no doubt that the windfarm will constitute a permanent change which may result in detriment to it for at least 25 years. It is not likely that the rates alone to be paid would be sufficient recompense for the far reaching impact on this sensitive landscape.
74. The applicant commits to providing at least £1000 per megawatt installed which would be paid annually to the community fund. This could mean at least £24,000 per year (if all turbines are erected) would be available to the community fund. This community fund is not something that can be controlled by planning and any legal agreement in place would be provided by the applicant in line with best practice as laid out by the Northern Ireland Renewable Industry Group. At most this process will be a gentleman's agreement with the Council having no influence over to whom, how and when the fund is paid.

Appendix 2: Consultation Responses

Consultee	Response Date	Responses
Arquiva	21 Feb 2017	No objection
Belfast International Airport	12 Feb 2014	No objection
CAA - Directorate of Airspace Policy	29 Jan 2014	No objection subject to informative
Cable and Wireless Worldwide	09 Jan 2014	No objection
City of Derry Airport	03 Mar 2017	No objection subject to conditions-
Council for Nature Conservation	None	No response provided
DAERA – Countryside Management	03 Jun 2014	No objection
DAERA – Fisheries Division	22 Jan 2014	No objection
DAERA – Forestry Division	10 Apr 2014	No objection subject to informatives
DCAL – Inland Fisheries	28 Jan 2014	No objection subject to consultation with Loughs due to salmonoids
DETI Geological Survey	23 Jan 2014	No objection
EverythingEverywhere (EE)	23 Jul 2014	No objection
Environmental Health	10 Aug 2015	No objection –subject to conditions
Limavady Borough Council	10 Feb 2014	No objection
Lonmin (NI)	24 July 2014	No comment necessary
Loughs Agency (Foyle Carlingford & Irish Lights Commission)	03 Feb 2014	No objection subject to condition and informatives
MOD – Defence Infrastructure Organisation	15 Apr 2014	No objection

MOD – Safeguarding	08 Jan 2014	No objection subject to informatives
NATS – Safeguarding	16 Jan 2017	No objection
NIE – Windfarm Developments	02 Apr 2014	No objection - Subject to conditions
NIEA – Natural Environment Division	03 Apr 2017	No objection - Subject to conditions
NIEA – Historic Buildings	29 Jan 2014	No objection
NIEA – Historic Monuments	15 May 2015	No objection subject to conditions and informatives
NIEA – Landscape Architects Branch	27 Jun 2014	Objection – position cautionary
NIEA – Water Management Unit	31 Jan 2014	No objection– no comment made in final consultation therefore previous opinion stands.
NI Tourist Board	11 Apr 2014	No objection
NI Water	13 Jan 2014	No objection
Ofcom	29 Jan 2014	Fixed links identified for PSNI and Arquiva
PSNI (Westica Communications Ltd)	12 Jan 2017	No objection
Rivers Agency	20 Jan 2014	No objection –Subject to previous comments and additional informatives
RSPB	21 Oct 2014	No objection - subject to conditions
Shared Environmental Services	06 Apr 2017	Further HRA not required as proposal would not have likely significant effect on the selection features, conservation objectives or status of any European site.
The Honourable The Irish Society	18 Mar 2014	Objection –property ownership interests would be damaged
Transport NI	07 Feb 2017	Not content – Refusal reason to be applied

Appendix 3 – Broad Road Hard Shoulder

Dunmore 2 Wind Farm • Supplementary LVA Resource Book

EXISTING BASELINE IMAGE

PHOTOMONTAGE

TCI Renewables		Details						L5 - New Broad Road Hard Shoulder Baseline image, 02 photomontage	Dunmore 2 Wind Farm Limavady, Co. Londonderry
Grid ID	Grid Ref	East	North	Elevation	Bearing	Radius	File of view		
001	001	276650	426291	215 m	353°	1.26 km	75°	07/09/15 • 12:44	

Dunmore 2 Wind Farm • Supplementary LVA Resource Book

EXISTING WIREFRAME

FULL CUMULATIVE WIREFRAME

TCI Renewables		Details						L5 - New Broad Road Hard Shoulder Wireframe	Dunmore 2 Wind Farm Limavady, Co. Londonderry
Grid ID	Grid Ref	East	North	Elevation	Bearing	Radius	File of view		
001	001	276650	426291	215 m	353°	1.26 km	75°	07/09/15 • 12:44	

Dunmore 2
Dunmore 1
Dunbag

Appendix 4 – Broad Road

Dunmore 2 Wind Farm • Supplementary LVIA Resource Book

43° Field of view

EXISTING BASELINE IMAGE

PHOTOMONTAGE

TCI Renewables		Details							L6 - ES LVIA V18 Broad Road Baseline Image, D2 photomontage	Dunmore 2 Wind Farm Limavady, Co. Londonderry
Site No.	Grid Ref.	Scale	North	Elevation	bearing	nearest D2 turbine	Field of view	Date/Time		
273284	425733	1:60	North	165 m	36.5°	2.42 km	75°	20/10/16 • 17:15		

Dunmore 2 Wind Farm • Supplementary LVIA Resource Book

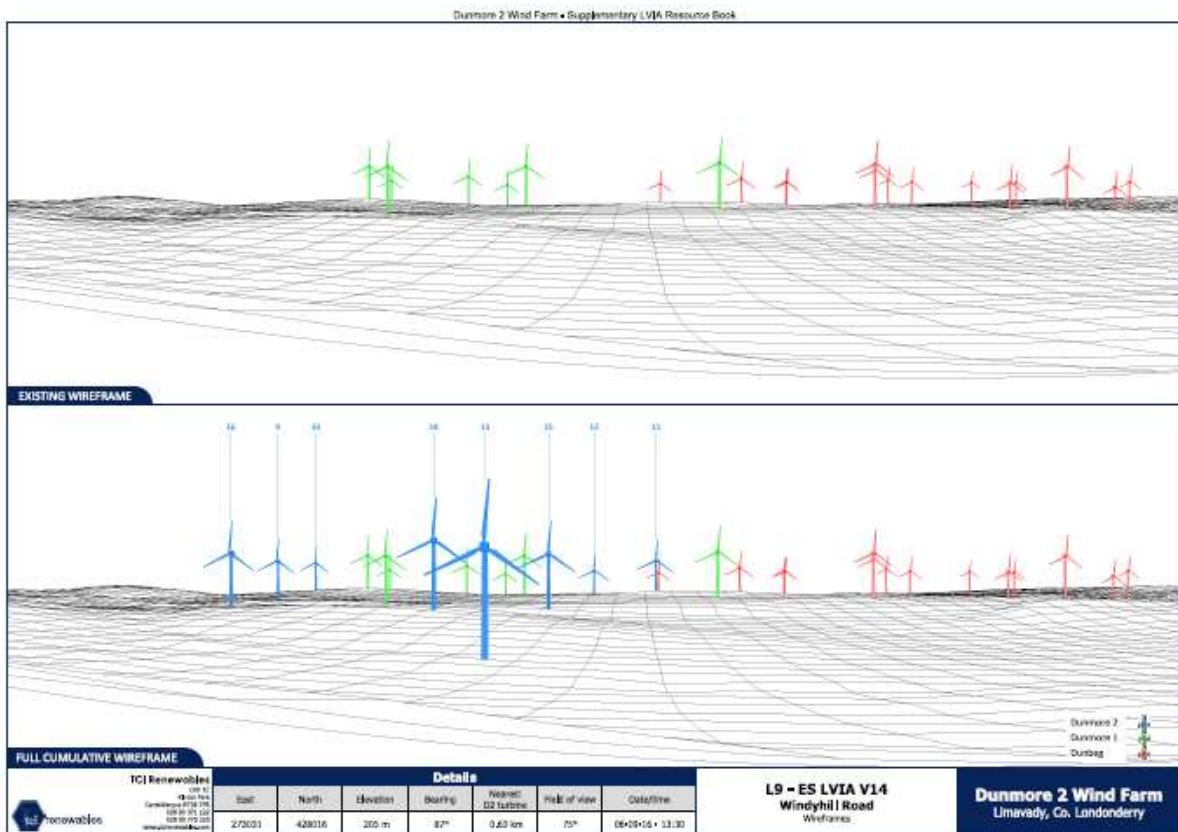
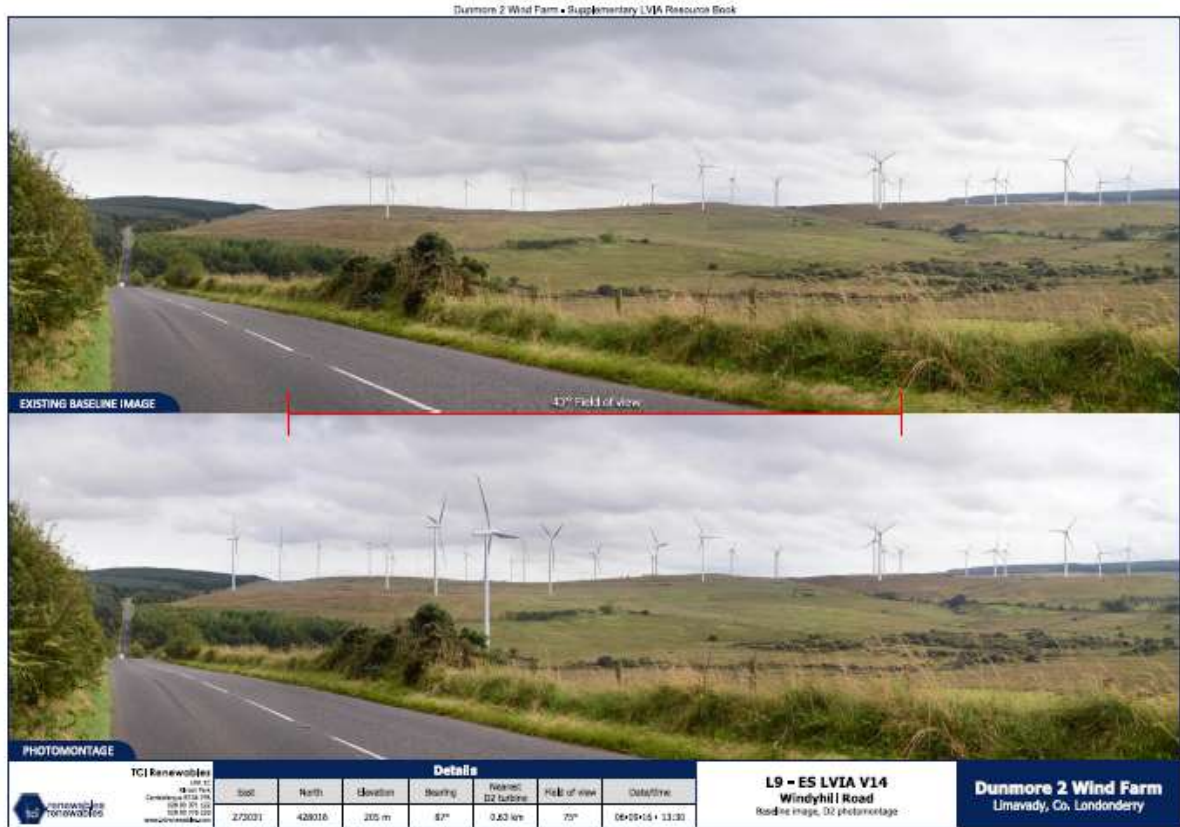
EXISTING WIREFRAME

FULL CUMULATIVE WIREFRAME

TCI Renewables		Details							L6 - ES LVIA V18 Broad Road Wireframes	Dunmore 2 Wind Farm Limavady, Co. Londonderry
Site No.	Grid Ref.	Scale	North	Elevation	bearing	nearest D2 turbine	Field of view	Date/Time		
273284	425733	1:60	North	165 m	36.5°	2.42 km	75°	20/10/16 • 17:15		

Dunmore 2
 Dunmore 1
 Dunbeg

Appendix 5 – Windy Hill Road



Appendix 6 – Largantea Picnic Area

Dunmore 2 Wind Farm • Supplementary LVA Resource Book

The photographs from Largantea are taken on a very wide-angle format (108 degrees) to accommodate the width of the view. This leads to unavoidable distortions in the perspective of the photograph and a much-reduced scale to the other images in the review. However the photomontage images are valuable in showing the difference in view with the addition of the D2 turbines.

TCI Renewables		Details						
East	North	Elevation	Bearing	Nearest D2 turbine	Field of view	Datetime		
273767	428472	182 m	102.5°	0.23 km	108°	06-04-16 - 15:05	L12 - New Largantea Picnic Area - A Realtime image	

Dunmore 2 Wind Farm
Limavady, Co. Londonderry

Dunmore 2 Wind Farm • Supplementary LVA Resource Book

TCI Renewables		Details						
East	North	Elevation	Bearing	Nearest D2 turbine	Field of view	Datetime		
273767	428472	182 m	102.5°	0.23 km	108°	06-04-16 - 15:05	L12 - New Largantea Picnic Area - A D2 Photomontage	

Dunmore 2 Wind Farm
Limavady, Co. Londonderry

Appendix 7 – Windyhill Road

Dunmore 2 Wind Farm • Supplementary LVIA Resource Book

42° Field of View

TCI Renewables		Details							L16 - New Windyhill Road 4 Roadline image, 02 photomontage	Dunmore 2 Wind Farm Limevady, Co. Londonderry
Site ID	Grid Reference	East	North	Elevation	Bearing	Radius to turbine	Field of view	Date/Time		
275244	429385	275244	429385	228 m	231°	0.26 km	75°	08/09/15 • 13:43		

Dunmore 2 Wind Farm • Supplementary LVIA Resource Book

TCI Renewables		Details							L16 - New Windyhill Road 4 Wireframes	Dunmore 2 Wind Farm Limevady, Co. Londonderry
Site ID	Grid Reference	East	North	Elevation	Bearing	Radius to turbine	Field of view	Date/Time		
275244	429385	275244	429385	228 m	231°	0.26 km	75°	08/09/15 • 13:43		

Appendix 8 – Ballyquin Road

