

Erratum

LA01/2019/0772/F

1.0 Update

- 1.1 Condition 6 should be amended to read *“Gates or security barriers at the access shall be located at a distance from the edge of the public road that will allow the largest expected vehicle, excluding abnormal loads, to stop clear of the public road when the gates or barriers are closed.”*
- 1.2 Condition 11 should be amended to read *“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, or as agreed in writing with the Council and DfI Roads.”*
- 1.3 Condition 16 should read as follows with the attached tables. *“The level of noise emissions from the combined effects of the permitted wind turbines 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
Daytime 07:00 – 23:00

Property	Standardised wind speed at 10m height (m/s) within the site averaged over 10-minute periods									
	3	4	5	6	7	8	9	10	11	12
15 Reservoir Road	35.0	35.0	35.0	35.5	37.0	39.0	40.7	40.1	39.3	42.7
21 Reservoir Road	35.0	33.8	33.7	38.4	41.9	44.8	47.6	50.2	52.8	55.3
42 Reservoir Road	35.0	34.6	33.8	37.8	41.2	44.1	47.0	49.7	52.5	55.3
97 Altnahinch Road	35.0	35.0	35.0	35.4	34.7	37.5	40.2	42.5	44.4	46.1
210 Corkey Road	35.0	35.0	35.0	34.5	33.9	37.1	40.0	42.3	44.2	46.0

Night time 23:00 – 07:00

Property	Standardised wind speed at 10m height (m/s) within the site averaged over 10-minute periods									
	3	4	5	6	7	8	9	10	11	12
15 Reservoir Road	43.0	42.8	42.5	42.1	41.7	41.3	40.7	40.1	39.3	38.4
21 Reservoir Road	42.6	42.4	42.2	42.1	41.9	42.5	45.9	49.1	52.1	55.0
42 Reservoir Road	42.7	42.5	42.4	42.2	42.1	43.1	46.2	49.1	51.9	54.7
97 Altnahinch Road	42.9	42.8	42.7	42.5	42.4	42.3	42.2	42.2	42.2	44.0
210 Corkey Road	42.9	42.9	42.8	42.7	42.5	42.4	42.4	42.4	42.4	44.1

- 1.4 Condition 17 should read as follows without the table included in the report. *“In the event that any turbine (as depicted on Drawing No 05 Rev1 date stamped 2nd August 2019) is required to be micro-sited closer to any noise-sensitive receptor identified in Table 10.7 (of the Environmental Statement Volume 1 – text June 2019) than is currently proposed, the developer shall submit a revised noise impact assessment for prior approval by the Council. In the event that an exceedance of noise limits, as detailed in Table 1 above is identified, the operator shall submit a noise mitigation scheme for approval by the Council prior to operation.”*
- 1.5 It should be noted that the conditions in the report were not numbered consecutively and should have been numbered 1 to 37.
- 1.6 Condition 19 should read *“Following a reasonable noise complaint from the occupant of a dwelling which lawfully exists or has planning permission at the date of this consent, the Council will consider the results of the mandatory compliance monitoring undertaken pursuant to condition 18 to determine if any further monitoring is required. If further monitoring is required the Council will provide a written request to the wind farm operator. Within 4 weeks of a written request by the Council, the wind farm operator shall, at his/her expense employ a suitably qualified and competent person, to assess the level of noise emissions from the combined effects of the permitted wind turbines, at the complainant's property. The assessment shall be undertaken in accordance with a protocol that shall, prior to the commencement of any measurements, have been submitted and approved in writing by the Council and which has been endorsed as good practice by the Institute of Acoustics at such time. The Council shall be notified not less than 2 weeks in advance of the date of commencement of the noise monitoring.”*
- 1.7 Condition 26 should be amended to read, *“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 Council. The CEMP shall include the following:*
- a) *Construction methodology and timings of works;*

- b) A final Decommissioning/Construction Environmental Management Plan (DCEMP) which should be in line with the submitted outline CECMP (ES Technical Appendix A7.1)*
- c) A final Water Construction Environmental Management Plan (WCEMP) which should be in line with the submitted outline WCEMP (ES Technical Appendix A7.2)*
- d) Pollution Prevention Plan; including details of the establishment of buffer zones to watercourse sand details of watercourse crossings;*
- e) Site Drainage Management Plan; including Sustainable Drainage Systems (SuDS), foul water disposal and silt management measures;*
- f) Peat/Spoil Management Plan which should be in line with the submitted outline Peat Management Plan (ES Technical Appendix A7.4)*
- g) Mitigation measures for construction in peatland habitats;*
- h) Water Quality Monitoring Plan;*
- i) Environmental Emergency Plan;*
- j) Details of the appointment of an Ecological Clerk of Works (ECoW) and their roles and responsibilities;”*

- 1.8 Condition 27 should be amended to read, “No development activity, including ground preparation or vegetation clearance, shall take place until a final Habitat Management Plan (HMP), which should be in line with the submitted draft HMP (Technical Appendix A3.2), has been submitted to and approved in writing by the Council. The approved HMP shall be implemented in accordance with the approved details and all works on site shall conform to the approved HMP, 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 and 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 and restoration measures using appropriate methodology (e.g. visual inspections, vegetation quadrats, fixed point photography) as agreed in Further Environmental Information Addendum No. 3 to Environmental Statement.

h) Details of the production of agreed 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 necessary contingency or remedial measures should monitoring reveal unfavourable results.”

1.9 Condition 28 which reads, *“Unavoidable vegetation clearance from within the site footprint shall occur outside of the bird breeding season which lasts from 01 March to 31 August.”* is not required as it is adequately addressed within condition 29.

1.10 Condition 29 which reads *“An independent and suitably qualified ornithologist shall be present on site if construction works are required from 01 March to 31 August of any year and operate a stop works authority should disturbance to breeding birds be detected. Surveys shall be submitted to the Council prior to any works commencing on site.”* can be omitted as condition 27 adequately covers this requirement for bird monitoring.

1.11 Condition 30 which reads *“Prior to the commencement of construction, an Ornithological Monitoring Plan shall be submitted to and agreed in writing by the Council and NIEA. This Plan should include ornithological monitoring of the site during and post construction in years 1, 2, 3, 5, 10, 15, 20 and 25 and then as agreed with the Council. Monitoring should focus on Annex 1, Schedule 1 and species of conservation concern including hen harrier and snipe. All reports shall be submitted to the Council at the time they are completed.”* can be omitted as condition 27 adequately covers this requirement for bird monitoring.

1.12 Condition 31 should be amended to read, *“A detailed Construction Method Statement, for works in, near or liable to affect any waterway as defined by the Water (Northern Ireland) Order 1999, must be submitted to the Council, at least 8 weeks prior to the commencement of the works, or the phase of works and implemented in accordance with the approved details unless otherwise agreed in writing by the Council.*

- 1.13 Condition 32 should be amended to read, *“All services within the development should be laid underground unless otherwise agreed in writing with the Council.”*
- 1.14 Condition 33 can be omitted as condition 26 adequately covers the requirement for appropriate drainage.
- 1.15 Condition 34 should be amended to read, *“Following a reasonable shadow flicker complaint to the Council from the occupant of a dwelling, located within 10 times rotor diameter, which lawfully exists or has planning permission at the date of this consent, the Council shall request a shadow flicker scheme from the Developer. If best practices shadow flicker threshold levels [as detailed in ES Volume 1 Chapter 14, Section 14.3.3] are exceeded at the property(ies) the report shall detail mitigation measures to address shadow flicker exceedance effects at the property. The mitigation measures shall be agreed in writing with the Council. The approved mitigation scheme shall thereafter be implemented in full within three months from the date of the agreement, or a timeframe otherwise agreed in writing, with the Council.”*

2.0 Recommendation

- 2.1 That the Committee note the contents of this Erratum and agree with the recommendation to refuse the proposed development in accordance with paragraph 1.1 of the Planning Committee report.