

Strategic Planning Division



Department for

Infrastructure

An Roinn

Bonneagair

www.infrastructure-ni.gov.uk

Mr. Colm Morgan
Planning Appeals Commission
Park House
89-91 Great Victoria Street
Belfast
BT2 7AG

Clarence Court
10-18 Adelaide Street
Belfast
BT2 8GB
Tel: 0300 200 7830

Your reference: 2018/C007
Our reference: LA10/2015/0292/F
Date: 17 May 2019

Dear Sir,

Regionally Significant Planning Application under Section 26 of the Planning Act (Northern Ireland) 2011

Location: Land Approximately 12km To The West Of Draperstown, Co. Derry/Londonderry, 2km To The North Of Broughderg. South of the B47 road and located in the locality of Doraville Lodge, Tievenameena, Glenlark Forest, Mennarodda, Tievebrack, Brackagh North, Keraghbrien and Mullaghturk.

Proposal: Erection of 33 Wind turbines (comprising 10 turbines with a maximum tip height of 136m and 23 turbines with a maximum tip height of 149m), associated transformers and switchgear at the base of each wind turbine, hardstanding areas for erection cranes at each turbine, internal access tracks and site access, operations building and wind farm substation compound and building, on site electrical cables, a parking area, two temporary construction compounds, five permanent meteorological masts and all ancillary works including borrow pits, peat storage, spoil deposition, forestry removal and minor works to the public highway between site and Magherafelt to facilitate turbine delivery.

I refer to the above matter and to the pre-inquiry meeting which took place on 8th May 2019. The Department had indicated that it would subsequently provide copies of the advertisements that it had placed in local newspapers and confirm its position in respect of the description of the location of the land to which the development relates.

Dealing with each issue that arises in turn.

The Description of the Lands in the Application Form

Article 3(2)(b) of the Planning (General Development Procedure) Order (Northern Ireland) 2015 ("the 2015 Order") provides that an application for planning permission shall contain "*the postal address of the land to which the development relates or, if the land in question has no postal address, a description of the location of the land*".

Section 2 of the application form describes the location of the land as follows:

"Land approximately 12km to the west of Draperstown, County Derry/Londonderry, 2km to the north of Broughderg, adjacent to the B47. Located within the townlands of Derrynoyd, Ligatraght, Brackagh North, Tievenameena and Clorgherny Glebe. Turbine delivery route works are required by Hospital Road Magherafelt, Hospital Road/Tobermore Road. Magherafelt Main Street junction, Main Street/Kilcronaghan Parish Church, Tobermore Road, Tobermore Road/St Patrick Street, Sixtowns Road Draperstown, Bealnamlia Bridge Draperstown."

The Application was accompanied by a site location map accurately outlining the site.

The subject site is a large remote site with no identifiable postal address.

The Department was and remains satisfied that the description of the site location in the P1 Application Form does contain an adequate description of the location of the land, the land in question having no postal address in compliance with article 3(2)(b).

Advertisement by the Department

The Department has already furnished the Commission with copies of the advertisements undertaken. However, for convenience I attach copies of the 2 advertisements that the Department placed in local papers (in January 2016 in relation to the Environmental Statement and in July 2017 in relation to the Addendum to the Environmental Statement).

As can be seen from the advertisements the description of the location of the land as advertised is not identical to the description in the P1 Application form. The description as advertised is as follows (additions to P1 description underlined):

"Location: Land Approximately 12km To the West of Draperstown, Co. Derry/Londonderry, 2km to the North of Broughderg. South of the B47 road and located in the locality of Doraville Lodge, Tievenameena, Glenlark Forest, Mennarodda, Tievebrack, Brackagh North, Keraghbrien and Mullaghturk."

The purpose of the additions was to assist in identifying the site more clearly, notwithstanding that the Department was and remains content that the Application Form sufficiently identified the location of the land.

The Department is satisfied that the application was properly advertised in accordance with Article 8(1)(a) of the 2015 Order provides that the Department shall "*publish notice of the application in at least one newspaper circulating in the locality in which the land to which the application relates is situated*".

Over 2000 people subsequently made representations on the application which would further support the view that the application was properly advertised.

In conclusion the Department is content that the application was both properly accepted and advertised by it.

It should also be noted that the Department's advertisement under Regulation 23(7) of the Environmental Impact Assessment Regulations has still to run and will provide a further layer of public notification. In this regard we would be grateful if the Commission could confirm that the arrangements for the Inquiry remain the same as previously advised so that the said advertisement can be prepared.

Yours sincerely



Kathryn McFerran
Principal Planning Officer

Application Accompanied by an Environmental Statement

The Planning (General Development Procedure) Order (Northern Ireland) 2015 (Article 8) The Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2015 (Regulation 20)

Fermanagh and Omagh District Council

Application No: **LA10/2015/0292/F**

Proposal: Erection of 36 Wind turbines (comprising 11 turbines with a maximum tip height of 126.5m and 25 turbines with a maximum tip height of 140m), associated transformers and switchgear at the base of each wind turbine, hardstanding areas for erection cranes at each turbine, internal access tracks and site access, operations building and wind farm substation compound and building, on site electrical cables, a parking area, two temporary construction compounds, five permanent meteorological masts and all ancillary works including borrow pits, peat storage, spoil deposition, forestry removal and minor works to the public highway between site and Magherafelt to facilitate turbine delivery.

Location: Land Approximately 12km To The West Of Draperstown, Co. Derry/Londonderry, 2km To The North Of Broughderg. South of the B47 road and located in the locality of Doraville Lodge, Tievenameena, Glenlark Forest, Mennarodda, Tievebrack, Brackagh North, Keraghbrien and Mullaghturk.

The application and associated Environmental Statement may be examined during normal office hours at the Strategic Planning Division, Causeway Exchange, 1-7 Bedford Street, Town Parks, Belfast BT2 7EG. It is advisable to make an appointment before calling at the office.

The application and associated Environmental Statement may also be viewed at the Planning NI Web Portal via Public Access www.planningni.gov.uk

Copies of the Environmental Statement may be purchased (and viewed) at the following location:

Cookstown Library
13 Burn Road
Cookstown
Co Tyrone
BT80 8DJ

The cost is:

Environmental Statement (ES) – Hard Copy (All volumes) £550.00

Copies of the ES are also available to view at the following locations:

Draperstown Library, Omagh Library, and Owenkillew Community Centre, Gortin.

The ES is also available for sale from the Agent (Turley, Hamilton House, 3 Joy Street, Belfast BT2 8LE, Tel: 028 9072 3900. A CD version of the EIS and the Non Technical Summary are also available free of charge on request from the Agent).

Written representations on this application should be forwarded to the Strategic Planning Division, Causeway Exchange, 1-7 Bedford Street, Town Parks, Belfast BT2 7EG not later than 4 weeks from the date of this advertisement.

Please quote the reference number in all correspondence.

Application Accompanied by an Environmental Statement

The Planning (General Development Procedure) Order (Northern Ireland) 2015 (Article 8) The Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2015 (Regulation 20)

Receipt of Further Environmental Information

Fermanagh and Omagh District Council

Application No: **LA10/2015/0292/F**

Proposal: Erection of 33 Wind turbines (comprising 10 turbines with a maximum tip height of 136m and 23 turbines with a maximum tip height of 149m), associated transformers and switchgear at the base of each wind turbine, hardstanding areas for erection cranes at each turbine, internal access tracks and site access, operations building and wind farm substation compound and building, on site electrical cables, a parking area, two temporary construction compounds, five permanent meteorological masts and all ancillary works including borrow pits, peat storage, spoil deposition, forestry removal and minor works to the public highway between site and Magherafelt to facilitate turbine delivery. (Amended proposal – including reduction in turbine numbers, increase in turbine heights and alteration to layout)

Location: Land Approximately 12km To The West Of Draperstown, Co. Derry/Londonderry, 2km To The North Of Broughderg. South of the B47 road and located in the locality of Doraville Lodge, Tievenameena, Glenlark Forest, Mennarodda, Tievebrack, Brackagh North, Keraghbrien and Mullaghturk.

The application, associated Environmental Statement and Further Environmental Information (FEI) may be examined during normal office hours at the Strategic Planning Division, Clarence Court, 10-18 Adelaide Street, Belfast BT2 8GB. It is advisable to make an appointment before calling at the office (Tel: 0300 200 7830).

The application and associated FEI will also be available for inspection on the planning register at the relevant Council noted above, during normal office hours.

The application and associated environmental information may also be viewed at the Planning NI Web Portal via Public Access www.planningni.gov.uk

Copies of the FEI may be purchased (and viewed) at Cookstown Library, 13 Burn Road, Cookstown, Co Tyrone, BT80 8DJ at a cost of £250.00.

A CD version of the FEI and the Non Technical Summary are also available free of charge on request from the Agent (Turley, Hamilton House, 3 Joy Street, Belfast BT2 8LE, Tel: 028 9072 3900).

Copies of the FEI are also available to view at the following locations:

Draperstown Library, Omagh Library, and Owenkillew Community Centre, Gortin.

Written representations on this application should be forwarded to the Strategic Planning Division, Clarence Court, 10-18 Adelaide Street, Belfast BT2 8GB not later than 4 weeks from the date of this advertisement.

As the Department previously received a high volume of representation on this application, those parties should take this advert as notification of receipt of an amendment to the proposal and of the Further Environmental Information. Additionally, please note that any additional representations made in connection with this advert will not be acknowledged.

Please quote the reference number in all correspondence.