

**Michael McGibbon**

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**Sent:** 18 April 2019 16:52  
**To:** DevelopmentPlan@midulstercouncil.org  
**Cc:** Garth McGimpsey; Fiona Stevens  
**Subject:** RES Consultation response  
**Attachments:** RES response to Mid Ulster District Council Local Development Plan 2030 - Draft Plan Strategy.pdf

Dear Development Plan Team,

Please find attached RES's response to the Mid Ulster District Council Draft Plan Strategy consultation.

Kind regards

Jennifer

Jennifer McCorry  
Senior Development Project Manager

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Our Ref: DV01-019333

18 April 2019

Dear Sir/Madam,

**RES response to Mid Ulster District Council: Local Development Plan 2030 - Draft Plan Strategy**

Thank you for the opportunity to respond to the Mid Ulster District Council: Local Development Plan 2030 - Draft Plan Strategy, I have enclosed RES's response which I hope that you will consider.

Yours faithfully,



Jennifer McCorry  
Senior Development Project Manager

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## RES response to Mid Ulster District Council Local Development Plan 2030 - Draft Plan Strategy

RES is the world's largest independent renewable energy company with operations across Europe, the Americas and Asia-Pacific. At the forefront of renewable energy development for 35 years, RES is responsible for more than 13GW of renewable energy capacity and energy storage projects worldwide. RES is active in a range of renewable energy technologies including onshore wind, offshore, solar and energy storage.

Since developing our first onshore wind farm in Northern Ireland in the early 1990s, RES has subsequently developed and/or constructed 21 onshore wind farms totaling 280MW. This equates over a quarter of Northern Ireland's onshore wind capacity. RES currently operates over 83MW of wind capacity across Northern Ireland, has secured planning permission for a further 48MW either under construction or awaiting construction and has 80MW in the planning system. In addition, RES has a very strong onshore wind pipeline in Northern Ireland.

RES wants to play an active part in Northern Ireland's energy future, ensuring our projects contribute to decarbonising the energy system at least cost to the consumer, in line with RES' vision to be a leader in the transition to a future where everyone has access to affordable low carbon energy. We welcome this opportunity to respond to Mid Ulster District Council Local Development Plan 2030 - Draft Plan Strategy

Last year's landmark report by the UN Intergovernmental Panel on Climate Change (IPCC) says urgent and unprecedented changes are needed to limit global warming to a maximum of 1.5C as set out in the 2015 Paris Agreement. In February the Committee for Climate Change published a report which stated that the NI emissions reduction target of at least 35% against 1990 levels by 2030 will not be met by existing policies. Their first recommendation is to increase low-cost renewable electricity generation, particularly onshore wind. The committee further states that decarbonisation in Northern Ireland will require action across all sectors of the economy and a more joined up approach.

As part of the dPS vision, RES welcomes the Council's commitment to *"remain a low carbon economy and will be an important energy producer"* and through the support of the Plan *"Mid Ulster will have a sustainable economy with varied and plentiful employment opportunities"*. Renewable energy can play a significant role in fulfilling these commitments, whilst also contributing to strong sustained growth for the Mid Ulster region.

In terms of renewable energy and climate change, RES supports the Plan objectives:

- To encourage energy efficiencies and promote use of renewable energy;
- To reduce contributions and vulnerability to climate change and to reduce flood risk and the adverse consequences of flooding.
- To accommodate investment in power infrastructure

Through these objectives, we welcome the Council's acknowledgement of the importance of renewables in creating jobs and prosperity, whilst enhancing the environment and improving infrastructure. Renewables also meet many of the guiding principles of sustainable development. Development of Northern Ireland's renewable energy sources is vital to increase its energy security, help combat climate change and achieve its renewable energy targets.



However, we are concerned that the spatial policies introduced in the dPS do not accord with these objectives. It is also noted in section 22 that the SPPS requires Council's to set out policies that support renewables whilst taking account of constraints such as landscape impact – the LDPS dPS does not do this. Rather it has set out policies that restrict wind farms in all viable parts of the County.

The Strategic Energy Framework<sup>1</sup> (SEF) details Northern Ireland's energy goals to 2020. This includes ensuring security of supply and developing energy infrastructure to meet a target of 40% electricity consumption from renewable energy sources by 2020. It should be noted that this target needs to be maintained and should not be considered a cap, which has been widely recognised at appeal.

The SEF recognises onshore wind farms as the most established, large-scale source of renewable energy in Northern Ireland and states the important role wind farms will play in achieving the renewable electricity target. The magnitude of onshore wind's contribution to the target is reflected further in the Onshore Renewable Energy Action Plan 2013-2020,<sup>2</sup> which states *“Large scale onshore wind is the most mature and cost effective of renewable technologies and as such helps the transition to a low carbon future with less pressure on fuel bills. It will continue to play a key role in renewable generation in Northern Ireland in the medium term”*.

We welcome the strategy of the Council to reflect Regional Guidance within its dPS. Section 4.6 of the Plan states that *“taking into account the RDS the following Strategic Planning Framework for the Plan has been formulated to support achieving the Plan Objectives and subject planning policies are formulated to accord with them.*

Regional Guidance as outlined in the Regional Development Strategy (RDS) 2035<sup>3</sup> considers Renewable Energy to be regionally significant infrastructure projects and has specific themes which acknowledge that Northern Ireland must deliver a sustainable and secure energy supply, whilst reducing its carbon footprint:

- RG5: Deliver a sustainable and secure energy supply
- RG9 Reduce our carbon footprint and facilitate mitigation and adaptation to climate change whilst improving air quality

RES is concerned that there is a significant disconnect between the objectives of the dPS and the spatial planning policies proposed within it.

In particular Spatial Planning Framework 10 (SPF 10) states:

*“Facilitate the protection of vulnerable landscapes and conservation interests, from inappropriate and over dominant development while promoting adequate provision of open space and landscaping integrated with broader green and blue infrastructure systems.”*

The rationale for SPF 10 relates to providing:

*“protection in accordance with the RDS, to our internationally and regionally important environmental designations we have introduced protections in the form of a Special Countryside Area (SCA) along the Lough shore, in the high Sperrins and Slieve Beagh to protect them from unnecessary development and in the form of an Area of Constraint on Wind Turbines and High Structures (AOCWTHS) in the Sperrins, the Clogher Valley and at Slieve Beagh.”*

The restrictive strategy of SPF 10 is reflected in the following draft policies which relate to Renewable Energy development:

<sup>1</sup> A Strategic Energy Framework for Northern Ireland, published by the Department of Energy, Trade and Investment, September 2010

<sup>2</sup> Onshore Renewable Energy Action Plan, published by the Department of Energy, Trade and Investment, November 2013.

<sup>3</sup> Regional Development Strategy - Building a Better Future, published by the Department for Regional Development, March 2012.



- TOHS 1 – Areas of Constraint on Wind Turbines and High Structures
- SCA 1 – Special Countryside Area.
- RNW 1 – Renewable Energy

### **Draft Policy TOHS 1 – Areas of Constraint on Wind Turbines and High Structures (AOCWTHS)**

Draft Policy TOHS1 identifies Areas of Constraint on Wind Turbines and High Structures (AOCWTHS) based on landscape capacity where development of a height greater than 15m will be resisted. This policy is reflected further within Draft Policy RNW 1 – Renewable Energy which states: “Within Areas of Constraint on Wind Turbines and High Structures, wind turbines of a height greater than 15m to hub height will conflict with the Plan.” 5. (We question why the policy needs to be referred to as “Areas of Constraint on Wind Turbines and High Structures” when wind turbines are high structures. This seems to reflect bias against wind turbines by highlighting them individually.)

As highlighted within Section 4.2 of the Renewable Energy background evidence paper, the average turbine height in Mid Ulster is approximately 50m. This approach of restricting turbine heights to 15m within AOCWTHS will have evident and serious implications for the ability to build new turbines across the vast majority of the Mid Ulster district.

It is worth noting that the capacity of a typical 15m high turbine is around 15kW. The capacity of a single, modern, wind farm scale turbine of 150m in height is around 3300kW. Therefore, it would take 220 x 15kW turbines to equal the capacity of one wind farm scale turbine.

**Given the implications that this requirement would have on the flexibility and future potential of wind energy development within Mid Ulster, and the ability of Mid Ulster to meet its objective to promote renewable energy, we consider that this policy would fail soundness tests CE1 and CE4.**

Considering the existing constraints for wind farm developments relating to separation distances to occupied dwellings, the amount of land excluded initially from wind energy development across Mid Ulster is substantial. This is illustrated quite evidently in the supporting map provided by the Council within Appendix 3 of the Renewable Energy Background Paper (Figure 1 below).





considered contrary to its own objectives, one of which states to “encourage energy efficiencies and promote the use of renewable energy.”

**Given the apparent conflict between Draft Policy TOHS 1 and the dPS objectives it is considered that this policy would fail soundness test CE1.**

Within section 3.2 of the High Sperrins & Clogher Valley AoC background evidence paper it states:

*“the proposed AoC has been primarily informed by NILCA 2000 and its associated ‘Landscape Analysis and Settlement Settings’ maps.”*

The SPPS states that local councils should set out policies in their Local Development Plans (LDPs) that **support** a diverse range of renewable energy development. It continues that LDPs must take into account the aims and regional objectives of the SPPS in relation to the wider environmental, social and economic benefits of renewable energy development.

Strategic Planning Policy Statement (SPPS)<sup>4</sup> sets out strategic policies on a wide range of planning matters including renewable energy and its considered in general conformity with the Regional Development Strategy. It acknowledges that the renewable energy industry in Northern Ireland provides an important contribution towards achieving sustainable development, and is a significant provider of jobs and investment across the region.

Of particular importance is paragraph 6.225 of the SPPS, under the heading Regional Strategic Policy, which states:

*“The wider environmental, economic and social benefits of all proposals for renewable energy projects are material considerations that will be given appropriate weight in determining whether planning permission should be granted”.*

The adequacy of the existing policies in possessing the ability to assess a wind farm planning application on its own merits is highlighted by the two wind farm applications detailed below. Both are located within the Mid Ulster region and both located within the sensitive landscape of the Sperrin AONB. Details of these two projects are outlined below:

- **Crockandun Wind Farm (Ref: H/2010/0009/F)**
  - Location: Adjacent to the Cullion Road, located on the slopes of Slieve Gallion.
  - Restricted Zone: High Sperrins SCA
  - Proposal: 6 No. wind turbines with 125m blade tip height
  - Permission: Granted
- **Ballynagilly Wind Farm (Ref: LA09/2015/0459/F)**
  - Location: Adjacent to the Ballynagilly Road, located on the slopes of Fir mountain
  - Restricted Zone: High Sperrins AOCWTHS
  - Proposal: 8 No. wind turbines with 126.5m blade tip height
  - Permission: Refused

As stated both applications are located within restricted zones for development and possess a similar scale, yet the decision was made by the Council, utilising existing policy, to grant permission for Crockandun and refuse permission for Ballynagilly based on visual intrusion and unacceptable impact on visual amenity and landscape character of the area.

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<sup>4</sup> Strategic Planning Policy Statement for Northern Ireland (SPPS) Planning for Sustainable Development, published by the Department of the Environment, September 2015.



This comparison case reference highlights the capability of the existing policy framework to assess an application on its own merits and if applicable, refuse permission on the basis of protecting landscape amenity and character where appropriate.

RES does not consider there to be a need to introduce a stricter policy as the existing regime, endorsed through the SPSS, is sufficiently protective and suitably fit for purpose for the assessment of onshore wind energy development.

### **Recommendation**

RES is supportive of the existing policy context and recommends the dPS removes the AOCWTHS and instead reflects the criteria based approach to renewable energy development as endorsed by the SPSS, which will:

*“Facilitate the siting of renewable energy generating facilities in appropriate locations within the built and natural environment in order to achieve Northern Ireland’s renewable energy targets and to realise the benefits of renewable energy without compromising other environmental assets of acknowledged importance.”*

Recent Northern Ireland Planning Statistics for the second quarter of 2017/2018 as detailed in section 2.5 of the renewable energy background paper shows that the overall number of renewable energy applications received in Q2 was 7, the lowest second quarter figure since 2002/2003.

This represents a 61.1% decrease in received applications from the same period a year earlier. It is noted that this continuing sharp decline in recent years of wind energy applications may be partly due to a reduction in government funding as well as a lack of capacity on the grid to allow for new connections.

It could be concluded that the current criteria based policy context of the SPSS in conjunction with the organic decrease in market activity for new wind development is sufficient to control wind turbine development in Northern Ireland at present.

The most detailed and thorough information available to the Council when assessing applications for wind farms is the landscape and visual impact assessment provided as part of the EIA which assesses impacts of the development individually and cumulatively.

## Draft Policy SCA 1 – Special Countryside Areas

Draft Policy SCA 1 proposes to introduce an additional layer of constraint on development in the countryside in the form of designating Special Countryside Areas at certain locations across Mid Ulster. There is a presumption against all forms of development in such areas, with limited exceptions.

Section 18.10 of the dPS states that:

*“In order to protect and enhance our natural environment in terms of landscape and visual amenity our strategy is to designate Special Countryside Areas (SCA) which will protect our most sensitive landscapes from inappropriate development.”*

The dPS proposes to introduce Special Countryside Areas, at Lough Neagh / Lough Beg, Slieve Beagh and in the High Sperrins.

This additional layer of constraint overlaps the AOCWTHS and restricts further the amount of land available for new development of wind energy projects within Mid-Ulster.

As highlighted previously, by embracing these restrictive strategies, the dPS could be considered contrary to its own objectives, one of which states to “encourage energy efficiencies and promote the use of renewable energy.”

Given the apparent conflict between Draft Policy SCA 1 and the dPS objectives it is considered that this policy would fail soundness test CE1.

NIEA highlight this fact within their POP consultation response which states:

*“NIEA welcome the concept of identifying vulnerable landscapes but are unsure of the justification used to define these areas. They recommend that the Council embarks on a process to undertake a detailed local Landscape Character Assessment using recognised methodology; some site work used for current designations dates back to the 1990’s.”*

The Council’s appraisal of the proposed SCAs as set out in section 5.531 of the Sustainability Appraisal (SA) suggests that NED (Natural Environment Division) supported the concept of an SCA. However, again there is no indication provided of consultation or agreement with NED in relation to the specific location and extent of the proposed SCAs

Again, the lack of information and robustness in the assessment demonstrates that the evidence used to inform this draft policy is inappropriate.

**We consider that the extent of the SCAs proposed under Draft Policy SCA 1 are founded on flawed evidence provided by the Council. For this reason we believe that the policy fails to meet soundness test CE2.**

### Recommendation

RES is supportive of the existing policy context. The SPPS advises a cautious approach to renewable energy development within designated or vulnerable landscapes e.g. AONBs. RES recommends retention of the existing policy approach which will support renewable energy proposals unless they would have unacceptable adverse effects which are not outweighed by the local and wider environmental, economic and social benefits of the development. The LDP should provide broad, non-prescriptive guidance in relation to the Plan area. Detailed assessment of individual applications is much better reserved for the landscape and visual impact assessments that are part of the EIA which must be performed by competent experts for every wind farm application.



### **General comments on methodology for spatial designations**

RES has concerns about the robustness of the methodology for designating the SCAs and AOCWTHS and questions whether sufficient expertise or time has been spent analysing the landscape in order to impose such restrictive policies, which will significantly limit the future potential of wind energy. For this reason we are concerned that the dPS would fail soundness test C1, C3, CE1 and CE2. We believe this level of detail is much better reserved for the detailed landscape and visual impact assessments that are part of the EIA which must be performed by competent experts for every wind farm application. Our concerns are outlined in the following paragraphs.

The suite of publications is very prescriptive without being based on any more up-to-date information than what is already available. There is very little detail provided by the dPS on the methodology used to reach its proposed policies, no definition of the meaning of the various terms used, e.g. "landscape quality", "over-dominance", "capacity", "obtrusive", etc. Therefore, there is no way to determine whether or not the assessments made by the Council have been carried out by competent experts in the field of landscape and visual assessment, as would be reasonable to expect given that the policies relate to developments that will require EIA.

There is no detailed information provided to support statements made throughout the dPS on "vulnerable landscapes" and the "scenic qualities" of the Sperrin AONB. Without knowing what exactly these vulnerabilities and qualities are it is difficult to see how policies can be devised to guide development appropriately. As far as we are aware there are no clear statements available on the detailed reasons for the Sperrin AONB designation and no AONB Management Plan has been published. Therefore, the only available detail on the landscape and visual character of the Sperrin AONB is provided by the LCA descriptions covering various parts of the AONB provided in the NILCA. These have been further developed in specific relation to wind energy development by the SPG. Although these descriptions are outdated they do provide the only comprehensive analysis of NI landscape character and therefore, RES think it is appropriate to continue to refer to the Supplementary Planning Guidance (SPG<sup>5</sup>) as the primary source of information on landscape character in relation to wind energy developments but also to continue to accept that it is the role of the EIA/LVIA process to analyse this baseline information in detail. The LDP should provide non-prescriptive guidance in relation to the LDP area.

The proposed policies do not take account of variations in landscape and visual character within the AONB. Notwithstanding its overall scenic beauty, the Sperrins cannot be described as wild or unspoilt. Many places are also not remote. In addition, many of the areas that are more remote are physically inaccessible to visual receptors. The physical condition, and therefore sensitivity of the landscape is highly variable, in particular where activities such as quarrying, mining and forestry are prevalent and where farming practices are in decline. The broad rounded profile of the uplands means that many parts of the Sperrins are in fact highly suitable for wind turbines if one is to take account of the principles of wind farm siting and design set out by the various best practice guidance publications available (SPG and Scottish Natural Heritage guidance<sup>6</sup>).

Views into and from the Sperrins are also highly variable. The upland areas tend to encircle the AONB which means from many surrounding lowland areas views into the AONB can be heavily restricted. The agricultural character of surrounding lowland areas, with undulating topography, trees and hedgerows, serves to further restrict such views. Examples of this include views towards

<sup>5</sup> SPG: Wind Energy Development in Northern Ireland's Landscapes. Published by NIEA, August 2010.

<sup>6</sup> Siting and design of wind farms in the landscape – Version 3a. Published by SNH, August 2017.



the Brockaghboy area from countryside to the east around Garvagh, and views from the countryside around Claudy and Feeny which are frequently enclosed.

Similarly, views of wind farms on the outerslopes of the uplands encircling the AONB, are often highly limited within the AONB itself due to the screening effect of the intervening summits and ridgelines. Again Brockaghboy Wind Farm is an example of this, and demonstrates that wind farms can be successfully accommodated in such areas without significant detrimental effects on the AONB. Views from within the Sperrin lowland areas can be similarly constrained. This type of screening means that views of wind turbines are not always as clear or prominent as one might expect. By contrast, from elevated locations, views of the Sperrins are often panoramic in nature and the full range of uplands can be appreciated within a much wider context. Examples of accessible locations for such views are from the summits of Benbradagh and Slieve Gallion. From such locations individual elements, including wind farms, become subservient to the overall nature of the view and scenic quality is defined by the expanse of the available view rather than the condition of individual elements within it.

The principle of clustering wind farms together to minimise cumulative effects is completely ignored by the LDPS approach despite being the usual applied approach in NI and despite it being the approach taken to other forms of development, such as housing in the LDPS. Instead the approach seems to have been to restrict the development of further wind farms next to existing and consented sites. This is not a wise way of facilitating redevelopment / further development and will cause greater potential cumulative effects by pushing developments into previously undeveloped parts of the landscape.

The Landscape Character Assessment Review document gives a broad overview of existing policy, guidance and landscape character publications that will be considered as material considerations in the LDP. However, these documents are given far less weight in the dPS itself and they have, in general, been interpreted in order to favour the imposition of more restrictive policies on wind farms. We believe this is a serious misinterpretation – these documents have all been written to support a far more promotive approach to renewable development, firstly in PPS18 but then in the SPPS. Although the latter advocates a slightly more cautious approach to wind farm development within AONBs it does not recommend a blanket restriction on development in upland areas which is, in practice, what is proposed by the dPS.

It is worth emphasising the following from the SPPS, SPG and PPS18 Best Practice Guidance (BPG):

- The SPPS supports the European Landscape Convention's definition of landscape character as being "a result of the action and interaction of natural and/ or human factors" – thereby recognising that human activity, and the use of natural assets for human benefit is a valid element of the landscape;
- This is further reflected by the Regional Landscape Character Assessment which is broadly supportive of wind energy development. This publication describes wind energy as both a 'provisioning Service' and a 'regulating service' in respect of climate. Ecosystem services, the overall heading under which these services are included, are defined by the NIRLCA as benefits provided by the ecosystem that make human life possible and worth living. They are "services provided by the landscape which are increasingly recognised as being under pressure and meriting greater protection" (ref: NIRLCA consultation draft pg 5);

- The BPG states: "There are no landscapes into which a wind farm will not introduce a new and distinctive feature. Given the Government's commitment to addressing the important issue of climate change and the contribution expected from renewable energy developments, particularly wind farms, it is important for society at large to accept them as a feature of the Region for the foreseeable future." However, it also notes that the locations of developments should be carefully considered in order to reduce their impact and aid integration into the local landscape even though they may be highly visible. (BPG section 1.3.18 - 19);
- The BPG also mirrors the SPPS in its recognition that visibility doesn't necessarily equate with acceptability "It will not necessarily be the case that the extent of visual impact or visibility of wind farm development will give rise to negative effects; wind farm developments are by their nature highly visible yet this in itself should not preclude them as acceptable features in the landscape. The ability of the landscape to absorb development depends on careful siting, the skill of the designer, and the inherent characteristics of the landscape such as landform, ridges, hills, valleys, and vegetation. Where any project is likely to result in unavoidable damage during its installation, operation or decommissioning, developers will be required to indicate how such damage will be minimised and mitigated, including details of any compensatory measures, such as a habitat management plan or the creation of a new habitat. These matters will be agreed before planning permission is granted." (Paragraphs 6.230 - 231);
- The BPG also refers to the inherent characteristics of a landscape, such as land form and vegetation, the careful siting and skilful design of developments, including the layout of the turbines which all playing an important role in the ability of a landscape to absorb development. These considerations fall within the remit of Environmental Impact Assessments rather than the LDP.
- The SPG shares the aim of PPS 18 "to facilitate the siting of renewable energy generating facilities in appropriate locations" (SPG section 1.1, 1st paragraph, page 9). It is intended to provide broad strategic guidance on appropriate locations for wind energy development based on the sensitivity to wind energy development of LCAs within the Northern Ireland Landscape Character Assessment (NILCA). The purpose of the SPG is not to exclude development and the detailed assessment of landscape character is rightly left to developers to analyse via the EIA process.



## **Draft policy RNW 1 – Renewable Energy**

This policy proposed by the Council restricts development of renewable energy within SCAs and AONB. Section 22.11 of this policy states:

*“Of the various forms of renewable energy development, wind energy currently poses the greatest risk in terms of impacts on our landscapes and our ecology..... To protect these landscapes Special Countryside Areas (SCA’s) and Areas of Constraint on Wind Turbines and High Structures (AOCWTHS) have been introduced. The SCA will place constraints on all renewable energy development whilst the AOCWTHS will be an area where renewable development with a low impact will be accommodated but development of a height of greater than 15m will be resisted.”*

RES is concerned with the negative references that are applied to wind energy within the dPS. Section 22.11 makes a sweeping and subjective statement that:

*“of the various forms of renewable energy development, wind energy currently poses the greatest risk in terms of impacts on our landscapes and our ecology.”*

We are concerned by the regressive nature of this statement and the lack of evidential comparison with other forms of energy supply in Northern Ireland. No comparative evidence is given in respect of other forms of energy that would have to be promoted otherwise, in the absence of wind energy projects to meet Northern Ireland’s renewable energy targets.

We encourage the Council to recognise the key role the renewable industry can play in meeting the dPS strategic objectives of facilitating the creation of 8,500 new jobs by 2030 and promoting diversity in the range of jobs in the district. The renewable energy industry makes a substantial contribution to the local economy in terms of job creation and sustaining employment. Local construction companies have upskilled their staff and created jobs in engineering and construction, even during economic downturns, through providing services for the wind industry.

According to data<sup>7</sup>, each turbine erected at a wind farm in Northern Ireland represents £2.7million of investment in the local economy throughout its lifetime. 532 jobs and 31.7 million in gross added value (GVA) in the NI economy has been generated by the onshore wind sector. This highlights the ability of onshore wind to contribute strongly to economic development in Northern Ireland. These impacts will only grow as we continue to move towards our 2020 targets and beyond.

RES believes that the dPS places greater emphasis on the protection of visual and landscape amenity than the economic and environmental benefits of renewable energy. This is reflected further in the Sustainability Appraisal which fails to robustly assign material weight to the economic, and environmental benefits of renewable energy projects.

Section 5.631 of the SA states that all individual policy approaches as outlined in the POP, which includes retaining the existing policy context performed well with potential for positive or even significant positive effects on topics such as Air Quality, Climate Change, Biodiversity and Land quality.

Furthermore, section 5.632 the SA states that

*“all approaches will have either a significant positive or minor positive effect on SA/SEA 18 Encourage Sustainable Economic Growth and SA/SEA Employment creation. Employment creation reflecting the importance of the renewable energy industry in achieving sustainable development and in creating jobs.”*

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<sup>7</sup> Onshore Wind: Economic Benefits in Northern Ireland. Published by NIRIG, 2017.



It is evident that the overriding rationale and disproportionate reasoning for adopting policies such as SCAs and AOCWTHS relates to solely preserving landscape and visual amenity with inappropriate and unjust regard or material weight assigned to the obvious and evidential economic and environmental benefits attributed to renewable energy development.

We believe the Council's evidence is flawed in its methodology and does not align with the dPS and regional objectives.

Policy RNW 1 states 'For wind farm development, a separation distance of 10 times rotor diameter or 4 times the tip height (whichever is greater) an occupied property will apply, with a minimum separation distance of 500m between the wind farm and occupied property being required'.

The council should recognise that both PPS 18 and the SPPS were the product of extensive public and industry consultation in shaping and refining the policy contained within. There is no justification for the removal of 'will generally apply' from the above statement, the removal of this wording would hinder the future development of renewable energy in a sustainable way across the Mid Ulster area. The Council should be aware that there is no statutory separation distance stipulated in legislation with regards to the siting of wind farms. References to the separation distance in policy and guidance influence and inform planning decisions, but the policy and guidance do not impose any statutory obligation on the developer or the Council. This is supported by a number of Planning Appeals Commission decisions (PAC) including references 2013/A0219 and 2012/AO186.

Furthermore since the production of both PPS18 and the SPPS turbine technology has moved on significantly and we would question the appropriateness of this separation distance. We would encourage Mid Ulster to look at the Planning Guidance which is currently being drafted in the Republic of Ireland (and which apply to the neighbouring wind farms in Counties Cavan and Monaghan) which recommends that; "a visual amenity setback of 4 times the turbine height between a wind turbine and the nearest residential property, subject to a mandatory minimum distance of 500 metres". It is understood that joint working with the various councils regarding a consistency of approach to development within areas where there are shared boundaries such as the Republic of Ireland is of utmost importance, we would question the soundness of whether or not this approach has been considered. Further, within Wales there is only a 500m minimum restriction and in Scotland there is no guidance relating to specific separation distances between properties and wind turbines.

We would also like to highlight that there are operational wind energy developments within the Mid Ulster area which would not be able to meet this policy requirement, however they have been considered acceptable.

The following statement has also been made in Justification and Amplification of the Renewable Energy Chapter – para 22.17 states 'Wind Turbines for example will in all likelihood have a lifespan of around 20 -25 years' RES would completely disagree with this statement. The Onshore wind industry commenced in Ireland and the UK in the early nineties and is now considered to be a relatively mature technology, achieving a high level of operational reliability. Historically the life span of wind turbines was estimated to be in the region of 25 years, some of the original wind farms which have been operating in Ireland and the UK have reached and surpassed these assumptions. For example, Bellacorick Wind Farm in Co Mayo, was one of the first wind farms developed in Ireland, this wind farm was constructed in 1992 by Bord na Mona and continues to operate successfully today, which is well beyond the 25-year lifespan assumption.

There are also various examples across the UK where wind farms have been operating for over 25 years or almost 25 years and are set to exceed that lifetime, such as:

- Llandinam wind farm in Wales,



- Royd Moor wind farm in England,
- Taff Ely wind farm in Wales,
- Bryn Titli wind farm in Wales.

Turbines are designed to withstand worst-case climatic conditions but are typically installed in more benign conditions and experience the worst-case scenarios for a limited time only. As the industry matures and the understanding of the affect of climatic conditions on turbine life expectancy increases, the design process can be better tailored to actual performance and conditions as opposed to theoretical. Physical inspection and calculations of remaining life on existing operational machines help to inform and support this process. Consequently, as new machines come onto the market the industry is now better positioned to ensure that turbine performance and conditions are monitored accurately allowing tailored maintenance and servicing regimes. This information and knowledge is helping to optimise both turbine performance and life expectancy.

The industry is seeing that existing projects now expect to be operating for 30years and beyond and we foresee new machines matching this if not extending further. Lifetime extensions will of course help to maximize the environmental benefits obtained from sustainable wind generation. RES would therefore recommend that this wording is removed from Policy RNW 1.

RES also disagrees with the statement that repowering of wind farm 'may not always be possible or viable' from para 22.12. RES would comment that the expansion and upgrading of existing sites is likely to offer the least environmental impact for most viable sites. The re-powering/re-development of renewable energy projects provide a long term asset and embrace the Circular Economy approach of "Reuse – Remanufacture – Recycle". RES would draw the Council's attention to the approach taken elsewhere within the UK.

Scottish Planning Policy <sup>8</sup>"Many established onshore wind sites will be coming to the end of their consented life during the coming decade and beyond. As the need and demand for renewable power increases, we expect developers to review the potential for "repowering" at existing sites. This could be in the form of measures designed to extend the life of components and turbines at such sites, or replacing and replanting existing turbines with new turbines . The Scottish Government's position remains one of clear support in principle for repowering at existing sites. This is on the grounds of its potential to make the best use of existing sites, and – through the continued use of established infrastructure, grid connections and strong wind resource provide a cost effective option to deliver our renewable and decarbonisation targets " (Paragraph 34-35) .

RES would encourage the Council to consider a positive policy that supports redevelopment and allows amendments to wind farms to support advances in technology or the co-location of other forms of low carbon generation or technologies (i.e solar and energy storage) which may increase the efficiency of any existing renewable technology should also be embraced and built in to policy and guidance. This will enable more efficient, lower cost, stable energy generation in the future through the later inclusion of increased efficiency technologies.

For these reasons it is considered that Draft Policy RNW 1 fails soundness tests C3, CE1, CE2 and CE4

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<sup>8</sup> Scottish Government- Onshore Wind Policy Statement, December 2017  
[www.gov.scot/Resource/0052/00529536.pdf](http://www.gov.scot/Resource/0052/00529536.pdf)

### **Recommendation**

As stated previously, we would encourage the Council to have regard within their policies for the wider benefit of renewables in striking the balance between social, economic and environmental factors.

We would strongly encourage the Council to produce a plan that is in conformity to the Regional Development Strategy and the SPPS. The SPPS states that local councils should set out policies and proposals in their Local Development Plans that support a diverse range of renewable energy development and takes into account the aim and regional strategic objectives of the SPPS in relation to renewable energy, local circumstances, and the wider environmental, social and economic benefits of renewable energy development.

These benefits are considered to be material and should be given appropriate weight in determining whether planning permission should be granted. It is recommended that the existing policy framework is suitable and fit for purpose for the assessment of onshore wind energy development.

RES considers that the extent of the SCAs and AOCTWHS proposed are founded on flawed evidence provided by the Council. We recommend that further work is undertaken by the Council to review their evidence base and revise their proposals accordingly.

RES would welcome the opportunity to participate further in this consultation.