



Derry City & Strabane
District Council
Comhairle
Chathair Dhoire &
Cheantar an tSratha Báin
Derry Cittie & Stràbane
Destrict Coouncil

Ref: EIR / 1740

17 April 2018

Mr

Email: @yahoo.co.uk

Dear Mr

Environmental Information Regulations 2004 Request Turbine Noise Pollution

I refer to your email of 14th March 2018, seeking clarification on a number of points and also information under the Freedom of Information Act. Where requests for information relation to "environmental" information, disclosure is made under the Environmental Information Regulations (EIR) 2004.

Firstly in relation to the points of clarification. At our meeting on 28th March 2018 I set out the enforcement process and how, when and why Council may initiate action. I also set out the compliance role and how the enforcement process is limited in terms of compliance of applications with conditions attached to permissions, unless they are brought to our attention by public and any other concerned party, one of which can be Council. I appreciate at our meeting this was not the response you had anticipated. However with regard to Carrickatane, there is an enforcement case opened on the compliance of conditions 15 and 17. This brings me on to your requests for information which will be dealt with under the EIR regulations.

Request 1: "Does Council feel able to accept the data produced by ESB with regard to background noise?"

Response: The matter is still under consideration.

Derry/Strabane

C/o Planning Department
Derry City and Strabane District Council,
98 Strand Road,
Derry
BT48 7NN

0300 200 7830
planning@derrystrabane.com
www.derrystrabane.com

f Derry City & Strabane District Council
@dcsdcouncil

Request 2: "On the Curryfree site the operator is required to assess the impact of the turbines on bird populations by a qualified ornithologist after one, three, five and ten years of the turbines becoming live (condition 15). I would feel quite confident in believing this is yet to be done. If it has perhaps you could send me the reports?"

Response: In so far as Council is aware, no reports have submitted to Derry City and Strabane District Council since the transfer of planning powers to local authorities in April 2015.

Request 3: "Would you furnish me exactly how much the Council receives annually in rates income from Carrickatane, Slievekirk and Curryfree sites?"

Response: Council does not hold this specific information. Rates collection (both district and regional) is done by Land and Property Services (LPS). This specific information would have to be sought from LPS.

Request 4: "Given the decision to end the Renewable Obligation Cert. grants, does your department have knowledge of its replacement and of any requests to build further turbines in our area?"

Response: Council has no information as to a scheme to replace Renewable Obligations Certificates. This would be matter for central Government. In relation to requests to build further turbines in your area, I have provided the details of all current pending planning applications being dealt with by Derry City and Strabane District Council, for wind farms in this Council area. There are no current pre application enquiries for wind farm proposals / extensions in this Council area.

We have 4 current applications for wind farms and full details can be found on the planning portal.

LA11/2015/0651/F – Monnaboy, Greysteel - 2 turbine extension

J/2011/0082/F – Crigshane and Crigdennis, Kileter - 5 turbines

J/2013/0183/F – Meenamullan, Kileter - 1 turbine extension

J/2013/0287/F – Meenamullan, Kileter - 5 turbines

Request 5: Within a five mile radius of Killymallaght Road there are 52 turbines operating on eight sites. Some of these are private installations and others are the size of Carrickatane and Curryfree etc. can you tell me (A) how many of these sites are in compliance with planning regulations, (B) how many have been subjected to site verification checks and when and (C) in the case of private turbines which are usually second hand and imported, do they have the requisite EU Machinery Directive which is required to qualify for subsidies?

Response:

(A) There are no open enforcement files in respect of the areas indicated.

(B) Council does not undertake site verification checks.

(C) This information is not held by Council.

If you are dissatisfied with our response you have rights of review and appeal; these rights consist of two review processes.

Firstly our internal review procedure is available by contacting:

John Kelpie
Chief Executive
Derry City and Strabane District Council
98 Strand Road
Derry BT48 7NN
Tel 028 71253253 or email john.kelpie@derrystrabane.com

Secondly, you can appeal directly by contacting the Information Commissioner at:

Information Commissioner
Wycliffe House
Water Lane
Wilmslow
CHESHIRE SK9 5AF
Tel: 0303 123 1113 (local rate) or email: casework@ico.org.uk