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28/02/2013

Dear Sir,

**Environmental Impact Assessment – Request for Screening Opinion.
Ferrymoor Community Wind Turbine**

I refer to your letter and accompanying information of 21st January 2013, requesting a screening opinion under Regulation 5 of the Town and Country Planning (Environmental Impact Assessment Regulations) (England and Wales) 2011, to determine the necessity for an Environmental Impact Assessment (EIA), in respect of the above. I received a further letter dated 21st February 2013 which amended the siting of the proposed turbine.

I understand that the proposed planning application is for the erection of a single, 3 bladed wind turbine, up to 78m high to blade tip, with a hub height of 50m and generating capacity of 500KW.

It is anticipated that the development is likely to comprise the following as a minimum:

Installation of the turbine and associated equipment including a substation, a transformer cable, electrical infrastructure and an associated access track (250m in length) and crane hardstanding.

Little information has been provided in respect of the anticipated vehicular movements (turbine parts and construction materials delivery, maintenance etc).

The following screening opinion is based on the information available and the Council reserves the right to undertake a re-screening should further material information become available.

The Barnsley Unitary Development Plan (UDP) designates the proposed site of the turbine as an area of Green Belt. To the west of the site lies Sash Windows at a distance of approximately 400m. Generally, the area is open and part of a reclaimed minerals site (Ferrymoor). Approximately 300m to the north lies a seasonal wetland which was created as part of the Ferrymoor reclamation scheme.

The recently reclaimed New Park Springs colliery lies 1km to the south east in Green Belt and again is now in amenity/recreational use.

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UDP designated Nature Conservation Sites lie approximately 1.3km to the south of the site (Edderthorpe Ings). Edderthorpe Ings NHS is largely an area of land which has flooded due to subsidence caused by the collapse of mine workings and is now open water with a narrow fringe of marginal vegetation and an area of taller swamp.

Having examined Schedule 1 of The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999, the proposal clearly does not fall within any of the descriptions of development.

The proposal does fall however under description of development 3i (column 1), 'Installations for the harnessing of wind power for energy production (wind farms)' of Schedule 2. No part of the proposed development however, is located wholly or in part in a sensitive area as defined in regulation 2(1). Whilst the proposed development does not involve the installation of more than two turbines, the hub height of 50m significantly exceeds the applicable threshold (15m) in column 2 of Schedule 2. The proposed development therefore is Schedule 2 development and potentially requires an EIA.

The question is therefore, is the proposed development likely to have significant effects on the environment by virtue of its characteristics, location and the nature of the potential impacts? Government guidance in Circular 02/99: Environmental Impact Assessment, states that, in general, EIA will be needed for Schedule 2 developments in three main types of case:

- a) For major developments which are of more than local importance;
- b) For projects with unusually complex and potentially hazardous environmental effects; and
- c) For developments which are proposed for particularly environmentally sensitive or vulnerable locations.

For wind farms, Circular 02/99 (Annex A) advises that the likelihood of significant effects will generally depend upon the scale of the development, and its visual impact, as well as potential noise impacts. EIA is more likely to be required for commercial developments of five or more turbines, or more than 5MW of new generating capacity. However, it should not be presumed that developments falling below these thresholds could never give rise to significant effects, especially where the development is in an environmentally sensitive location.

The Circular notes that the relationship between a proposed development and its location is a crucial consideration. For any given development proposal, the more environmentally sensitive the location, the more likely it is that the effects will be significant and will require EIA. Furthermore, in certain cases other statutory and non-statutory designations which are not included in the definition of 'sensitive areas', but which are nonetheless environmentally sensitive, may also be relevant in determining whether EIA is required. Where relevant, Local Biodiversity Action Plans will be of assistance in determining the sensitivity of a location.

The Circular at paragraphs 45 and 46 states respectively that 'in general, each application (or request for an opinion) should be considered for EIA on its own merits. The development should be judged on the basis of what is proposed by the developer' and 'however, in judging whether the effects of a development are likely to be significant, local planning authorities should always have regard to the possible cumulative effect with any existing or approved development. There are occasions where the existence of other development may be particularly relevant in determining whether significant effects are likely, or even where more than one application for development should be considered together to determine whether or not EIA is required'.

With regard to the characteristics of the development, with a blade tip height of 78m to blade tip and a hub height of 50m (compared to a blade tip height of 54m and hub



height of 35m for the existing Royd Moor turbines within Barnsley Borough) its size is likely to have significant visual impact for local residents, users of the Ferrymoor and the surrounding amenity/recreational areas and over a considerably larger area, even though it comprises a single turbine. Whilst the local area comprises a mixture of uses, in introducing yet another feature of significant size (and possibly dominant) into the area, the turbine may also have an adverse impact on local landscape character. That said the impacts are unlikely to be any more than localised.

Vehicular movements associated with the proposed development may also be significant over a short period of time, but any disturbance is likely to be localised and temporary in nature.

Mechanical and aerodynamic noise impacts are likely. Consideration should also be given to the potential impact on health due to infrasound and aerodynamic modulation and potential disturbance to the users of the amenity/recreational areas and ecology of the area in any planning application. Disturbance through noise is unlikely to be any more than local and unlikely to be significant given the proximity of residential properties.

Overall therefore, the development on its own could be considered to be mainly of local importance only.

There is the potential of course for cumulative impacts with any other existing, consented or applied for wind turbines within the area of the proposed development, particularly in respect of visual, noise, highways and ecology effects. These impacts would likely to be significant and long term (25 years). Temporary cumulative impacts would also be likely during the construction period in terms of vehicular movements (concrete deliveries for foundations, delivery of aggregates for access tracks, delivery of the turbine parts etc) and other amenity impacts in respect of general noise and disturbance. However, there are no existing, consented or proposed turbines within close proximity of the site. It is considered therefore that there will not be any cumulative impacts at the present time. Whilst consideration should also be given to any cumulative impact with other types of development in the area in any planning application, this is not generally considered to be significant other than its visual effects. It should be stressed that this situation could change over time should an application be received in the locality.

Whilst the proposal would generate some waste (i.e. from foundation excavation), this is unlikely to be removed from the site as it is normal for it to be used for backfilling and the remainder stored for the future restoration of the site. The development is also unlikely to generate any form of pollution other than noise.

It is considered that there is no higher risk than average of accidents during construction and operations. Modern turbines are understood to be a safe technology. There has been no example of injury to a member of the public. Blade failure is most unlikely since many are composite structures with no bolts or other separate components and most turbines undergo test certification procedures which must conform to guidelines laid down by the International Electro-technical Commission. Furthermore, the build up of ice on turbine blades is unlikely to present problems on the majority of sites in England. For ice to build up, particular weather conditions are required, that in England occur for less than one day per year.

Whilst there may not be any particularly hazardous effects of wind turbine development in respect of potential accidents, there may be complex effects in respect of visual impact, noise, vehicular movements, ecology, culture and archaeology, telecommunications etc and potentially serious hazardous effects in respect of aviation (radar, flight paths etc.). These complex and hazardous effects are only likely to be significant however for a larger scale development or in a cumulative situation. As noted above, the development is for one turbine, albeit a large one, and there are no known wind turbines existing, consented or proposed close to the site.

In terms of location, as previously noted, the site is not in a sensitive area as defined in regulation 2(1). However, the site of the proposed turbine sits within the Green Belt and 300m to the south of a sensitive area (in the officer's opinion) which is part of a restored colliery. This area includes a wetland and likely significant bird life and ecological interest. The site is also within proximity of Edderthorpe Ings. It is considered that partly due to its size and location, it could still have significant effects on the ecology of these areas (particularly in respect of sensitive species of birds). The location is therefore considered to be environmentally sensitive and vulnerable and the project may have effects on these designated areas/sites.

Being within the Green Belt, the proposed development also has the potential to injure the visual amenities of the Green Belt and very special circumstances will need to be demonstrated. A Landscape and Visual Impact Assessment would need to be submitted to provide evidence of the turbine's effect on visual amenity and landscape character and to consider potential mitigation in this vulnerable location.

In view of all of the above and in summary, it is considered that:

With a blade tip height of 78m and hub height of 50m, the proposal is of a significant size even though it comprises only one turbine, and is likely to have significant visual impact on a number of receptors. In introducing a new element into the local landscape, it may also have a significant effect on local landscape character. Circular 02/99 categorically states that EIA is more likely to be required for commercial developments of 5 or more turbines, or more than 5MW of new generating capacity. The proposed development falls short of these thresholds.

As a result of the scale of the development (one turbine) and there being no identified cumulative impacts at present, the project is considered neither significantly complex nor significantly hazardous.

Circular 02/99 makes it clear that it should not be presumed that developments falling below the thresholds above could never give rise to significant effects, especially where the development is in an environmentally sensitive location and the relationship between a proposed development and its location is a crucial consideration. The more environmentally sensitive the location, the more likely it is that the effects will be significant and will require EIA. Furthermore, other statutory and non-statutory designations which are not included in the definition of 'sensitive areas', but which are nonetheless environmentally sensitive, may also be relevant in determining whether EIA is required. The proposal lies within the Green Belt (a vulnerable location), close to areas reclaimed for amenity/recreational use with a developing area of rich biodiversity and at a potentially influential distance from a number of ecologically rich areas. However, it is noted that the impacts would be indirect given the turbine is not proposed within a sensitive location; rather it is proposed within proximity.

In conclusion, the proposed development in introducing a new feature into the local landscape and as a result of its size may have a significant landscape and wide visual impact. It may also have indirect impacts on local biodiversity. However, in the round, the project is unlikely to give rise to significant environmental effects and, accordingly, EIA is not required.

Yours faithfully,

For and on behalf of The Assistant Director, Planning and Regulatory Services

