EIA SCREENING REPORT
SUBMITTED UNDER THE TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017

HAVERIGG II WIND FARM LIFE EXTENSION PLANNING APPLICATION, CUMBRIA

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1 INTRODUCTION

1.1 Background

Arcus Consultancy Services Ltd ('Arcus'), on behalf of Thrive Renewables (Haverigg II) Ltd ('the Applicant'), formally requests an EIA Screening Opinion from Copeland Borough Council ('the Council') for an application to extend the life of the Haverigg II Wind Farm (Haverigg II) at Haverigg Airfield, Millom, Cumbria. The EIA screening opinion request is made pursuant to Regulation 6 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 ('the EIA Regulations'). Planning consent is sought via a Section 73 (s73) Variation of Condition Application (the s73 Application) in respect of the planning condition which relates to the operational lifetime of the wind farm, for permission to extend the lifetime. This EIA Screening Report forms part of the s73 Application.

The s73 Application is being submitted at the same time as an application to extend the operational lifetime of the adjacent Haverigg III Wind Farm. Although the sites are adjacent, and the same issues will apply to both, this document covers the s73 Application for Haverigg II only.

This report sets out a brief description of the Development and proposed changes, and then goes on to provide an assessment of the proposed changes in terms of the EIA Regulations screening criteria.

1.2 The Existing Development

Haverigg II, comprises four Wind World W4200 wind turbines with a blade tip height of 62.5 m and supporting infrastructure (access tracks, switchgear, etc.). The total generating capacity of Haverigg II is 2.4 MW. Planning permission was granted for Haverigg II in 1995 (planning ref: 4/95/0553/0) and it was constructed in 1998.

The planning permission allows the operation of Haverigg II until 2022.

A plan showing the extent of the Site (outlined in red) is provided as Figure 1 in Appendix A.

1.3 The Proposed Changes

The only change proposed is the following:

- Permission for the operational phase would last until 2032, instead of 2022 (an extension of 10 years).

There would be no physical changes to Haverigg II. Construction has already occurred for the scheme, and it is operational. Decommissioning would take place as originally envisaged, albeit at a later date.

1.4 The Development and the EIA Regulations (2017)

In terms of Environmental Impact Assessment (EIA), the s73 application falls under the EIA Regulations[1]. Examination of these determines whether EIA is needed for these s73 applications.

The "Interpretation" section identifies that:

"EIA development" means development which is either—

(a) Schedule 1 development; or

[1] The Town and Country Planning (Environmental Impact Assessment) Regulations 2017. Available at: https://www.legislation.gov.uk/uksi/2017/571/contents/made [accessed on 19/09/2019].

(b) Schedule 2 development likely to have significant effects on the environment by virtue of factors such as its nature, size or location".

Schedule 1 does not include wind farms, and hence is not relevant to Haverigg II.

Section 13 of Schedule 2 refers to changes and extensions, with paragraph (b) referring to changes and extensions to developments listed elsewhere in Schedule 2, "*where that development is already authorised, executed or in the process of being executed*". Schedule 2, section 3, paragraph (i) refers to wind farms which have more than 2 turbines or the hub height is more than 15 m, so this includes Haverigg II. The relevant clause is therefore Schedule 2, section 13, paragraph (b).

Schedule 2, section 13, paragraph (b) identifies that changes or extensions to Schedule 2 development are themselves Schedule 2 development if:

"Either—

(i) The development as changed or extended may have significant adverse effects on the environment; or

(ii) in relation to development of a description mentioned in column 1 of this table, the thresholds and criteria in the corresponding part of column 2 of this table applied to the change or extension are met or exceeded."

Taking (ii) first: The relevant thresholds are set out in Schedule 2, section 3, paragraph (i), and refer to wind farms which have more than 2 turbines or the hub height is more than 15 m. The change proposed by the s73 application will be for a timescale only, and will not propose new wind turbines. The s73 application therefore does not meet or exceed the criteria, and therefore does not require EIA as a result of Schedule 2, section 13, paragraph (b)(ii).

With regards to (i), "*the development as changed or extended*" will be physically the same as the development, which has already been constructed and is already operating, and which comprises the baseline (the "Do Nothing Scenario"). The only effects are therefore those associated with the change in timescales.

The Do Nothing Scenario is that:

- Haverigg II: operation is assumed to continue as long as allowed by the permission, i.e., until 2022.

The "With Change Scenario" is that:

- Haverigg II: operation is assumed to continue as long as allowed by the changed permission, i.e., until 2032.

This EIA Screening Report considers whether the With Change Scenario could have significant adverse effects, in terms of the EIA Regulations, relative to the Do Nothing Scenario. If it could, then EIA would be required under Schedule 2 of the EIA Regulations for the s73 application.

1.5 Previous Environmental Assessment

Environmental assessment work and reporting was carried out in support of the original planning application. Arcus has since carried out updated ecological, ornithological and landscape and visual assessments in support of the s73 Application to extend the life of Haverigg II in response to recommendations by The Council and Natural England during pre-application consultations, and these reports are provided in support of the planning application.

2 SCREENING APPROACH

2.1 Methodology

2.1.1 Prediction of Likely Effects

For this application, the prediction of likely effects covers only the potential effects identified in Section 2.2, below, which are the principal effects associated with an operational phase duration change.

The following characteristics of potential effects are considered:

- Direct and indirect effects;
- Short-, medium- and long-term effects;
- Permanent and temporary effects;
- Likelihood of an effect occurring (i.e., very likely, likely, or unlikely).

For an effect to occur, there needs to be each of:

- A source of change;
- A pathway for that change, at source, to affect something; and
- A receptor that is sensitive to changes of the nature proposed.

2.1.2 Preliminary Assessment of Likely Effects

The likely effect that the Development may have on each environmental receptor is influenced by a combination of the sensitivity of the receptor to changes of the nature proposed, and the predicted magnitude of change compared to the Do Nothing Scenario. The overall significance of a potential likely environmental effect is determined by the interaction of the above two factors (i.e., sensitivity and magnitude of change). It is also important that professional judgement be applied in concluding on the significance of effects to allow for receptors and impacts which fall between definitions of magnitude and sensitivity.

Appropriately qualified experts have informed on the assessments undertaken in this report, and in particular this report was reviewed and approved by Dr. Paul Phillips, IEMA Registered EIA Practitioner, prior to issue.

2.2 Scope

The relevant changes are those relative to the Do Nothing Scenario, as set out in Section 1.4. In summary, these are:

1. Landscape and visual effects of the absence of the turbines will be delayed;
2. Reduction in noise levels and potential shadow flicker effects associated with the absence of the turbines will be delayed;
3. Reduction in effects on ecology/ornithology associated with the absence of the turbines will be delayed;
4. Decommissioning effects (similar to construction) will be delayed; and
5. The cessation of savings in carbon emissions associated with the absence of the turbines will be delayed (a beneficial effect).

All other potentially significant effects associated with wind farms are associated principally with the construction phase, or the operational phase relative to a baseline containing no wind farm, and are not relevant to the operational phase lifetime extension proposed.

The potential for significant effects depends on the sensitivity of the receiving environment to the type and nature of changes proposed, combined with the magnitude of changes proposed.

A high-level assessment of the potential for significant effects for each of the above changes is presented in section 3.

3 ASSESSMENT OF POTENTIAL EFFECTS

3.1 Landscape and Visual Effects

A landscape and visual appraisal is provided in support of the s73 Application.

The With Change Scenario will involve the existing turbines remaining present at the site for the duration of the proposed extended operational period, as opposed to their remaining present at the site for the duration of the current consent, in the Do Nothing Scenario. There will be no changes to the turbines or their layout compared to the currently existing development.

The nearest group of sensitive receptors for landscape and visual effects are residential properties at Bank Head Estate, c. 1 km east of the nearest turbine. In addition, there are a number of local farmsteads and scattered individual properties within the surrounding area that have views towards the site. The receptors have not changed significantly since the original 2002 application.

The landscape capacity assessment undertaken as part of the Cumbria Wind Energy Supplementary Planning Document considers the area has capacity for additional new small to large wind farm infrastructure (up to 9 turbines) taking into consideration the presence of the existing wind clusters.

The With Change Scenario does not lead to any alteration in the layout or appearance of the development. Effects have previously been deemed acceptable and any development since the original consent for Haverigg II and Haverigg III would have taken these wind farms into account. Relevant landscape assessments identify that the area is suitable for wind turbines, including those that have been written or updated since Haverigg II and Haverigg III were constructed. As a result, **effects associated with the change are assessed as not significant.**

3.2 Noise and Shadow Flicker Effects

The With Change Scenario will involve the existing turbines, and any associated noise and shadow flicker effects, remaining on site for the duration of the extended operating period, as opposed to their removal as part of the Do Nothing Scenario. There will be no changes to the turbines or their operational procedure besides the extension to the operational lifespan.

The nearest sensitive receptors to noise and shadow flicker effects would be residential properties at High Layriggs, c. 500 m north of the nearest turbine, with the nearest group of residential properties being at Bank Head Estate, c. 1 km east of the nearest turbine. The application for Haverigg II was deemed acceptable, including consideration of noise and shadow flicker. No complaints have been received from any residents during the operation of the turbines as part of the existing development.

As there is no proposed change in the operation of the turbines, beyond extending the operational phase, and no complaints have been received regarding noise and shadow flicker in relation to the current operation of the turbines, **effects associated with the change are assessed as not significant.**

3.3 Ecological and Ornithological Effects

3.3.1 Ecology

An Ecological Appraisal detailing the current ecological baseline and likely potential ecological constraints of the extension is provided in support of the s73 Application.

The With Change scenario will involve the existing turbines remaining present at the site for the duration of the extended operating period. The Ecological Appraisal classifies the site as having 'negligible' suitability for bats due to the habitats present, the exposed nature of the site, the lack of roosting potential and the lack of any linear features suitable for commuting bats.

No bat carcasses were recorded during any bat carcass searches at the site under the current layout and as such the collision risk has been assessed as low. The With Change scenario will not lead to any changes in the site layout, therefore, as the current site has 'negligible' suitability for bats and a low collision risk, **the effect of the change is assessed as negligible (not significant).**

3.3.2 Ornithology

Ornithological surveys have been undertaken in accordance with methodologies agreed with Natural England, and reports of these are provided in support of the s73 Application. Surveys included wintering birds, breeding birds and flight activity, as well as carcass searches.

The project ornithologist has concluded as follows, with specific reference to the Morecambe Bay and Duddon Estuary Special Protection Area (the SPA). The survey findings indicate strongly that, while there was some evidence of collision with turbines (8 herring gull and 1 lesser black-backed gull), numbers affected are extremely low, despite a high level of flight activity by both species across the Site. Given the low numbers involved it is unlikely that extending the operational life span of the Development would have a significant negative impact on breeding populations of either species. This is the case when considering the large SPA breeding populations in the SPA citation (20,000 individual herring gulls and 9,720 individual lesser black-backed gulls[2]) and also for the latest breeding gull population estimates from 2019 SPA surveys (provided in the HRA Report accompanying the s73 Application). It was also found that a range of other species also occasionally collide with the turbines, including some raptor and wader species of conservation concern. However, numbers were considered too low to have a significant impact on local populations of any species.

On a precautionary basis, mitigation in the form of predator-proof fencing at South Walney Nature Reserve (to provide increased breeding opportunities for gulls) has been incorporated in the proposals to address the requirements of the Habitats Regulations. This will fully ensure that the negligible and low magnitude impacts identified on herring gull and lesser black-backed gull as SPA species are mitigated.

Based on survey findings, the current operation of the Development is not having a significant effect on any bird species in terms of the EIA Regulations. Given this, the effect of the With Change scenario (the extension of the operational life of the Development) **is assessed as not significant**.

3.4 Decommissioning Effects

The effect of the proposed changes on decommissioning would be to change the date of decommissioning to the end of the newly proposed operational period, as opposed to the end of the currently consented operational period.

Effects of decommissioning are similar to, or often of a lesser magnitude than effects associated with construction, and these have been assessed for the existing Haverigg II in the environmental information supporting the original application. The decommissioning process, and therefore the decommissioning effects, will not vary between the Do Nothing

[2] Natural England. Morecambe Bay and Duddon Estuary Site Citation. Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/641980/morecambe-duddon-citation.pdf [accessed on 15/10/2019].

Scenario and the With Change Scenario, other than if relevant regulations and standards are updated in the intervening period.

As the decommissioning effects for the Do Nothing Scenario were assessed as being not significant, there is **no potential for significant effects associated with the change.**

3.5 Effect of Delayed Cessation on Savings in Carbon Emissions

There is a need to reduce the amount of electricity generated from carbon emitting energy sources. The operation of the turbines, producing energy from a renewable resource, reduces carbon emissions (and associated climate change effects).

In the Do Nothing Scenario, this saving in carbon emissions will cease at the end of the currently consented operational phase, as the carbon-emission-free energy contribution from the turbines is removed. In the With Change Scenario, the turbines will remain in place for the duration of the extended operational phase, and hence the saving in carbon emissions associated with the operation of the turbines will continue.

Unlike with a new wind farm, this additional carbon emission saving does not have a carbon emission cost associated with the manufacture and construction of the turbines, as they are already in place.

The additional carbon saving associated with the change will be a **beneficial effect that contributes to alleviating the causes of climate change, and hence is likely to be a significant beneficial effect**.

3.6 Cumulative Effects

As the s73 Application is being submitted at the same time as an application to extend the operational lifetime of the adjacent Haverigg III Wind Farm, the effects of these two s73 changes would combine, and are referred to as cumulative effects.

The assessments reported in the sections above have been carried out for both s73 Applications by the same authors, at the same time, and the reported conclusions are drawn for both schemes combined. For the avoidance of doubt, where it is concluded above that there would not be significant effects, this applies for the scenario that either or both of the s73 Applications are granted consent. The cumulative effects are therefore assessed as reported above, and cumulative **effects are assessed as not significant**

3.7 Summary

Schedule 3 of the EIA Regulations states that "*The potential significant effects of development must be considered in relation to* [the characteristics of the development and the receiving environment]*, and having regard in particular to: (a) the magnitude and extent of the impact (geographical area and size of the affected population); (b) the nature of the impact; (c) transfrontier nature of the impact; (d) the intensity and complexity of the impact; (e) the probability of the impact; (f) the duration, frequency and reversibility of the impact; (g) cumulation of the impact; and (h) the possibility of reducing the impact (mitigation).*"

These have been considered in the above conclusions of significance of potential effects. In particular, all adverse effects will be localised, affecting a small number of people or receptors, not be of a transfrontier nature, be of moderate, low or negligible magnitude, and be temporary and reversible upon decommissioning of the Development after the extended operational period.

4 CONCLUSIONS

Based on the experience of the author[3], significant adverse effects in terms of the EIA Regulations are not likely as a result of the proposed change to extend the operational life of Haverigg II to 2032, and therefore the proposed change does not warrant an EIA.

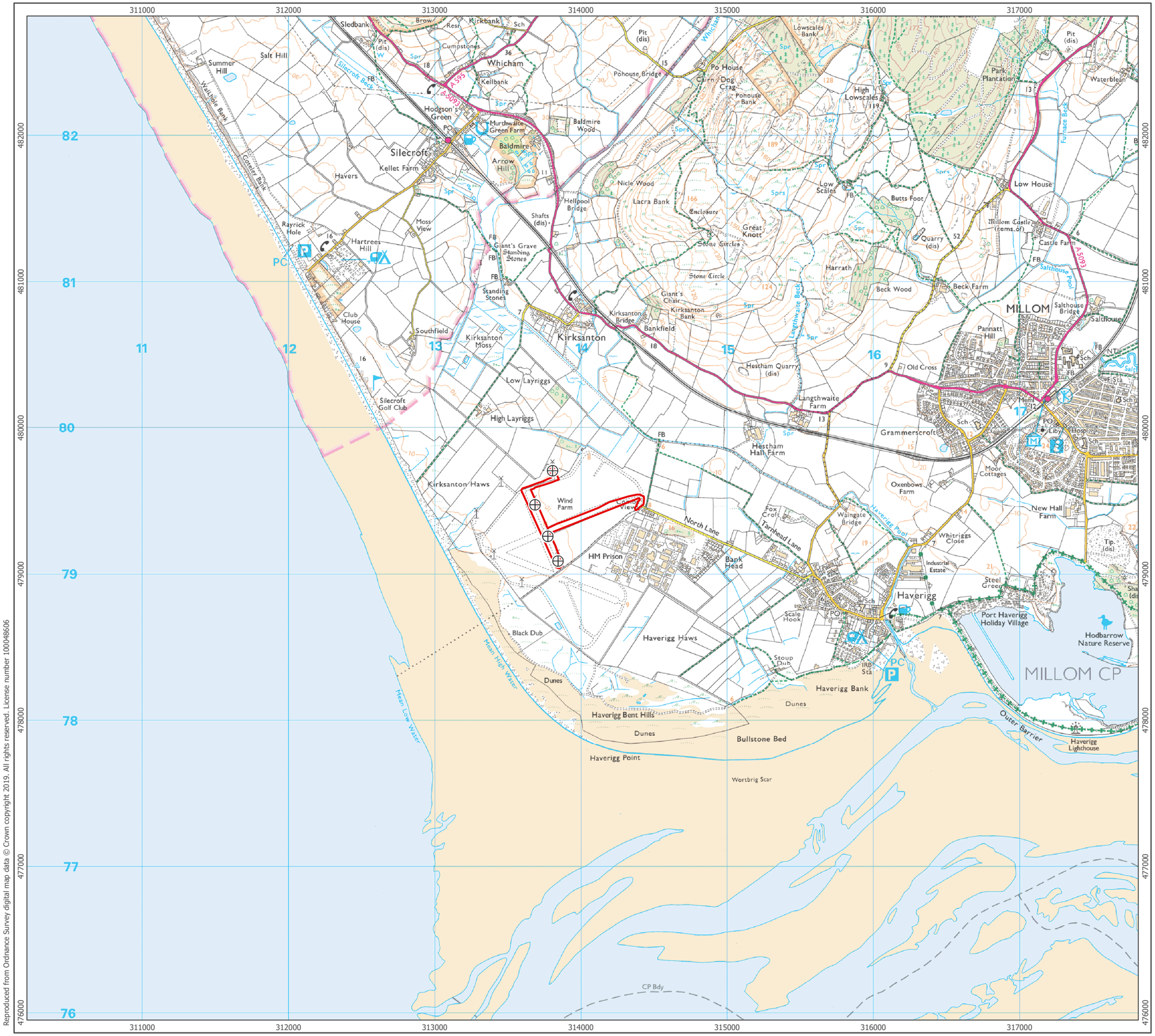
Arcus therefore respectfully requests that the Council confirms that the s73 Application does not constitute EIA development and determines the s73 Application on the basis of the information submitted.

[3] Dr Paul Phillips, Technical Director and Registered EIA Practitioner with the Institute of Environmental Management and Assessment (IEMA), as supported by relevant experts in the individual disciplines referred to in this report.

APPENDIX A

Figures

Figure 1 – Site Location



P:\Projects\Environment\3344 Haverigg\3344 Haverigg.aprx\3344-REP-033 Fig01 Site Location

THRIVE RENEWABLES

ARCUS

Site Boundary

Wind Turbine Location

1:25,000 Scale @ A3

0 0.5 1 km

NORTH

Produced By: JO	Ref: 3344-REP-033
Checked By: NH	Date: 17/10/2019

Site Location
Figure 1

Haverigg II Wind Farm Screening Report