

Town & Country Planning (EIA) Regulations 2017
Secretary of State Screening Direction – Written Statement

Application name:	Land at Slate House Farm, Morridge Top
SoS case reference:	PCU/EIASC/B3438/3364489
Schedule and category of development:	Schedule 2 3 Energy Industry (i) Installations for the harnessing of wind power for energy production (wind farms).

Full statement of reasons as required by 5(5)(a) of the 2017 EIA Regulations including conclusions on likelihood of significant environmental effects.

The development is considered to be Schedule 2 development as it is a type of project identified in paragraph 3i of Column 1 and exceeds the threshold of 15 metres height in Column 2.

The Secretary of State has considered whether the proposal is likely to have significant environmental effects. She has undertaken this screening taking into account the criteria set out in Schedule 3 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. In doing so she considers the main matters to be addressed for development of this type are those set out in Planning Practice Guidance (PPG) where the following are indicated as main matters relevant in the consideration of development in this category: scale of the development, its visual impact, and potential noise.

Considering the specific form of development (wind power), and the proximity to a protected landscape, the Secretary of State considers the main matters in this case to also include landscape impact. In addition cumulative impact, particularly with regard to landscape, is also considered a main matter. She also considers, given the specific site context, that archaeology, highways matters and ecology are matters with potential for significant effects.

Characteristics of the development (1a-f)

The proposal is for a single replacement wind turbine in a rural moorland location. The proposed turbine would be approximately three times larger than that currently in place at Slate House Farm, which is identified as the baseline condition. The provided drawings indicate that the below-ground foundation element of the wind turbine is approximately 20.4 m in diameter. The requestor states that the ground works will involve excavation, followed by pouring of concrete and insertion of securing bolts into the concrete. They state that the foundations will be left for approximately four to six weeks in order for the concrete to cure. The requestor states within the submitted information that the soil displacement will be levelled within the field boundary and cultivated as part of the field.

The developed area proposed is not large scale and the Secretary of State considers that the size and design of the development as a whole is unlikely to result in significant effects.

Whilst the development will inevitably comprise a physical change to the locality, the Secretary of State does not consider that a significant environmental effect is likely in terms of the use of natural resources, or the production of waste relevant to the development concerned.

Location of the development (2a-c)

The surrounding agricultural land is poor quality (i.e. not best and most versatile) and existing access tracks are in place. The location of the development is not within an environmentally sensitive area

as defined in Part 1 of the EIA Regulations, but is within 150m of the Peak District National Park to the north and east, with the boundary running along Blakelow Road. The site does not sit within a designated site for nature conservation.

With regard to designated ecological sites, the site is approximately 2.1km north-east of the Combes Valley Site of Special Scientific Interest (SSSI), 3.7km south of the Thorncliffe Moor SSSI, 4km north of Swineholes Wood and Black Heath SSSI, and 5.5km west of the Hamps and Manifold Valleys SSSI. The Peak District Moors (South Pennine Moors Phase 1) Special Protection Area (SPA) and South Pennine Moors Special Area of Conservation (SAC) is within 4.5km to the north.

The site is not in a flood zone or close to designated heritage assets. Some archaeological find records are identified nearby, largely associated with extant and former farmhouses and farm complexes, as well as a record covering the Ashbourne to Leek and Congleton Turnpike Road and a former lead mine at Bradnop, north of the site. The nearest sensitive receptors are other farmhouses including Garstones Farm where wind development is also proposed (see discussion of cumulative effects) and there is also a network of Public Right of Ways (PROWs) close to the site. Those PROWs north of Blakelow Road are located within the Peak District National Park, and the site is likely to be viewable from those nearest the site such as Onecote 12. The site is located at high altitude as identified by the LPA.

The LPA states that the site location is within the Gritstone Highland Fringe Landscape Character Type. The LPA states this is regarded as being of high quality in a Staffordshire-wide context and at this location having the 'highest sensitivity' to landscape change. The LPA identifies the prominent ridge edge location of the site and states that at 375m AOD the site overlooks and is widely seen from an expansive area.

Characteristics of potential impact (3a-e)

The Secretary of State has considered the likely significant effects of the development on the environment in relation to the characteristics of the development and the location of the development with regard to the impact of the development on the factors specified in regulation 4(2), taking into account—

- (a) the magnitude and spatial extent of the impact (for example geographical area and size of the population likely to be affected);
- (b) the nature of the impact;
- (c) the transboundary nature of the impact;
- (d) the intensity and complexity of the impact;
- (e) the probability of the impact;
- (f) the expected onset, duration, frequency and reversibility of the impact;
- (g) the cumulation of the impact with the impact of other existing and/or approved development;
- (h) the possibility of effectively reducing the impact.

The Secretary of State considers that the main impacts of the development once operational will be landscape and visual impacts, with potential for impacts on noise, archaeology, highways, and ecology.

Landscape and Visual Impact

Some temporary impacts during construction are likely, but as the duration of works is likely to be short due to site scale, these are unlikely to result in significant effects.

During operation, the development will impact on the moorland setting, and the elevated nature of the site will increase impacts. The LPA identifies that the height of the wind turbine will exceed the ridge height at Morridge Top and states it will be widely visible from the National Park. The LPA states that assessments will be needed to establish levels and extent of harm.

The site will be visible by users of, at a minimum, Blakelow Road, the A523, and potentially the B5053. Additionally, multiple public rights of way exist within and near to the site, including Onecote 9-16, Onecote 20-21, Bradnop and Cawdry 20, 21, 23, 24, and 35-37. Onecote 12 and 14 join Blakelow Road at their southern ends close to the site (within the National Park), and Bradnop and Cawdry 20/23 run through the farm complex at Garstones Farm. Visibility is likely to be most significant from these PROWs. There are some areas of access land to the north which, although located some distance from the site, may also feature views of the development due to topography.

While the multiple opportunities for recreation within the National Park may limit numbers of users of any particular footpath, the National Park is itself likely to attract large numbers of recreational users of rights of way and Access Land in the area.

Natural England as a consultee conclude that the proposed development has potential likely significant effects on statutorily designated landscapes (the Peak District National Park) and an Environmental Impact Assessment (EIA) is required due to landscape concerns. Natural England note that the proposed replacement wind turbine will be considerably larger in size than the original turbine, at least three times the size of the original. Natural England state that the proposal needs to be screened by the LPA to determine whether significant effects on the environment are likely. The LPA considers it is unlikely that identified effects could be mitigated. Given the height of the turbine and limited opportunity for landscaping, the Secretary of State agrees with this statement. She considers this will also impact upon users of PROWs and access land within the National Park.

Several routes will already be subject to views of the existing wind turbines present on and close to the site, and users of the routes would expect to glimpse wind infrastructure of limited scale. However, as identified in Natural England's consultation response, the increase in proposed scale is significant. Overall, the Secretary of State considers that significant landscape and visual effects cannot be ruled out at this stage.

Noise

Construction of the development is likely to cause some limited noise and vibration impacts of short term duration from vehicular movements and plant, machinery and construction tools. It is also possible that limited lighting impact may arise during construction of the facility. Construction impacts could be controlled through a Construction Environmental Management Plan (CEMP), if required by the LPA.

Some noise is likely to be produced by the operation of the wind turbine. The requestor states that the noise level will be lower than that of the existing, operational turbine, as it has no gearbox. The LPA states that a Noise Impact Assessment would be expected, and also an assessment of shadow flicker.

The rural setting of the development site limits the number of sensitive receptors in the vicinity. Given this and the likely short duration of construction for a single turbine, the Secretary of State does not consider that noise, vibration or light impacts from construction would be significant in the context of the site.

Given the single-turbine scale of development, the information submitted by the applicant regarding noise level reduction through selection of a no-gearbox model, and the sparsely populated nature of the immediate area, it is not considered that operational noise from the wind turbine is likely to result in significant effects. A submitted impact assessment, if required by the LPA, would allow assessment of these effects.

The LPA identifies Moor Top and Garstones Farm as potential receptors with regard to shadow flicker. It is possible that some effects will be felt by these receptors. Given the presence of the existing turbine, the distance to other receptors and the scale of proposed development, these effects are not considered likely to be significant, and can be assessed and mitigated through the planning process.

Heritage and archaeology

With regard to archaeology, given the limited extent of groundworks indicated by the requestor as necessary to secure a single wind turbine it is not considered that significant effects are likely in EIA terms.

With regard to impact on heritage significance, the LPA considers that a full LIVIA would be required to accompany the application in order to establish levels of harm. An assessment of visual impact can be submitted alongside the planning application. However, given the small scale of development and the presence of existing wind infrastructure, overall, the Secretary of State does not consider that significant effects are likely in this respect for heritage assets alone.

Transport and highways

The site is in a rural location, linked to the strategic road network by a C class road, Blakelow Road. The LPA states that the surrounding rural roads are used by large farm vehicles but not in the main used by large HGVs. This implies potential for a level of disruption on the surrounding rural road network during the construction phase when the turbine is brought to site. The applicant states that the turbine will be delivered on a standard 40 tonne lorry and installed using mobile cranes. However, vehicle movements during the construction phase are likely to be relatively few as most equipment will be brought onto site ready assembled. The LPA considers it is possible that road transport implications are likely to need specific planning to avoid significant effects. Agreement on HGV and other vehicle routing can be agreed through the planning process.

The Secretary of State considers that very limited vehicle movements are likely during the operational phase. These are likely to be limited to maintenance and repair visits when required through the lifetime of the wind turbine. As a result it is not considered that significant effects are likely.

Within the site itself there is an existing private access track identified within the submitted location plan. This is likely to be already used by farm vehicles which suggests it can therefore also accommodate construction vehicles with only limited impact on the public road network.

An Air Quality Management Area (AQMA) is in place in Leek, <5km to the north west of the site. While routing information is not provided by the requestor, there is the possibility that construction or maintenance vehicles accessing the site will approach the site through Leek town centre. However, additional traffic movements during the construction phase would be of a temporary nature and it is not considered likely that this would lead to significant impacts on the AQMA. Given the nature of the development, it is likely that vehicle numbers during the operational phase will be negligible and limited to occasional visits for maintenance purposes.

Due to the scale of development, the Secretary of State does not consider that significant impacts are likely from traffic movements, congestion or resultant environmental impacts.

Ecology

Natural England as a consultee do not provide evidence on ecological impacts and do not state that significant effects on biodiversity are likely.

Of the nearest designated SSSIs, Combes Valley SSSI is a woodland and grassland river valley notified for woodland breeding birds, beetles and moths and butterflies, and Thorncliffe Moor SSSI is a moorland habitat of special interest for fens and also cited for other plant species. The Secretary of State considers that neither of these habitats would be impacted by construction or operation of the proposed turbine. The South Pennine Moors SAC covers a moorland plateau characterised by extensive areas of blanket bog and supporting an important breeding bird community, and the Peak District Moors (South Pennine Moors Phase 1) SPA, which overlaps with parts of the SAC, is also a moorland habitat with qualifying species of merlin (breeding), European golden plover (breeding) and

short-eared owl (breeding). It is not considered that these habitats would be impacted by the proposed development considering the intervening distance.

Ecological impacts can be minimised during the construction phase through use of a CEMP, if required by the LPA. Based on the submitted information the Secretary of State concludes significant environmental effects on protected areas are unlikely.

The LPA states that potential specific risk to bird species from this proposal is not known at this stage and needs to be established and evidenced as part of any application 'taking into account the ridge edge position.' It is noted that golden plover were previously identified in the vicinity of the site, and that this species is a qualifying feature of the SPA.

Up-to-date evidence regarding species present onsite and nearby can be submitted and assessed as part of the planning application. However, given the small scale of development, the existing wind turbines present onsite, the likely short duration of construction, and the existing access tracks which will already be subject to a level of farm vehicle use, it is not anticipated that significant effects on species are likely.

Overall based on the submitted information the Secretary of State considers the development would not cause significant detrimental impacts to local wildlife and concludes significant environmental effect is unlikely in this regard.

Cumulative impacts

As set out in PPG, each proposal should be considered on its own merits. There are occasions, however, when other existing or approved development may be relevant in determining whether significant effects are likely as a consequence of a proposed development. PPG indicates that only existing or approved applications ought to be considered.

The application for a screening opinion at the adjacent site, Garstones Farm, does not guarantee that a planning application will be submitted for a replacement wind turbine, nor that this would be approved. However, given the similarity and contemporaneous submission of the applications to the LPA, it is reasonable to conclude that both applications are likely to progress together to seek planning consent. Therefore while the Garstones development cannot fully be considered foreseeable at the present time, an assessment has been made of cumulative impacts in this case.

In addition to the above individual conclusions and with regards to the main cumulative impact issues identified, the conclusions are as follows.

Consideration of visual receptors suggests that, given the limited number of residential receptors in the locality, local PROWs and road users are likely to be the key receptors in terms of visual impacts. There is an extensive PROW network in the area as well as access land which provides multiple opportunities for recreation. While the routes are already subject to views of the existing wind turbines, and users of the routes would expect to glimpse wind infrastructure of limited scale, additional visual impacts may be significant in EIA terms due to the substantial increase in height of both turbines in close proximity to a protected landscape. Visual mitigation is unlikely to be possible given the nature of development.

Overall, the Secretary of State considers that that some cumulative landscape and visual impacts are likely, and residual impacts which are significant in EIA terms cannot be ruled out.

While it is noted that each infrastructure development will create some noise and traffic impacts, with subsequent impacts on amenity including for footpath users, it is not considered that this will lead to significant cumulative effects. Given the short construction timescale for the proposed development and the small scale of development, the Secretary of State considers that traffic, noise and other construction impacts will not be significant when considered cumulatively with the turbine at Garstones Farm.

With regard to ecology, it is not considered that cumulative impacts of the groundworks, if developed at the same time, would lead to likely significant effects, as impacts can be controlled via a CEMP through the planning process. Taking into account the small scale of development even in cumulation, the Secretary of State does not consider that significant effects on species are likely.

Other matters

Given the mitigation proposed and having considered all available information, there are no other issues amongst those not specifically addressed above which indicate a likelihood of there being significant environmental effects from this proposal.

Overall conclusions

The Secretary of State has had regard to the characteristics of the development, the location of the development and the types and characteristics of potential impacts as set out above. Based on the available information and implications of the proposal, the Secretary of State considers there is uncertainty, to the extent it is not possible for her to reasonably conclude that there is no likelihood of significant effects primarily in relation to landscape and visual impacts from the proposed turbine alone, and also when considering this matter cumulatively. EIA is therefore required and should be suitably scoped around this single issue. Overall, the Secretary of State's conclusion is largely in considering the issue of landscape and visual impact.

In reaching this view the Secretary of State has carefully considered the information put forward by the applicant, the views of the LPA and all consultation responses.

This direction does not affect any duties of the requestor under other legislation, including The Conservation of Habitats and Species Regulations 2017.

Is an Environmental Statement required?	Yes
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