Development Control – Delegated Officer Report

Screening Decision By Adur District Council October 2013:

The Town and Country Planning (Environmental Impact Assessment) Regulations 2011:

AWDM/0852/13:

Unit 1-2, 37 Chartwell Road, Lancing Business Park, Lancing, West Sussex:BN15 8TUInstallation of 6kw wind turbine, 18.25 ms tall (including rotor blades) in forecourt of premises

1. Introduction

The Rabbit Group has submitted the above application (AWDM/0852/13).

This proposal falls to be screened by Adur District Council in respect of the need for an Environment Impact Assessment under the above Regulations.

A formal screening decision is required under the Regulations became the height of the structure exceeds 15 ms in height and because of the proximity of another wind turbine and consequently potential cumulative impacts (Schedule 2 ; Section 3(i))

2. Proposal

The proposal is supported by a statement; site and location plans; elevations; and Noise emissions study.

The proposal itself occupiers a site of some 9 sq ms but sits in and serves a site area of 1.01 hectares and comprises:-

a) Galvanised green finished Steel mast 15.5 ms tall and three mounted rotor blades of 5.5 ms, giving a total height of 18.25 ms. The hub and blades would be black.
b) The turbine would be mounted on a 3x 3 1.2 ms concrete cube set within the existing concrete foundation in the forecourt of the site in the NE corner.
c) The site is adjacent to a front boundary wall currently concreted for car parking

The existing use of the site is a Waste Management facility, with Waste Transfer station at the front where waste is separated and sorted . Directly recyclable materials such as soil , hard core, metals and plastics are removed for further recycling. The remaining waste is transferred to the Energy from Waste Plant at the rear of the site.

4. Site and surrounds

The site is located in the central part of the Lancing Business Park, a large industrial estate bounded by residential on its western, southern and southern frontages and the railway on its northern margins, beyond which lies a large residential area.

The site is accessed off Chartwell Road, the principal distributor road for the estate.

The coast lies some 500 ms to the south and the South Downs National Park on higher ground some 1.7 kms to the north and 2.8 kms from Shoreham Airport to the east.

The site sits on slightly lower ground than Chartwell Rd on the west side and comprises a two and half storey large building at the front incorporating offices and still larger industrial building to the rear (13.5 ms tall) .

The forecourt provides parking and main vehicular access is at the southern end.

The industrial estate contains a wide range of industrial buildings of varying sizes but typically one to three storeys tall.

Opposite the site to the north east is an existing three rotor blade wind turbine on a metal framed mast some 30 ms tall.

The site is not in any floodzone 2 or 3 but is in a buffer zone, close to potentially contaminated land.

5. Factors to be considered in determination as to whether the proposal constitutes Schedule 2 development requiring an Environmental Impact Statement

The Regulations require all applications which have a significant impact on the environment to be subject to Environmental Impact Appraisal. Details of the types of development which qualify are set out in Schedules 1 and 2 of the Regulations and criteria for screening set out in Schedule 3, supplemented by guidance in Circular The Town and Country Planning (Environmental Impact Assessment) Regulations 2011and ODPM Note on EIA for Local Planning Authorities.

EIA is mandatory for any of projects listed in Schedule 1.

Schedule 2 sets out those types and scales of development likely to require EIA and which should always be assessed for such through a formal Screening Opinion under The Regulations. All specified development above the listed thresholds fall into this category as well as any of the classes of development falling wholly or partly in “Sensitive Areas” as designated in The Regulations, regardless of the scale of development. Such “Sensitive Areas” are restricted to statutory designations such as Sites of Scientific Interest or Areas of Outstanding Natural Beauty.

Detailed guidance on the criteria to be used in the screening process is set out in the Circular. The over-arching criterion is whether the proposal would have significant effects on the environment. Schedule 3 of the Regulations lists those criteria which should be used to make this assessment, essentially the characteristics of the development; environmental sensitivity of the location and the characteristics of the

potential location. In the Circular three main types of development are expected to have such significant environment effects. These are:-

a) Major development which is of more than local importance.
b) Development proposed for particularly sensitive or vulnerable locations. These may include non-statutory sites.
c) Development with unusually complex and potentially hazardous environmental effects

Annexe A of the Circular provides specific advice on those types and scales of Schedule 2 development which are likely to have significant environmental effects, and, as such, more likely to require EIA. However, it emphasises that assessment should be on a case by case basis and that, accordingly, the location of the development is of crucial importance: the more environmentally sensitive the location, the lower the threshold at which significant effects will be likely.

6. Assessment of need for Screening Opinion of proposed development in relation to Government guidance and Regulations

The proposal does not justify consideration under Schedule 1 as it clearly falls outside of any of the categories listed.

The proposal does fall within Schedule 2, category 3 *Energy Industry*; sub category (i*); Installations for the harnessing of wind power for energy production (wind farms)*. This states that such development qualifies for screening if *(i) The development involves the installation of more than 2 turbines; or (ii) the hub height of any turbine or height of any other structure exceeds 15 metres.* At 18.5 ms tall the proposal qualifies under (ii).

7. Screening Opinion: Assessment Of The Need For Environmental Impact Assessment (EIA)

The proposal is assessed below against the criteria set out in Schedule 3 of the Regulations and the advice set out in the Circular, as appropriate.

a) Characteristics of development, having particular regard to

i) Size of development:

The Circular indicates that the need for an EIA is related to significant effects *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 5 MW of new generating capacity.*

At 6kw, the wind turbine is substantial smaller than 5 MW indicative threshold suggested (equivalent of 5000kw).

The height of the turbine (18.25 ms) is only marginally taller than the threshold in schedule 2 (15 ms) and is only so because of the height of the rotor blades.

The actual site of the works themselves is very small - less than 10 sq ms.

Whilst the residential surroundings are environmentally sensitive; and the site is not remote from the coast and South Downs National Park, the scale is so small, the nature of the operations impacts and the distance to the such environmentally sensitive areas is such that no significant impacts should arise.

ii) The cumulation with other development

The proposal lies close to another wind turbine. However, this is shorter and is the only other wind turbine in the town, let alone vicinity, of any significant size. There are electricity pylons running across the open land far to the north of the site and chimneys proposed and existing on the East Worthing Industrial estate to the west but the accumulation of such tall structures is not significant as they are still relatively modest and they are widely dispersed. Taller, industrial type structures such as wind turbines are not out of character with the industrial landscape of the trading estate in any event and the structure is only marginally less tall than the industrial building to the rear of the site.

This indicates a significant accumulation of development in the area is unlikely.

iii) Use of Natural Resources

The proposal involves direct and indirect land takes, use of material and other resources during its and any secondary development's construction. These have embodied energy values. Construction and maintenance traffic generated by the use would consume fossil fuels. However, the proposal has major benefits in generating significant electricity from a renewable source and is low carbon. This reduces the need for consumption of fossil fuels and helps decarbonise the electricity supply. In turn this helps mitigate climate change. The energy will help support sustainable operations on site which help recycle waste and generate energy from those items which are not readily recyclable.

iv) The Production Of Waste

The physical works themselves are not expected to generate any significant waste but could facilitate a more intensive waste operations on the site .

v) Pollution and Nuisance

The traffic generated by the construction of the proposal would contribute to noise and pollution. However these are very small and would be experienced against the background of the intense activity from the large industrial estate and existing site operations themselves.

The Noise Assessments concludes that the proposal is unlikely to cause any annoyance to any residents given the background levels in the area (at 34 dB at its lowest and thereby higher by 19dB(A) than the 15dB(A) predicted for the turbine) and the technical specifications of the turbine. The Environmental Health Officer concurs with this analysis.

The site is close to a buffer zone between potentially contaminated and non-contaminated land. The Environmental Health Officer advises that the scope for land contamination is limited and this may be addressed by suitable avoidance and mitigation measures.

The RSPB have commented that ;

Our view is that a turbine of the type proposed in this location is not likely to have a significant effect on birds. The only potential risk is that gulls would collide with the turbine. However, I do not believe this is a significant risk because the photographs show that the nearby buildings have curved roofs, so it is unlikely that there will be gulls nesting on roofs nearby. Furthermore, the turbine blades are quite short, so the small rotor swept area means that risk of collision for birds is lower.

In terms of EIA screening, an EIA is more likely for Schedule 2 developments that are likely to have significant environmental impacts. I cannot comment on other environmental impacts, but my view is that there are unlikely to be significant effects on birds, and the turbine is not in a 'sensitive area' as defined in Regulation 2 (1).

vi) The risk of accidents

No significant risks are evident other than any risks from flying aircraft associated with the nearby Shoreham Airport. However, the application is supported by an email from Shoreham Airport advising of no objection to the project.

b) Location of development: the environment sensitivity of an area having regard to

i) The Existing Land Use

The proposal site lies on an existing brownfield site within an established urban setting, primarily industrial estate and is entirely compatible with the character of such.

ii) The relative abundance, quality and regenerative capacity of natural resources in the area and iii) the absorption capacity of the natural environment ;paying particular attention to:-
Densely populated areas and Landscapes of historical cultural or archaeological significance.

The proposal lies on a brownfield site in the urban area and impacts are limited to modest intensification of use and remediable potential pollution risks from works on landfill.

The principal environmental sensitive resource closeby is the South Downs National Park. The South Downs National Park Authority comments that :

From the information provided and the site visit, including views from the National Park, I can confirm that in this instance, the SDNPA do not consider the wind turbine proposed to be detrimental to the setting of the National Park and as such have no objection.

c) Characteristics of the potential impact

i) The extent of the impact

The impact is very limited.

ii) Magnitude and complexity of the project

The proposal is very modest in scale and not complex in nature.

iii) Probability of impact

These depend on the avoidance and mitigation measure undertaken but are low.

iv) The duration, frequency and reversibility of the project

The proposal is reversible not intensive.

8. Conclusions

Under the Regulations, the proposal requires a formal Screening Decision by the Local Planning Authority on the need for Environmental Impact Assessment because of its nature and scale.

The Screening process indicates that the proposal would not have significant environmental impacts. Accordingly, the proposal does not require an Environmental Impact Assessment.

DELEGATED

Case Officer sign…P Devonport…….Date…10.10.13

Authorising Officer sign: Gary Peck Date: 10 October 2013