

Case study	Offshore wind farm (Burbo Bank)		
Location	Liverpool Bay, England		
	<i>Development planning example</i>		<i>Development control example</i> X
A	Summary of the issues		
Key issues raised by this case study are landscape/seascape impacts and cable links crossing the coastal boundary. The latter is a generic issue as it would also apply to pipelines from offshore oil and gas installations.			
B	Description of the plan or development		
<p>Burbo Bank offshore wind farm is situated on Burbo Flats, Liverpool Bay, approximately 6.4 km from Sefton coastline and 7.2 km from Wirral coastline. The wind farm is capable of generating up to 90MW of electricity. Consents for the construction are Section 36, FEPA licence, and CPA for offshore elements and Town and Country Act for onshore elements, including the intertidal zone.</p> <p>Partners involved were Natural England (then they were English Nature) and Environment Agency. Natural England was consulted only on the onshore aspects of the wind farm, in particular as there was a pSAC and pSPA nearby. The Environment Agency was also consulted.</p>			
C	Description of the baseline environment and constraints		
<p>Terrestrial</p> <ul style="list-style-type: none"> Mersey Narrows and North Wirral Foreshore proposed SPA (now an SPA). Mersey Narrows and North Wirral Foreshore proposed Ramsar site (now a Ramsar site). Dee estuary proposed SAC (now an SAC). The cable will cross North Wirral Foreshore Site of Special Scientific Interest. The proposed cable landing crosses the sea defences and passes through an area of the Undeveloped Coastal Zone, designated a Countryside Recreation Site, and also falling within the Wallasey Golf Course and Leasowe Gun site of Biological Importance. <p>Visual</p> <p>The wind farm falls between two National Seascape Units: Great Orme to Mersey Estuary; Mersey Estuary to Fleetwood.</p>			
D	Description of the planning baseline		
<p>Terrestrial</p> <p>The offshore cable will join with the onshore cable at an interconnection facility, located behind the sea wall at Mockbeggar Wharf, Wirral. Onshore cables will run along highways and brownfields to the sub-station.</p> <p>The onshore construction falls within the jurisdiction of Wirral Metropolitan Borough Council (policy NC3 of Wirral Unitary Development Plan 2000) for all works above Mean Low Water (MLW) mark and includes:</p> <ul style="list-style-type: none"> offshore cabling above MLW onshore cabling interconnection facility electrical substation <p>The designated sites (see C) will be dealt with in accordance to policy NC5 of the Wirral Unitary Development Plan 2000.</p> <p>Developments within the Undeveloped Coastal Zone are subject to policy CO2 (states that such facilities will be permitted subject to clearly requiring a coastal location, not being obtrusive and not adversely affecting the local environment nor reducing the effectiveness of the coastal protection structures) and to Policy CO7 – Criteria for Development in the Intertidal Zone.</p> <p>Appropriate Assessment was undertaken (no objections to onshore cable laying).</p>			

E	Description of the plan development process (for development planning cases) or the authorisation process (development control cases) – under the existing system
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Terrestrial

Consents needed for all offshore wind farms:

- Section 36 (over 50MW)
- Section 37 (overhead electric power line into National Grid – not always needed)
- FEPA (always needed for works going on below MHWS)
- CPA
- Town and Country Planning Act – either deemed or permission sought from relevant LPA
- ES was published September 2002.
- Planning application submitted to Wirral Metropolitan Borough Council for the onshore cabling aspect, interconnection facility and sub-station by Seascope Energy Ltd.
- Application was approved by Wirral Metropolitan Borough Council subject to certain conditions: construction undertaken at certain times of year, minimising disruption to local traffic, etc) – 13th February 2003.
- Appropriate Assessment undertaken (Jan 2006) – requested by English Nature due to nearby pSPA.
- Intertidal biotope monitoring planned as an integral part of environmental monitoring to meet FEPA licence.

Visual

- Sefton Council was consulted with regards to the visual element of the Wind Farm (they objected to the wind farm).

F	Implication of planning proposals under the Marine and Coastal Access Bill
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Under the marine bill licensing for a smaller offshore wind farm will be obtained through MMO – one licence instead of three (FEPA, CPA, Section36), in accordance with the marine plan but wind farm developers will still need to obtain planning permission from the LPA in the intertidal zone (cable coming onshore). Larger windfarms will be authorised by the IPC but will this will also have to be in accordance with the marine plan.

G	Inputs of project partners and lessons learnt			
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	EA	NE	CCW	NT
Involvement	✓	✓		
Inputs	Possibly commented on terrestrial planning side and FEPA licence.	Statutory consultee on planning application.	N/A	

Natural England

- English Nature consulted on the onshore cabling aspect and had no objections subject to development being carried out in accordance with the application and development plans.
- English nature expressed the opinion that the installation of the underground cable may have a significant effect on the Mersey Narrows and North Wirral Shore pSPA. They requested that an Appropriate Assessment was done.
- Draft conservation objectives for the pSPA were requested from English Nature however, at the time of writing the AA, these had not yet been developed.
- Intertidal monitoring during construction (for FEPA licence): the survey strategy (designed by CMAS) was specifically adapted to meet a request from Michael Young of English Nature (now NE).
- Surveys followed methodology agreed through consultation with English Nature.
- English Nature requested a photographic survey to show recovery after cable laying.
- English Nature gave a formal consent for changes in construction timetable for the intertidal aspect. However, the constraints are a condition on planning permission granted by Wirral Borough Council and any extension requires their written permission.

- Natural England came up with two key issues regarding the monitoring:
 1. A discussion over the future ornithological survey requirements
 2. The instigation of scour protection biological monitoring, which is not included within future monitoring proposals – NE was unhappy with the amount of scour protection used (offshore)
- With regards to the intertidal aspect, with the exception of one moderately persistent spoil pile, intertidal impacts were very short lived and no further comments were made.
- With respect to the fish monitoring NE proposes to concentrate on fewer, longer-term monitoring programmes rather than the generic two years post-construction required for all OWFs.

Environment Agency

EA should have commented on the intertidal/terrestrial aspect of the wind farm – FEPA Licence and LA planning application. However there is nothing on the EA computerised system about Burbo Bank. Some of the EA staff do recall the project, and one person recalls commenting on the EIA scoping report – with no concerns. The overall view is that they had no issues with the wind farm.

H

The effect the marine planning system may have on the way partners get involved, to their effectiveness in the process and to the staff resources required

Natural England and CCW will continue to be consulted on applications for offshore windfarms that are dealt with by the MMO. With MCZs being designated there will likely to be more pressure on staff resources of NE and CCW.

Under the Planning Act 2008 off shore windfarms above 100MW in size will be considered by the IPC which may require NE and CCW to give evidence to it, either written or oral, which may have repercussions for staff resources.