

APPLICATION BY RES UK & IRELAND LIMITED

DATED 27 MARCH 2009

FOR CONSENT TO CONSTRUCT AND OPERATE

THE LLANBRYNMAIR WIND FARM

IN

POWYS, MID-WALES

SUMMARY PROOF OF

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ON ORNITHOLOGICAL ISSUES

RES/Ornithology/Summary/Steve Percival/SSA-B

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INTRODUCTION

- S1. My name is Dr Steve Percival. I have a B.Sc. (Hons) degree in Biological Sciences from the University of Durham and a Ph.D. in Zoology from the University of Glasgow. I have a wide experience of nature conservation and wind energy issues and have been involved in over 340 wind energy projects.
- S2. I was commissioned by Renewable Energy Systems UK and Ireland Ltd. (RES) in March 2005 to undertake baseline ornithological studies for their proposed wind farm at Llanbrynmair, including breeding and wintering bird fieldwork and an assessment of ornithological effects. I wrote the ornithology chapter for the Environmental Statement (ES) and the ornithology section of the Supplementary Environmental Information (SEI), and have provided ongoing advice since submission of the planning application.

REVIEW OF OBJECTIONS

Natural Resources Wales (NRW)

- S3. NRW has given clear advice in its Opening Statement to the inquiry that the Llanbrynmair wind farm would not result in any Likely Significant Effect on any SPA, so that Appropriate Assessment for this site would not be required.
- S4. NRW's main ornithological concern (and primarily in relation to cumulative effects in terms of a potentially significant impact) is rather with regard to one particular bird species, curlew. NRW contends that the disturbance associated with construction has the potential to impact on breeding curlew, but that this could be mitigated by restricting these works to outwith the curlew breeding season.
- S5. NRW is also states that it considers that mitigation for curlew is required through a Habitat Management Plan, to include measures to promote the breeding curlew population (as has been proposed by the Appellant). NRW considers that the mitigation requires revision to include further areas of land and additional management measures. The NRW comments pre-dated the measures proposed in the new SEI, in which their advice has been taken and their proposed measures adopted.

RSPB

- S6. RSPB initially objected to the Llanbrynmair wind farm on the grounds of impacts on curlew, black grouse and hen harrier (letter of 17/12/10 to DECC). However, following discussions with the Appellant, collection of new data on the status of curlew in the area and agreement over the implementation of a Curlew Management Plan, RSPB has withdrawn its objection to the scheme, as long as the proposed HMP is implemented and other suggested conditions are applied (letter of 17/9/12 to DECC).

The Position of the Council

- S7. Ecology and ornithology are given as a reason for objection, but in its recent outline statement of case Powys County Council has stated that it is relying on the advice of NRW on this matter. The Council has not raised any ornithological issues in addition to those raised by NRW.

KEY BIRD SPECIES AT LLANBRYNMAIR

- S8. A range of detailed studies of the ornithology of the proposed wind farm site and its surrounds have been undertaken, as detailed in the August 2013 SEI Section 6.
- S9. The baseline data set provides the information necessary in order to determine whether any bird populations could be affected by the proposed wind farm, and no issues have been raised by NRW or RSPB regarding the adequacy of the baseline data.
- S10. The key species with regard to the ornithological effects of the Llanbrynmair wind farm are therefore curlew, black grouse, hen harrier and barn owl.
- S11. Collision modelling was undertaken using the industry-standard SNH collision risk model. This modelling found that none of the species observed flying through the wind farm site were at risk of any significant numbers of collisions occurring, so collision risk as an issue is not considered further in this proof. As a result it can be confidently predicted that there would be no significant risk of collision.
- S12. Disturbance is, at the time of writing of this proof, the only outstanding ornithological issue with statutory consultees (NRW). Their specific concerns relate

primarily to curlew, but also to black grouse and barn owl. Each of these species is therefore considered in turn below.

Curlew

- S13. Curlew were largely restricted to the lower ground to the south-east of the proposed wind farm. The population in this area of 10-11 pairs in 2005 and 2006 had declined to only two pairs in 2011, 2012 and 2013. The 2005-06 population represented about 1% of the Welsh population at that time, but the residual 2 pairs in 2011, 2012 and 2013 falls below that threshold. Similar decreases have been reported widely across Wales and in this region.
- S14. The main core area used by breeding curlew has been avoided in the site design process, reducing the potential for disturbance effects. In all years there have been only very few records in proximity to the proposed wind turbine locations, with more than 90% of recent records more than 400m from any proposed wind turbine location. There were no curlew nesting within 600m of the proposed turbine locations in 2011, 2012 or 2013, and none likely to have been nesting within 300m of any in 2005 or 2006. The core area used by this species lies outside the main potential impact zone of the wind turbines.
- S15. It is possible (if unlikely) that some displacement around the wind turbines at Llanbrynmair may occur, though the balance of evidence from currently available studies would suggest that such displacement, if it did occur, would be only small-scale relocation. However to ensure that this is the case and that suitable habitat exists outside the wind farm to accommodate any displaced birds, specific management for this species would be implemented as part of the Habitat Management Plan.
- S16. I have concluded that on the balance of evidence from currently available studies, and given the availability of alternative habitat in the vicinity to which displaced birds could move, as well as the benefits that would accrue from the proposed Habitat Management Plan, that any displacement to this species would be only small-scale relocation and not significant, particularly given that the area now only supports two breeding pairs.

Black Grouse

- S17. Black Grouse distribution from the baseline surveys and from available desk study records is summarised in the SEI Figure 7.4. Black grouse is another species that

declined markedly in Wales in the past, though with specific targeted conservation action it has increased by 45% since 1992 to an estimated 328 pairs in 2011 (though with range contraction). The population in the area as a whole was considered to be nationally important. All of the records were from the northern part of the study area, with the large majority of the recent lekking activity over 500m to the north of the proposed wind farm. The site layout has taken into account the historic distribution of this species, such that there are no turbines within 500m of the core proposed black grouse refuge and no site tracks (or any other associated infrastructure) that will pass through the main black grouse area. There are, however, no records of this species using this area since 2008, with recent RWE surveys indicating that it may have become locally extinct. No significant effects on this species would occur.

Hen Harrier

- S18. No hen harriers were recorded breeding within 500m of any of the proposed wind turbine locations, but there were three recorded nest sites within 2km of the wind farm. A single pair is sufficient to be considered nationally important in Wales. There may be a small loss of foraging habitat around the wind turbines through local displacement, but any such adverse effects would be of negligible magnitude and not significant.

Barn Owl

- S19. Three pairs of barn owls were located during the 2005 surveys and two pairs in 2006, and the desk study indicated that three further breeding sites are also regularly used in the area within 2km of the proposed wind turbines. The current and historic barn owl nest locations were avoided in the site design process, such that no turbines are located within 500m of any recently used nest site. There would be likely to be a small loss of foraging habitat but this would be outweighed by benefits from the HMP. As a result adverse effects on this species would be of negligible magnitude and not significant.

Cumulative Effects on Birds

- S20. The main potential for a cumulative effect on curlew is in combination with Carnedd Wen, though the recent updated SEI layout for that scheme does not result in any potential disturbance into the area used by the curlew additional to that resulting from the Llanbrynmair scheme (having also deleted turbines in

proximity to breeding curlew). Overall, the Llanbrynmair scheme would not be expected to make any significant contribution to a significant adverse cumulative impact on curlew.

THE HABITAT MANAGEMENT PLAN RELATING TO BIRDS

- S21. A Habitat Management Plan will deliver a range of ornithological and other wildlife benefits, including a range of specific measures to benefit curlew, black grouse, hen harrier and barn owl. This would include maintaining (and where possible enhancing) the mosaic of habitats available to the curlew, including rushy patches for nesting and providing cover for chicks, and agriculturally-improved grassland for foraging. The plan would also deliver an increased level of predator control (focussing particularly on crows and foxes).
- S22. The HMP for curlew would be put in place ahead of construction works commencing, so that it would help mitigate any effects of construction.
- S23. A specific Barn Owl Protection Plan will be agreed with NRW to ensure that any breeding barn owls, should they breed in proximity to any construction activity, are not disturbed by any construction activity.

CONCLUSIONS

- S24. In conclusion there would be no likely significant effect on any species that could possibly be linked to the Berwyn SPA and no need to undertake any Appropriate Assessment. There would also be no significant effects on any bird population in EIA terms. No significant ornithological problems have occurred at any wind farms in the UK and none at any similar scale wind farms to that proposed at Llanbrynmair with similar bird species or numbers. All of the evidence available points to Llanbrynmair being an appropriate site with regard to ornithological issues.
- S25. Therefore my evidence to this inquiry is that there is no reason relating to ornithological issues that should prevent the proposed Llanbrynmair wind farm development from being approved at appeal and for planning permission to be granted.