

Town and Country Planning (Environmental Impact Assessment) Regulations 2011

Request for a “Screening Opinion” in respect of the following development:

Proposed Development:

Solar Farm, Land off Green Lane, Marchington

Introduction:

The Council has received a request for a formal screening opinion under Regulation 5 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 in respect of the above proposals

Schedule 1:

No

Schedule 2:

Yes

The development proposed does not fall within Schedule 1 of the Regulations where an assessment is mandatory. However, the development falls within Schedule 2, Category 3 (a) as an installation for the electricity production. The proposal exceeds the 0.5ha development area threshold laid down by the above regulations beyond which an Environmental Statement may be required.

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

In respect of Schedule 2 development, an assessment will only be required if the development is likely to have significant effects on the environment by virtue of factors such as its nature, size or location.

Town and Country Planning (Environmental Impact Assessment) Regulations 2011 require regard to be had to Schedule 3 of the Regulations when considering whether an Assessment should be required.

1. Characteristics of the development – size of the development, cumulative effects with other development, use of natural resources, production of waste, pollution and nuisances, risk of accidents with regard to substances or technologies utilised.
2. Location of the development: the environmental sensitivity of geographical areas likely to be affected must be considered, in particular
 - the existing land use,
 - the relative abundance, quality and regenerative capacity of natural resources,

- the absorption capacity of the natural environment, with particular emphasis to the following areas:
 - (i) wetlands
 - (ii) coastal zones
 - (iii) mountain and forest areas
 - (iv) nature reserves and parks
 - (v) areas designated by Member states
 - (vi) where environmental quality standards have been laid down in Community legislation and have been exceeded
 - (vii) densely populated areas
 - (viii) landscapes of historical, cultural or archaeological importance.
3. Characteristics of the potential impact, with regard to :
- The extent of the impact
 - Transfrontier nature of the impact
 - Magnitude and complexity of the impact
 - Probability of the impact
 - Duration, frequency and reversibility of the impact

National Planning Practice Guidance:

The National Planning Practice Guidance (NPPG) advises in Paragraph 058 Reference ID 4-058-20140306 indicative thresholds where it is more likely that EIA will be required, and also advises of key issues to consider. In relation to electricity producing installations it advises the following: -

Environmental Impact Assessment is unlikely to be required for the redevelopment of land unless the scheme has a Thermal output of more than 50 MW. Small stations using novel forms of generation should be considered carefully.

The NPPG advises that the key areas to consider are as follows: -

Level of emissions to air, arrangements for the transport of fuel and any visual impact.

Assessment:

The proposed solar farm has a relatively small generating capacity (4.6MW) and would not contribute significantly to the National Grid. It falls significantly below the 50MW threshold set out in the NPPG beyond which an ES is more likely to be required.

However, this is a small installation using a novel form of generation and must be considered carefully in terms of the key impacts identified in the NPPG. The scheme involves no emissions to the air and there is no fuel to be transported. The proposal is situated in the context of existing infrastructure and development including the prison, railway line and overhead electricity cables. Although the setting is rural, the site is not set within a particularly sensitive area as identified in Regulation 2 of the Regulations.

The area immediately surrounding the site is relatively sparsely populated, and the proposed panels do not feature any moving parts. As such it is not considered that the proposal in itself will result in sufficiently significant or complex noise impacts to warrant an Environmental Statement.

It is considered that the impact of the proposal taken in isolation is limited in extent and readily reversible. The impact would be localised rather than transfrontier.

It is not considered that the proposal would generate complex or unusually hazardous environmental effects.

However, the applicant has previously sought screening opinions for two similar proposals on adjoining land to the east and west. Furthermore, a significant solar farm with an output of approximately 20MW covering an area of approximately 45ha is currently under construction on the edge of the settlement of Sudbury, which lies approximately 2km to the north east. Both this proposal, the adjoining sites proposed by the applicant and the solar farm under construction at Sudbury would be visible within the same landscape context from higher ground to the south. It is considered that the cumulative impact of these proposals would be sufficient in magnitude and complexity to warrant an Environmental Statement.

In light of the above assessment, the applicant is advised that the Environmental Statement should provide an assessment covering landscape and visual impact.

Recommendation:

A formal screening opinion be adopted that an Environmental Assessment will be required in relation to landscape and visual impact

Team Leader / Planning Manager comments:

N/A

The following decision is made by the undersigned in accordance with powers delegated to the undersigned under the provision of S101 of the Local Government Act 1972.

A formal Environmental Statement is required in respect of the development as proposed.

Planning Manager Anna Miller



Signature

Date 2nd March 2015