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The Town and Country Planning (Environmental Impact Assessment) Regulations 2017

Screening Opinion - EIA Not Required

Application Reference Number: PL/2023/05594

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Screening Opinion for Environmental Impact Assessment - Proposal for a 15MW Solar PV Development at Fields East of Blounts Court Farm, Potterne, Devizes, SN10 5PH

I refer to your application PL/2023/05594 which requires a screening opinion to be carried out for the above mentioned site to consider whether or not the development requires an Environmental Impact Assessment (EIA). The following letter can be regarding as a screening opinion for the purposes of Regulation 6 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

The site comprises approximately 28 hectares of land near to the eastern edge of the village of Potterne in Wiltshire. Access to the site is from Coxhill Lane to the south of the site.

The site lies outside the Limits of Development of Potterne in open countryside. There are several public rights of way (PRoW) that run near to the site (notably POTT50 and POTT45 which run along the southern and northern boundaries respectively) with POTT34 running through the middle of the site.

There is no relevant planning history pertaining to the site or the surrounds and there is no solar farm development in the neighbouring fields.

The proposal comprises a ground mounted solar farm with a maximum export capacity of 15mw, with associated infrastructure including client substation, DNO Station, storage container, internal access roads, security fencing, site compound area and transformer/ inverter stations.

The EIA regulations do not specifically refer to the need or otherwise of an EIA for solar parks, but do state that any energy industry development, including 'installations for the production of energy' covering an area exceeding 0.5ha are Schedule 2 developments. As the proposal would cover an area of 28ha, it is considered reasonable to consider it against Schedule 2, Paragraph 3(a) of the Regulations and the indicative thresholds identified in the Planning Practice Guidance. Schedule 3 of the Regulations sets out the matters which must be considered including the characteristics of the development such as its size and design, accumulation with existing development, use of natural resources, waste production, pollution,

the risk of accidents and risk to human health. Schedule 3 also requires that the location of the development including the environmental sensitivity of the areas to be affected are considered, as well as the types and characteristics of the potential impact.

Characteristics of Development

Size and design of the development

The proposed development site is of a relatively small scale compared with the recent solar energy installations found within Wiltshire as whole. Due to the nature of the proposed development (low level height, non-polluting and fully reversible), in combination with the characteristics of the site and the wider landscape character it is unlikely that the proposal will result in unduly widespread or harmful visual impacts (including any cumulative impacts) upon its setting that could not be adequately addressed outside of the EIA process – i.e. through a robust Landscape and Visual Impact Appraisal (LVIA) at the application stage, which should be carried out in accordance with the recommendations of GLVIA 3rd edition. It is advised that the submitted LVIA should incorporate assessment of potential summer and winter visual effects within its visual appraisal section

There is potential for the proposal to generate some adverse physical and visual effects to the local Public Right of Way network. The Applicant will need to consider how development proposals can safeguard the interests of public visual amenity for the users of the Public Right of Way within the design of the scheme itself and any mitigating landscape proposals.

Cumulative effect with other development

The Regulations make clear that the effect that each application (or request for an opinion) must be considered for EIA on its own merits. However in judging whether the effects of a development are likely to be significant, local planning authorities should have regard to the possible cumulative impact within any existing or approved developments.

The impacts of the proposed facility, is not anticipated to be exacerbated by the presence of other installations at this stage – noting that the nearest solar farm is a small scale one some 3.3km away.

Use of natural resources and production of waste

The proposal would involve the development of green field land, which the supporting information suggests would be for a specified time-period. No significant waste is to be produced during the period of operation, and the decommissioning process can be addressed through a suitable strategy submitted with a planning application. The level of waste associated with construction of such facilities is typically minimal.

There is no risk of groundwater flooding and surface water flooding on the site and it is entirely within flood zone 1. However due to the size of the site, any future planning application would need to be supported by a flood risk assessment which would adequately address any drainage risk/impacts associated with the development.

Pollution, nuisance and risk of accidents, having regard to substances or technologies used, and risk to human health

Nearest dwellings are approximately 200m from the solar development and so unlikely to have significant impacts with regards noise and nuisance. That said, it is recommended that any future application be informed by an acoustic report that assesses the proposed development in accordance with BS4142:2014/19 and demonstrates how the Rating Level (BS4142:2014) of any plant associated with the development will be kept -5dB below background at the nearest residential receptor.

In respect of highways impacts, a Construction Management Traffic statement would be required to accompany any future application as well as a Transport Statemen. These documents would negate the need for environmental statements. The CMS should address inter alia mitigation measures at the access points throughout construction, signing and routing of all construction traffic, parking for site operatives

and visitors and wheel washing. It is unlikely that the bridleway would not be suitable to obtain vehicular access.

The PRoW (POTT34) would need to be accommodated on its legal line at a minimum width of 4 metres through the site.

In summary, it is not considered that the proposal would increase the possibility of pollution, nuisance or risk of accidents or to human health to such an extent that such matters cannot be adequately addressed without an EIA.

The possibility of effectively reducing the impact
Appropriate mitigation measures would be anticipated as part of any planning application and it is acknowledges in the report that detailed assessments would be submitted as part of any planning application. This would allow any adverse impacts in this regard to be identified and fully mitigated without the need for an EIA

Location of Development
This concerns the environmental sensitivity of geographical area likely to be affected by the development. The relevant criteria proposed as follows:

The existing land use
The site comprises an established series of arable fields of reasonable quality (Grade 2 and 3) surrounded by traditional field boundaries. The relative value of the agricultural land in terms of economic and other benefits, taken with any ongoing potential use, can be considered in the balance of a planning application.

Relative abundance, availability, quality and regenerative capacity of the natural resources in the area and absorption capacity into the natural environment
It is considered that the proposed development does not meet the EIA selection criteria for biodiversity under Schedule 3 (Regulation 5(4)), and therefore EIA on the grounds of ecology/biodiversity is not required. Natural England also agreed that significant effects on statutorily designated nature conservation sites or landscapes are unlikely.

While the proposed development has the potential to generate some localised biodiversity effects, it is not considered that these are likely to be 'significant' harmful effects under the intended meaning of the word 'significant' in the EIA Regulations 2017 for biodiversity. Specifically, the land is not covered by any wildlife designation or within any consultation zones and therefore 'sensitive areas' under the intended meaning in the EIA Regulations are unlikely to be affected by the proposals.

Despite the recommendation that the above development proposal is unlikely to require a subsequent planning application to be accompanied by a full Environmental Statement (ES) and is not considered to constitute EIA Development, the applicant should not misinterpret this advice and recommendation to mean that a development proposal of this scale and nature would be considered to be acceptable in principle at this early stage.

It is considered that the submission of a Ecological Impact Assessment and a Landscape and Ecological management Plan would be sufficient to address any impacts without the need for environmental statements.

As the site is located within the ZoI associated with the Salisbury Plain SPA the proposals trigger a HRA and NE will be consulted.

Landscapes and sites of historic, cultural or archaeological significance

The Council's Archaeologist considered that the proposal poses no direct impact to designated heritage assets. As confirmed in your covering letter, a Heritage Assessment is to be submitted with your application. This is considered sufficient to address potential impacts to heritage assets. In addition, the County Archaeologist is likely to request predetermination trial trench evaluation of the site in order to ground-truth the conclusions of the heritage statement and the geophysical survey. This work undertaken at planning application stage would be sufficient to address any impacts without the need for environmental statements.

Conclusion
In accordance with the Town and Country Planning (Environmental Impact Assessment (EIA) Regulations 2017 (as amended) and Planning Policy Guidance, the development proposal has been considered against the criteria and requirements for EIA. The development is not of a substantial size such that its environmental impacts would be considered significant or indeed extend beyond a far wider geographic area than the immediate site. Any environmental effects arising from this development can be suitable addressed suitably avoided through the mitigation measures outlined by ADAS in their letter dated July 2023. Therefore, the development is not considered EIA and as such, no Environmental Statement (ES) should be submitted.

Where it is determined that the proposed development is not Environmental Impact Assessment development, the authority must state any features of the proposed development and measures envisaged to avoid, or prevent what might otherwise have been, significant adverse effects on the environment. As set out above, sound assessments in relation to interests of acknowledged importance such as landscape, ecology, culture and heritage matters are required in support of any future application on the site. This includes the submission of the following information:

- Landscape and Visual Impact Assessment
- Landscape and Ecological Management Plan (including BNG metric)
- Ecological Impact Assessment
- Flood Risk Assessment
- Heritage Assessment
- Geophysical survey of the site and trial trenching
- Transport Assessment
- Full details of the proposed access arrangements as well as a construction management Traffic Statement
- Noise Assessment

Parvis Khansari **- Corporate Director, Place**