

Uttlesford District Council

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

THE TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) (ENGLAND AND WALES) REGULATIONS 2017, (as amended)

ENVIRONMENTAL IMPACT ASSESSMENT

Supplementary Note to the SCREENING APPLICATION: UTT/21/2664/SCO

PROPOSAL: Request for Screening Opinion for proposed solar farm

LOCATION: Land East of Coopers End Road Takeley

SCREENING OPINION

Under Regulation 6 of the above Regulations the authority is required to adopt an opinion (a **SCREENING OPINION**) as to whether an Environmental Impact Assessment (an **EIA**) is required in relation to the above planning application that has been submitted to it.

The Local Planning Authority (LPA), Uttlesford District Council, has considered the proposals and its **SCREENING OPINION** is that:

AN EIA IS NOT REQUIRED

The considerations, in coming to this decision are as follows:

Schedule 1

The proposal does not fall within Schedule 1 of the Regulations that would require mandatory Environmental Impact Assessment (EIA).

Schedule 2

Schedule 2 identifies 13 different categories, of which Class 3 is 'Energy Industry' and a) relates to 'Industrial installations for the production of electricity, steam and hot water (unless included in Schedule 1)'. The proposal exceeds the thresholds. The proposal is not, however located in wholly or partly within a 'sensitive area' as defined by the Regulations.

Uttlesford DC as Local Planning Authority conclude that the proposal does constitute a Schedule 2 form of development as defined by the Regulations. Under these circumstances it is necessary to establish whether the proposal is likely to give rise to 'significant effects' on the environment by virtue of its nature, size or location.

Schedule 3 – Criteria for Column 2 of Schedule 2

Schedule 3 of the Regulations sets out selection criteria which must also be taking into account in determining whether the development is likely to have significant effects on the environment.

These criteria are identified under 3 separate headings and I shall deal with each in turn.

The applicants have requested some clarification points, and these are addressed in accordance with their letter to the council. Each point will be addressed separately below:

Characteristics of Development

The site consists of approximately 22.5ha of agricultural land. The application shows the general heights and indicative layout of the solar panels.

A project of this scale would require the use of natural resources, most notably the use of agricultural land and an application of this proposal is of such a scale that Natural England have been consulted on the loss of best and most versatile agricultural land; and in this respect, a standalone Agriculture Land Classification Report should be submitted in support of the application.

In terms of the impacts of the proposal on the landscape, geodiversity and biodiversity receptors; the LPA would draw to your attention to the Natural England response to this Request dated 1st September 2021.

The location of the site and the current use of the land the proposals are likely to result in less than significant impacts in respect of biodiversity. However, it is noted that a strip of Woodland to the east and northwest corner, which borders the site. The hedgerows bordering the arable fields are likely to meet the criteria for Priority habitat.

Furthermore, the ECC Place Services Ecology have been consulted; a copy of these comments is Appended to this response. The Ecology Team have stated that it is unclear whether the Ecological Impact Assessment has been done in

conjunction with Essex Field Club & Essex Wildlife Trust Biological Records Centre and should be shared and completed with these parties. An Ecology Statement and Assessment is required as part of the planning application and suitable mitigation measures are required. The use of DEFRA Magic maps and other local record resources is recommended.

In Highways and Transportation terms, the application needs to be supported by a Transport Note; further, Essex County Council as Local Highway Authority have their own pre-application processes, and now that you have undergone that process, the LPA understands that the Transport Note should include the following:

- **Speed Survey of traffic on Parsonage Road** – this survey, to be undertaken in the next week, will be used to determine the appropriate visibility splay for the site entrance.
- **Collision Data** – We will obtain collision data for Parsonage Road and between the site and Coopers End roundabout to the north. This will identify any existing issues that may need to be taken account of.
- **Swept Path Analysis** – We will undertake a swept path analysis for the largest design vehicle navigating the Parsonage Road mini roundabout junction with Hall Road to demonstrate there are no issues.
- **Stage 1 Road Safety Audit** – this will only be required if ECC consider it necessary after reviewing the access arrangements. We have sent her the relevant information and are awaiting her confirmation.
- **Construction Traffic Management Plan (CTMP)** – reporting on all the above and setting out any necessary traffic control measures.

In terms of cumulative developments, there are no proposals that would need to be considered in relation to the adjacent developments.

The production of waste is unlikely to be significant. Localised noise, dust and vibration could occur during the construction phase. Some of the impacts can be mitigated by way of a Construction Environmental Management Plan, as stated in the Screening Appraisal Report submitted by the applicant. Noise would be generated as part of the operational phase, but this is unlikely to be significant.

The risks of accidents should be low given the nature of the development. However, the Safeguarding Authority have commented that there are two areas of concern that will need to be addressed:

1. The potential for the solar array to create a Glint and Glare hazard to pilots – we will need the developer to supply a Glint and Glare assessment from an aviation (Stansted Airport) perspective.

2. Solar arrays are known to be attractive sites for birds, we would appreciate sight of the plans to mitigate against this problem.

The site is not located within or adjacent to a Flood Zone and therefore, subject to appropriate mitigation measures, should not give rise to increased flooding risks. The risk of accidents is low. The risks to human health are required to be considered as part of the application. Whilst risks arising from potential pollution or water contamination are likely to be low, the main impact is likely to arise from noise during the construction phase. As noted above, the impacts are likely to be low. The working hours (both construction and operational) do not appear to be specified; however, these can be controlled through conditions should a planning application be submitted, and planning permission be granted.

It is considered that even though the scheme exceeds the thresholds on balance the size of the proposal, the accumulation of it with other developments and its surroundings, the use of natural resources, the production of waste during the construction phase, the likelihood of significant additional pollution or other nuisances and the risk of accidents are such that there will not be a significant effect on the environment; this is considered particularly the case as the traffic associated with the proposed development, which has current capacity and air quality issues.

However, this would be further justified and demonstrated through the submission of specialist reports, refer to section below on Characteristics of Potential Impact.

Location of Development

The subject site falls within an area of local environmental sensitivity by reason of the following:

The site falls within Flood Risk Zone 1 which has a low risk of flooding. The area falls within a ground water protection zone and any works would need to adhere to British Standards.

The site falls within building height restriction zones due to flight paths in connection with London Stansted Airport.

The area falls within the open countryside. Due to the sites rural farm complex appearance, the site would appear to form part of the wider countryside. The proposed development is likely to have a visual impact upon the countryside and, west to east and possibly the site viewed across the fields from the north and south. Whilst there are no public rights of way crossing the site subject to this enquiry, the following are in proximity, thus.

- PROW 48_17 to the west
- PROW 48_45 to the southwest
- PROW 48_12 to the northeast

The site falls within a SSSI consultation zone, together with a Local Wildlife zone at Priors Wood.

The application site lies east of a designated Air Quality Management Area (AQMA).

Therefore, the following documents would be required in support of an application:

- Phase 1 Contaminated Land Report
- Transport Note– as agreed with ECC Highways.
- Noise / Air Quality Assessment in respect of the construction phase would be covered by a Construction Environmental Management Plan; to be conditioned
- Landscape and Visual Impact Assessment
- Flood Risk Assessment
- Economic Benefit Assessment – to be covered in Planning/ Design and Access Statement
- Ecology Report
- Heritage Statement
- Glint and Glare assessment
- Power line asset assessment – to be covered in Planning/ D& A Statement.
- Legacy planting – this will need to be covered in the Landscape Visual Assessment and Planning Assessment, together with submitted landscaping proposals.

Characteristics of Potential Impact

There are recognised sensitive areas of the site and of the proposed development. There would be possible wildlife habitats because of trees and hedges on site's margins, and the changing ground levels. The associated intensification because of the proposed development is likely to have impact in terms of noise and disturbance, with possible litter/pollution, particularly at the construction phase.

As part of any application submission a ***Tree survey, arboriculture implication assessment and method statement***, must be undertaken and submitted. A Landscape and Visual Impact Assessment must be assessed. The site is open fields and therefore would be visible from long views.

A statement within the Design and Access statement and Landscaping Visuals would be acceptable to understand the impact of the proposal. The applicants have also confirmed that additional planting will form part of the application and therefore this and tree survey will be submitted.

The applicant is reminded that the Council declared a **Climate and Ecology Emergency** at its full council meeting on 30 July 2019. A Climate Change Strategy has been adopted by the Council. The link below provides details of this: [CLIMATE CHANGE STRATEGY.pdf \(moderngov.co.uk\)](#)

The applicants will have to address the issues raised above within the submitted Planning/ Design and Access Statement

An **Ecological Report** will be required. The Ecology Team and Natural England have been consulted. The Ecology Team and Natural England have responded. Their comments are online, and they confirmed that the site is not within any protected designation.

Whilst the Screening Opinion Request notes that an assessment of heritage assets will need to be undertaken as part of the application, it should be noted that the proposed development area contains potentially significant archaeological remains.

Any required archaeological evaluation could be conditioned; but only if necessary, following the completion of the archaeological desk study

As part of the desk-based assessment, it is recommended that the cropmarks be digitally rectified as part of this process. Also, there should also be an assessment of the proposed construction technique to be used for the solar farm and how much ground disturbance is proposed. The retention of all cables above ground can significantly reduce the heritage impact on below ground deposits for instance.

Whilst Uttlesford DC note your identification of Heritage Assets, as the site lies near heritage assets, the site has been subject to Screening Opinions and archaeological finds as indicated. Essex County Council Place Services Heritage have responded to the Uttlesford DC consultation request on the 14th September 2021

The Local Planning Authority note that you will be submitting a Heritage Assessment, which should include reference to Built Heritage Assets and Archaeology.

The site is located adjacent to an accessible village at Takeley. However, the proposed scheme has the potential for the creation of additional traffic within the

locality due to the construction of the solar panel farm and associated works.

A Construction Traffic Management Plan (CTMP) – to be agreed with ECC Highways, shall be submitted with any application.

Due to the scale of the proposed development, there would no need for the submission of an **Air Quality Assessment**, both in terms of construction works and daily vehicle movement resulting from this development and the fact that the site is not within an AQMA.

The Uttlesford DC Environment Health Team have commented that the proposal should including lighting and construction management plan in any application. This would not necessarily mean that an Environmental Impact Assessment is required.

With regards to any visual impact because of the development a **Design and Access Statement** and **Visual Landscape Assessment** would need to be submitted as part of any application submitted and is an aspect that would be assessed as part of any application determination.

The proposal is in an open area and planting for the site will be critical for the site in long term. The issue of legacy planting will require long term views of providing planting for the term of the project; this can be included with landscaping proposals in support of the application.

Waste Management in terms of methods of reducing, re-using and recycling waste in accordance with national legislation should be included within a CEMP – likely to be conditioned, together with a Statement within the submitted within the submitted Planning/ Design and Access Statement will deal with Sustainability in line with emerging Interim Council Policy and national legislation.

A **Flood Risk Assessment** is required as part of the planning submission due to the size of the site area. It would need to be demonstrated that the proposed scheme would create a neutral affect or betterment and that it would not increase the risk of flooding to other areas, which could also be achieved through proposed mitigation measures.

Due to the agricultural use of the site, there is the potential for contamination on the subject site. An investigation of the site has been undertaken and submitted as part of **Phase 1 Desktop Study**.

The proposed development falls within building height restrictions, however relevant airport authority bodies may need to be consulted of any landscaping scheme to not impact upon airstrikes.

Historical impact, ecology, nature conservation, noise, traffic, sustainable drainage including flooding and sustainable construction, would need to be assessed and monitored during assessing the application and possibly during the duration of the works should planning permission be granted. There are several points which could be suitably addressed through the imposition of conditions should planning permission be granted in the future.

The **Historic Environment Record** indicates that the proposed development lies within a sensitive area of heritage assets. A Heritage Statement has not been supplied. The County Council Archaeology have commented that the area is subject to Historical Archaeological remains. A desk-based study should be submitted as part of the planning application. The details should include construction techniques to be used for the development.

The subject area does not fall within an environmentally sensitive area as outlined in Regulations and supporting guidance. The proposed development is not one with complex and potentially hazardous effects and hence is not considered that it would not have complex, long term or irreversible impacts as outlined in Regulations and supporting guidance for the reasons discussed above.

The potential impact of the development has been considered taking into account of planning policy requirements, which would mitigate the environmental impact. After considering the above factors it is the Council's opinion that the development **does not** require an EIA provided the measures listed above are undertaken during the designing and construction of the proposed scheme.

The Local Planning Authority has considered the 'selection criteria' in Schedule 3 of the Regulations and has concluded that the proposal **would not be likely to have a significant effect on the environment both in isolation and cumulative combination of other committee development.**

The above report supersedes the previous one issued. It should be noted that this does not alter the outcome in the fact the EIA is not required for this development but provides clarity and clears up confusion.

Signed: William Allwood

Dated: 02 February 2022