

UTTLESFORD DISTRICT COUNCIL

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W8 7LP

14th October 2021

Our ref: UTT/21/2158/SCO

Please ask for Mr Lindsay Trevillian [REDACTED]
[REDACTED]

Dear Madam,

TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017.

PROPOSAL: Request for a Screening Opinion in relation to a proposed solar energy scheme

SITE: Land Adj. Pelham Substation, Park Green Lane, Berden.

I write further to the request for a screening opinion in respect of a development proposal on the above site. The site comprises around 67ha of agricultural land. The proposal relates to the erection of a solar farm along with upgraded access and landscaping. This letter provides a screening opinion for the above proposal under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) under Regulation 6 of the stated Regulations.

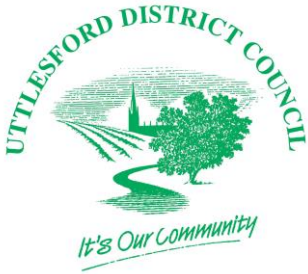
The 2017 Regulations provides guidance in regard to procedures which are required in establishing whether an EIA is required. This guidance requires the Local Planning Authority (LPA) to consider whether the proposed development is described in Schedule 1 or 2 of the Regulations.

Schedule 1 identifies 20 different categories of development of which none relate to the proposed development in the LPA's opinion.

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 or not the proposal is likely to give rise to 'significant effects' on the environment by virtue of its nature, size or location.



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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.

Characteristics of development

The site consists of approximately 67ha of grade 2 agricultural land. At the present time, only an indicative plan of the proposal's layout has been provided and there are no details of drawings referring the scale or design other than descriptions of the proposed equipment contained within the supporting letter.

A project of this scale would require the use of natural resources, most notably the use of Grade 2 agricultural land and an application of this proposal is of such a scale that Natural England would be consulted on the loss of best and most versatile agricultural land, and the impacts of the proposal on the landscape, geodiversity and biodiversity receptors.

Soil surveys should be commissioned to assess the grading of the land. The results should be presented in a report that will accompany any future planning application. However, due to the large amount of BMV land within the authority and clear unprecedented need to rapidly increase the amount of renewable energy schemes, this helps to provide weight in support of the proposals.

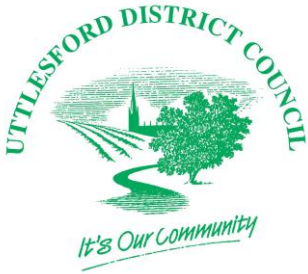
The location of the site and the current use of the land the proposals are likely to result in less than significant impacts in respect of biodiversity. However, it is noted that mature hedgerows and trees are positioned centrally within and along the boundaries of the site. The hedgerows bordering the arable fields are likely to meet the criteria for priority habitat.

The site is located 4.8km to the west of Quendon Wood (SSSI) and 2.5km to the north of Hill Collins Pit (SSSI) and 3.2km to the north of Patmore Heath (SSSI). Impacts on these sites should be avoided and biodiversity including any species it supports e.g., bats, reptiles, should be conserved and enhanced where possible.

In Highways and Transportation terms, the application needs to be supported by a Transport Statement (TS); further, Essex County Council as Local Highway Authority recommend early pre-application consultation with them, in order to scope out the TS. Furthermore, any future planning application should be accompanied by a Construction Traffic Management Plan.

In terms of cumulative developments, this proposal would need to be considered in relation to similar applications that are currently being assessed for solar farms by the Local Planning Authority. These include application UTT/21/0688/FUL- Land At, Cole End Farm Lane, Wimbish and application UTT/21/2846/FUL- Chesterford Park, Little Chesterford, Essex.

In addition, landscape character assessments will also need to consider the existing the wider landscape impacts of the proposals and particularly for users of the public rights of way networks, both within and surrounding the footpath network.



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The production of waste is unlikely to be significant. Noise, dust and vibration nuisances are highly probable during the construction phase. Some of the impacts can be mitigated by way of a Construction Environmental Management Plan, although this hasn't been stated in the Screening Opinion. Noise would be generated as part of the construction phase, but this is unlikely to be significant.

The risks of accidents should be low given the nature of the development. 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 considered to be 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.

Location of development

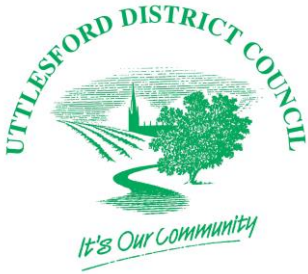
The site consists of approximately 67 hectares of grade 2 agricultural land, which provides habitat for certain species of birds.

As identified above, the site is in reasonable proximity to a number of SSSI's and residential properties. The impacts of the proposals on these landscape elements will need to be considered as part of the application process, although they are not envisaged to be significant. However, careful consideration of the layout and ensuring appropriate buffer zones to the most sensitive areas are likely to mitigate any potential impacts. These are appropriate mitigation measures for these types of impacts.

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.

Initially a desk-based assessment will be required and, depending on its results, there is the potential that a programme of archaeological ground truthing evaluation will be needed to assess the significance of any heritage assets on the site to inform the planning application. 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. I refer to the response to the Screening Request from Essex County Council as the specialist archaeological advice dated 12th July 2021, which is appendix to this letter.

Whilst Uttlesford DC note your identification of Heritage Assets within the submitted Screening Request, Historic England have confirmed that the development has the potential to impact both designated and non-designated heritage assets and it is noted that the development is potentially within the setting of four schedule monuments and 55 listed buildings within 2km from the centre of the site. The impact of the proposal development on the setting and significance of the designated heritage assets will require a robust assessment. A detailed heritage impact assessment will be required to support the



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application. I refer to the response to the Screening Request from Historic England dated 9th July 2021, which is appendix to this letter.

In any event, I note that you will be submitting a Heritage Assessment, which should include reference to built Heritage Assets and Archaeology.

Types and characteristics of the potential impact

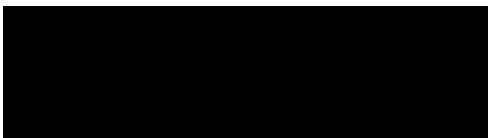
The impacts are predicted to be localised, although cumulative visual impacts could arise from various vantage points within the landscape, in particular from the public rights of way. If the development is granted planning permission the impacts would be semi-permanent (40 years) and highly likely to take place. The most significant impacts are likely to be visual but not significant in terms of EIA impacts. No transboundary effects are envisaged.

Conclusion

Given the location of the proposals and taking into consideration the potential of cumulative impacts arising, it is considered that the proposals would not give rise to significant adverse effects. Therefore, an Environmental Impact Assessment is not required to be submitted with the application. This Screening Opinion is given on the basis of the documents listed in the Screening Opinion request being submitted with the application. A Transport Statement, together with a Construction Environmental Management Plan, Heritage Statement, Flood Risk Assessment, shall be submitted alongside the Technical Assessments you identify within the Scoping Request.

In addition, you should ensure that you submit the documents required to be submitted in line with the Uttlesford District Council's Validation Checklists.

Yours sincerely



Tracy Colemon
Director of Public Services