



EAST CAMBRIDGESHIRE DISTRICT COUNCIL

Screening Opinion under Regulation 5 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011

Reference: 13/01160/SCREEN

Address: Land parcels north of New Gant Farm, Little Fen Drove, Reach

Proposal: Installation of 45MW Solar Park

1	Is the proposal a Schedule 1 Project?	NO <input checked="" type="checkbox"/>	Go to question 2	YES <input type="checkbox"/>	EIA will be required.
2	Is the application listed in Schedule 2 of the EIA Regs 2011?	NO <input type="checkbox"/>	EIA <u>not</u> required	YES <input checked="" type="checkbox"/>	Which part? <i>3(a) Industrial installations for the production of electricity, steam and hot water</i> <i>1(a) Projects for the use of uncultivated land or semi-natural areas for intensive agricultural purposes</i> Go to question 3
3	Is the proposal in a sensitive area as defined in the EIA Regs 2011?	NO <input type="checkbox"/>	Go to question 4	YES <input checked="" type="checkbox"/>	<i>within the 2km consultation buffer of SSI</i> <i>Continue Screening Opinion</i>
4	Does it exceed the threshold and criteria in Schedule 2?	NO <input type="checkbox"/>	EIA <u>not</u> required	YES <input checked="" type="checkbox"/>	<i>Continue Screening Opinion</i>

Given the broad nature of descriptions of development contained within Schedule 2 of the Regulations, there may often be a considerable legitimate disagreement involved in applying them to a particular project. It is accepted that the EIA Directive, in its application, is to be interpreted as having 'a wide scope and broad purpose' (Kraaijveld (Dutch Dykes) Case C-72/95). This clearly has implications for local planning authorities' screening, as the fact that a particular type of development is not listed specifically within one of the categories does not imply that it is not caught.

Large Scale Solar PV arrays are not expressly listed in Schedule 2 to the EIA Regulations 2011, although 3(a) lists Industrial Installations for the production of electricity. However, the proposed development cannot easily be described as 'industrial' in nature, and in many respects the impacts are more akin to large scale green houses, which would fall within 1(a), described in paragraph A2 of

Annex A to the EIA Circular 02/99. For the purposes of this screening, this section of the guidance in the Circular has also been referred to.

**Selection Criteria for Screening Schedule 2 Development as set out in
Schedule 3 of the 2011 Regulations.**

1. Characteristics of the Development

The characteristics of the development must be considered having regard, in particular to the following:

Size:

Does the proposal exceed the indicative sizes given in Annexe A of Circular 02/99? YES NO

The Circular states that EIA will normally be required for power stations which require approval from the Secretary of State at the Department of Trade and Industry (ie those with a thermal output of more than 50 MW). There is no specific guidance in relation to solar farms, however it states that for stations using novel forms of generation, the main considerations are likely to be the level of emissions to air, arrangements for the transport of fuel and any visual impact.

The indicative size given to intensive forms of agriculture, which would include glasshouses, is five hectares. The proposed development is well in excess of that figure at over 100 hectares.

Cumulative Impacts:

Will the proposal be undertaken in conjunction with other development? YES NO

Use of Natural Resources:

Will any natural resources be lost? (If no proceed to Production of Waste) YES NO

Temporary loss of full potential of agricultural land

Will their loss be significant?

Unlikely to be significant in terms of EIA but would be a relevant consideration.

Production of Waste:

Will the proposal generate waste (if no proceed to Pollution and Nuisances) YES NO

General site waste associated with construction phase. Unlikely to be significant.

Pollution and Nuisances:

Will the proposal cause any pollution/nuisance (If no proceed to accidents) YES NO

Will it be short term (during construction)? YES NO

Primarily noise, emissions, dust etc associated with construction and decommissioning. Much of this would relate to the traffic generated. Also there would be an associated temporary impact on local highway network. This could be significant.

Will it be longer term?

YES NO

Potential for some noise, although this is unlikely to be significant.

Accidents:

A higher than average risk of accidents during construction?

YES NO

A higher than average risk of accidents during operation?

YES NO

2. Location of Development

The environmental sensitivity of geographical areas likely to be affected by development must be considered, having regard, in particular, to the following:

What is the existing land use?

Undeveloped agricultural land.

Is the Site in a 'Sensitive Area' as defined in the Regulation?

YES NO

The site falls within the 2km consultation zone of Wicken Fen Site of Special Scientific Interest, RAMSAR and National Nature Reserve. The site also falls within 2km of Devil's Dyke SSS and Special Area of Conservation.

Is the site sensitive in another way?

(contaminated, densely populated, archaeology, landscape etc)

If yes give details?

YES NO

- *Open, undeveloped landscape.*
- *Small local roads and byways.*
- *Unknown potential to support protected species*
- *Environment Agency Flood Zone 3*
- *Proximity to Internal Drainage Board's Main Drains*
- *Proximity to heritage assets Devils Dyke SAM*

3. Characteristics of the Potential Impact:

Use the table below to assess whether there are likely to be any effects on the environment due to the listed characteristics of the development or because of the location of the development. Add more rows if necessary.

YES An effect is likely

NO An effect is not expected

? It is uncertain whether an effect will occur or not

Characteristic of the Location	Is there likely to be an effect on the environment?
Undeveloped agricultural land in open flat landscape	Yes – visual impact ? – Impact on protected species

Proximity to designated sites	No – Natural England do not consider the site to be in close proximity to any designated sites.
Proximity to heritage assets	?- Dependant on fixing methods used and the nature of the fenland soils in this area.
Flood zone 3 and proximity to Main Drains	? - Potential to change the drainage regime on the site which could have implications in terms of the risk of flooding on and off site.
Small local roads and Byways	? – possible highways impacts during construction and decommissioning

Characteristic of the Development	Is there likely to be an effect on the environment?
13,000 panels with a generating capacity of 45MW. Covering approximately 30% of a 104 hectare site	Yes – Visual, drainage and surface water run off
Intensive construction and decommissioning phases	Yes – impact on local highways network and impacts from noise and emissions

13,000 panels with a generating capacity of 45MW on 100 hectares of undeveloped agricultural land in open flat landscape

There has been a recent increase in the number of approved solar farm developments in the District. However, there are no developments of this scale. Similar looking developments such as large glasshouses or polytunnels on this scale are also rare in the district. The proposed development and the associated visual impact would therefore be unusual.

The degree of change from the existing would be significant and visually different to the surrounding environment. The development would extend across three separate parcels of land and as such the scale of the proposal would appear much greater than when the panels are contained in a single field.

Taking into account the surrounding area, the geographical extent of the impact could be extensive. Landscaping would mitigate this, but this cannot be taken into account when determining whether the impacts are such that EIA is required.

It is likely that the impact would occur and it would be continuous while the development remained in situ. It would however be reversible if the panels were removed.

The scale of partial loss of arable land on this scale is unusual. The degree of change would be considerable and would be limited to the development area. However, arable land is not a scarce resource in this District and due to the nature of the development the impact would be reversible.

Proximity to designated sites

The nature of the potential effect on species using the site directly or indirectly cannot be known without survey information. However, due to the nature of the current use of the land a significant effect is unlikely. Natural England has not highlighted the affect on adjacent wildlife sites and the nearby SSSI as a concern. Given the nature of the proposed development, it is unlikely that a significant effect would occur.

Flood zone 3 and proximity to Main Drains

There is no residual capacity to accept surface water run-off from the site. As such there is the potential for any development to have a significant effect on drainage and flood risk in the immediate and surrounding area.

Intensive construction and decommissioning phases with small local roads and Byways

The nature of the effect would be fairly untypical of development in open space/countryside in this particular location, due to the size of the development and the number of delivery/construction vehicles that would be involved. Without detailed information it is not possible to fully anticipate the scale of the impact or its geographical extent. However, given that the impact would occur during construction and decommissioning phases, which would be relatively short in duration, it is unlikely that the effect on the wider environment would be significant.

Proximity to heritage Assets

There are a number of designated heritage assets in the area and records indicate that a pre-historic settlement occurs in and around the three parcels of land. The nature of the effect on heritage assets is unknown without further information on the soils, but the type of impact in itself would not be unusual, although the scale would. The effect could occur on site and beyond the site in terms of the setting and views from designated heritage assets. Valuable and scarce resources could be lost but the significant of the effect is unknown without further work.

Conclusion:

Is an Environmental Statement required?

YES NO

Further comments:

It is considered that the proposal will have significant effects on the environment for the following reasons:

The scale and nature of the development, combined with the character of the surrounding area would be likely to give rise to significant visual effects on the landscape. It is also not possible to rule out significant effects on the historic environment, local highways network and drainage regime, by virtue of the size and location of the development.

Officer:
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