

TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) (ENGLAND & WALES) REGULATIONS 2017 (“the Regulations”)

SCREENING OPINION (19/SCR/00016)

Proposal: Request for screening opinion for a proposed solar installation

Planning application number: No application submitted at the time of this screening request.

Site: Land At Cotmoor Lane, Southwell, Nottinghamshire

A. Is the development listed in Schedule 1 of the Regulations?

No – the proposal does not fall under Schedule 1 of the Regulations.

B. Is the development listed in Schedule 2 of the Regulations? If so, which description in column 1 of the table in paragraph 1 of Schedule 2 of the Regulations applies?

The development is considered to fall within Schedule 2 Class 3a Industrial installations for the production of electricity where the area of new development exceeds 0.5 Ha.

C. Is the development in a ‘sensitive area’ as defined in Regulation 2?

The site is not located within any of the following:

- Sites of Special Scientific Interest and European sites;
- National Parks, the Broads and Areas of Outstanding Natural Beauty; and
- World Heritage Sites and scheduled monuments.

The site is not situated within a ‘sensitive area’ as defined in Regulation 2 and any potential impacts on nearby sensitive areas can be assessed through the usual methodologies including consultation with relevant consultees for ecological and heritage matters.

D. Does the development meet any of the relevant thresholds and criteria in Schedule 2 of the Regulations?

Yes, the site comprises approximately c.92.6 Ha of agricultural land, located in the rural area between the settlements of Halloughton and Southwell.

The indicative criteria and threshold for applications state that ‘industrial installations for the production of electricity...’ where the area of the development exceeds 0.5 hectare. These figures are indicative only and are intended to help determine whether significant effects are likely. However, when considering the thresholds, it is important to also consider the location of the proposed development.

In this case, it is anticipated that the delivery capacity of the solar farm would be up to 49.9MW. The Regulations are clear to emphasise that projects which qualify to be within the list in Schedule 2 require EIA only where they are likely to have significant environmental effects by reason of their nature, size and location. The key test in this regard is not only about the size of the development but more fundamentally, the significance of the impacts of the proposal on the environment.

- E. Taking into account the selection criteria in Schedule 3 of the Regulations as are relevant to the development, is this 'Schedule 2 development' likely to have significant effects on the environment?**

The selection criteria in Schedule 3 of the regulations and the Council's comments on those criteria are set out below:

1. Characteristics of Development

(a) the size and design of the development;

The land take of the development is substantial at approximately 92.6ha. The maximum height of the panels would be 3 m with associated infrastructure in the form of transformer and inverter stations, battery storage containers with associated equipment, boundary fencing, CCTV system, access tracks, storage containers, communications and monitoring equipment. A high security deer fence would be installed to restrict access to the solar arrays. The sheer scale of the land take could result in the solar farm being a prominent feature of the landscape.

(b) the cumulation with other development;

There is no planning history relevant to the site.

(c) the use of natural resources;

The solar panels would convert sunlight to energy, therefore not resulting in the depletion of this natural resource. I am aware that the use of the fields for grazing would continue albeit the building operations would occupy some of the site.

(d) the production of waste;

There is no anticipated production of waste associated with the development proposal. Solar panels are usually designed to last for a lifespan of 30 years during which time there are no anticipated waste by-products arising from their usage. The panels are usually recyclable.

(e) pollution and nuisances;

The site is not considered to generate pollutants or nuisance over and above that usually associated with a development of this scale and size (NB the majority of traffic generation associated with the development would be short term during the construction phase).

(f) the risk of accidents and/or disasters relevant to the development concerned, including those caused by climate change;

The solar farm would not generate any harmful substances and consequently the risk of accidents could only arise through the installation process or malfunction of the sub-station equipment on site which would be negligible risk. The materials used in the array's construction are specifically designed to absorb light rather than reflect it - evidence of this would form part of the LVIA for any planning application.

(g) the risks to human health;

The proposed development is not considered to generate risk to human health.

2. Location of development

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

(a) the existing and approved land use;

The existing land use is for agriculture and neither defined as sensitive within the Regulations nor sensitive in any other way.

(b) the relative abundance, availability, quality and regenerative capacity of natural resources in the area and its underground;

The proposal would only use solar energy, where the abundance and quality of this natural resource is well established.

Is this agricultural land

(c) the absorption capacity of the natural environment, paying particular attention to the following areas—

(i) wetlands; Not relevant

(ii) coastal zones; Not relevant

(iii) mountain and forest areas; Not relevant

(iv) nature reserves and parks; Not relevant

(v) European sites and other areas classified or protected under national legislation;

The nearest SSSI is Newhall Reservoir Meadow located c. 1.8 km to the north-west. The site is located immediately adjacent/close to a number of local wildlife sites including 'Westhorpe Dumble 2/524 – a characteristic dumble'. A number of other LWS's surround the application site such as: Westhorpe Dumble Head Drain – 2/724 'An unlikely association of uncommon grassland species on the banks of a

drain', Radley House Scrub – 5/3390 'woodland', Cotmoor Lane – 2/719 'Broad wooded trackside verges', and Cotmoor Plantation – 2/723 ' A damp deciduous woodland with a diverse flora'.

In making this opinion, I have had regard to a Secretary of State Screening Direction under the Town & Country Planning (EIA) Regulations 2017 in relation to a similar screening opinion also located within the buffer zone (ref: 18/SCR/00019) which deemed a proposed solar farm not to be EIA development. Having regard to this decision, and the similarities with the current scheme (even though it is located closer to an SSSI), I consider the same view should apply to this case. There are accepted methodologies in terms of the submission of ecology surveys which could be considered during the planning application stage to deal with any potential impact of the proposed development upon these protected sites.

(vi) areas in which there has already been a failure to meet the environmental quality standards, laid down in Union legislation and relevant to the project, or in which it is considered that there is such a failure; Not relevant

(vii) densely populated areas; The site is located in an open countryside location near to the settlements of Halloughton and Southwell.

(viii) landscapes of historical, cultural or archaeological significance.

In relation to landscape impacts, the proposed site is within the the Mid Nottinghamshire Farmlands Landscape Character Area in the Newark and Sherwood Landscape Character Assessment (2010). The site falls within Halam Village Farmlands with Ancient Woodlands (MN PZ 37) which is described as gently undulating and rounded, resulting in views being medium to long distance throughout most of the area with frequent wooded skylines. The landscape sensitivity is defined as high and condition is defined as very good.

Conservation Areas are located in nearby Halloughton and Southwell. There are a number of designated heritage assets within 1km of the site; the easternmost field within the site lies within the Halloughton Conservation Area boundary. The northernmost portion of the site also lies c.0.9km from the boundary of Southwell CA. With regard to other nearby historic designations there are a number of Grade II and II* listed buildings within Halloughton and Southwell along with the internationally significant Grade I listed Southwell Minster Church. An area of ancient woodland also lies to the south-west 'Halloughton Wood'.

Having regard to a recent Secretary of State Screening Direction under the Town & Country Planning (EIA) Regulations 2017 in relation to a similar screening opinion located close to Bilsthorpe (ref: 18/SCR/00019) I do not consider that the proposal would affect the designated features of any landscapes and sites of historical, cultural or archaeological significance to the extent that a significant environmental effect is likely.

3. Types and Characteristics of the potential impact

The likely significant effects of the development on the environment must be considered in relation to criteria set out in paragraphs 1 and 2 above, with regard to the impact of the development on the factors specified in regulation 4(2), taking into account—

(a) the magnitude and spatial extent of the impact (for example geographical area and size of the population likely to be affected);

A Solar Farm occupying a land take of 92.6ha is considered to represent a significant area of land currently used for agricultural purposes.

(b) the nature of the impact;

Impact characteristics need be considered for each of the three phases; construction, operation and decommissioning. The potential for visual impact from the development during the construction and decommissioning phases is limited. The main impacts of the proposal would result during the operational phase. These would include ecological and visual impacts.

(c) the transboundary nature of the impact; I do not consider that the transfrontier nature of the impact would be significant.

(d) the intensity and complexity of the impact; as a type of development that is now relatively common, the potential impacts are limited and well established as are the accepted methodologies of assessing them.

(e) the probability of the impact; In this instance, the fact that solar farm would occupy a fixed position and only operate within the parameters defined by this means that the probability of the impacts are well defined.

(f) the expected onset, duration, frequency and reversibility of the impact; It is within the control of the LPA, and indeed accepted practice, to grant planning permission for such developments for a fixed period, usually up to 25 years. The solar farm is intended to operate continuously when able to harvest energy from the sun (daylight hours) within that time and any impacts are totally reversible by the cessation of the use and the removal of the structures at the end of the period. The potential of the impact is therefore well defined.

(g) the cumulation of the impact with the impact of other existing and/or approved development; See 1b above.

(h) the possibility of effectively reducing the impact: Mitigation measures including additional landscape screening could be considered during the planning application stage. The Local Planning Authority has considered the potential significant impacts of development in relation to the criteria set out above having regard to the extent of the impact (geographical area and size of the affected population), transfrontier nature of the impact, magnitude and complexity of the impact; probability of the impact and duration, frequency and reversibility of the impact. Overall, it is concluded that the effects would not be so significant that they would be of more than local importance.

Conclusion:

On the basis of the submitted information the proposal constitutes a Schedule development Class 3a 'Industrial installations for the production of electricity' of the EIA Regulations. Having reviewed the nature and magnitude of likely impacts upon the environment, it is considered that the development, comprising a solar farm capable of generating up to a 49.9MW on up to 92.6Ha would be unlikely to have significant effect on the environment. As such, an Environmental Impact Assessment is not required.

Officer: Honor Whitfield

Date: 27 August 2019

Signed by:

A handwritten signature in black ink that reads "Bev Pearson". The signature is written in a cursive style and is contained within a light grey rectangular box.

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Matt Lamb

Business Manager – Growth and Regeneration