

REQUEST FOR A SCREENING OPINION

SHEEPWASH SOLAR ENERGY FARM: LAND AT ECKLEY FARMS, TN12 9PB TQ 72581 44489

1.0 INTRODUCTION

- 1.1 This Screening Report has been prepared for Statkraft to formally request a Screening Opinion from Maidstone District Council (the Local Planning Authority ["LPA"]) as to whether or not the development described in this Report is considered to be Environmental Impact Assessment ("EIA") development, requiring the submission of an Environmental Statement ("ES") with any planning application.
- 1.2 The proposed development is for a solar energy farm with a site area of approximately 78 hectares which would generate and store up to 60 megawatt ("MW") of renewable energy to be exported to the Grid.
- 1.3 Regulation 5(2) of the EIA Regulations states that a request for a Screening Opinion should be accompanied by:
- A plan sufficient to identify land;
 - A brief description of the nature and purpose of the development and its possible effects on the environment; and
 - Such information or representations that the person making the request may wish to provide or make.
- 1.4 This Screening Report has been prepared to provide a sufficient level of information to enable the LPA to issue a Screening Opinion. Regulation 5(5) of the EIA Regulations require that a Screening Opinion is issued within 3 weeks of the receipt by the LPA of the request for a Screening Opinion.
- 1.5 With reference to sections 14(1) and 15(2) of the Planning Act 2008, the proposed development is not considered to be a 'Nationally Significant Infrastructure Project' ("NSIP") that requires a Development Consent Order ("DCO") as the capacity of the solar farm does not exceed the 50MW threshold.
- 1.6 The site location is shown on the location plan that accompanies this request together with a plan of the provisional layout.
- 1.9 In considering whether the proposed solar farm is EIA development, it is important to be aware of the following:
- a) Solar energy farms do not represent Schedule 1 development where an EIA is a mandatory requirement.
 - b) Solar energy farms are not specifically identified as Schedule 2 development within the EIA Regulations, although they could potentially be considered to fall under Category 3 Energy industry, (a) Industrial installations for the production of electricity, steam and hot water; where the area of development exceeds 0.5 hectare. However, Schedule 2 development will only require EIA if it is likely to have significant environmental effects by virtue of factors such as size, nature or location.

- c) Solar energy farms do not result in significant environmental effects and at the end of the operational life of the installation, the land can be returned to agricultural use. The installation of the equipment for the solar energy farm does not involve significant ground works and the scale and height of the equipment is such that it can be screened from the surrounding area by existing hedgerows and landscape features. Solar energy farms are passive in operation, which distinguishes them from active and noise generating renewable energy developments such as wind turbines. Any limited environmental effects (e.g. traffic movements) are largely confined to the construction phase, which is typically for a short duration.
- d) The site has been selected on the basis that it is considered to be of relatively low environmental sensitivity and has the potential to be well screened from the surrounding area.
- e) A proportion of the site is located within flood risk zone 3, defined as land with a greater than 1 in 100 year probability of fluvial flooding. Therefore a sequential approach to site layout will be adopted whereby the most vulnerable elements of the proposal are located within lower flood risk areas of the site.
- f) The site has the potential for biodiversity gains. This will be key component of the ecological and landscape assessments.

2.0 SITE DESCRIPTION

- 2.1 The site is situated between Claygate and Marden on land at Eckley Farms.
- 2.2 Claygate is approximately 0.75km to the west of the site and Marden is approximately 1km to the east.
- 2.3 The site is currently used for agricultural purposes.
- 2.4 The site is relatively flat and is surrounded by agricultural fields to the west and east, the railway line to the north and Sheephurst Lane to the south. To the south is Grade II listed Little Cheveney Farm
- 2.5 There are areas of established woodlands within and adjacent to the site and hedgerows and an ancient woodland to the west.
- 2.6 To the east and south of the site are large areas of land that are safeguarded for mineral extraction by Kent County Council.

3.0 PLANNING DESIGNATIONS

- 3.1 The adopted Policies Map 2017 relating to Maidstone Borough Council show that the site is situated within the countryside.

4.0 THE PROPOSED DEVELOPMENT

- 4.1 The solar energy farm will consist of a series of south-facing rows of solar arrays arranged across the site on an east/west axis. This positioning ensures optimal use of solar irradiation. Each solar array will comprise of a series of short narrow aluminium posts, supporting dark blue coloured PV modules.
- 4.2 The distance between each row of solar array is usually 6-8 metres, with approximately 25% of the total site area covered by the arrays. The panel structures will generally be 3 metres in height by 6 metres in depth (although in instances of uneven topography, these could reach a maximum height of 3.5 metres). The arrays will be installed in one construction phase.
- 4.3 The solar energy farm will also include the following electrical components:
- 33kV and 132kV cables;
 - Inverters;
 - Transformers
 - Sub station;
 - Switch room;
 - Disconnectors;
 - Energy storage containers
- 4.4 Security measures include the installation of a wire-mesh perimeter fencing designed to allow small animals to pass through the site. The electrical equipment will be located in a compound which will have additional secure fencing due to the nature of the equipment it contains.
- 4.5 The site will have no external artificial lighting but it will have infrared security detection cameras pointing directly within the site.
- 4.6 The solar energy farm will be connected to the high voltage overhead line on the site.
- 4.7 It is estimated that the solar energy farm will be able to generate up to 60MW of electricity per annum.

5.0 ASSESSMENT OF POTENTIAL ENVIRONMENTAL EFFECTS

5.1 OVERVIEW

- 5.1.1 Solar energy farms are not specifically identified within Schedule 2 of the EIA Regulations, although the proposed development could potentially be considered to fall under Category 3 Energy industry, (a) Industrial Installations for the production of electricity, steam and hot water, where the area of development exceeds 0.5 hectare. Schedule 2 development will only require EIA if it is likely to have significant effects upon the environment by virtue of factors such as its size, nature or location.
- 5.1.2 Schedule 3 identifies three broad criteria that should be considered in establishing whether EIA is required for Schedule 2 development. These include the characteristics of the development, the environmental sensitivity of the location and the characteristics of the potential impact.
- 5.1.3 The Secretary of State's view is that, in general, EIA will only be needed for Schedule 2 development in three main types of cases: a) for major development that are of more than local importance; b) for developments that are proposed within a particularly environmentally sensitive or vulnerable locations; and c) for developments with unusually complex and potentially hazardous environmental effects.
- 5.1.4 Circular 02/99 provides guidance in relation to the need for EIA for Schedule 2 development. Paragraph 34 states: "The number of cases of such development will be a very small proportion of the total number of Schedule 2 developments. It is emphasised that the basic test of the need for EIA in a particular case is the likelihood of significant effects on the environment".
- 5.1.5 Paragraph 43 stresses the importance of the location of Schedule 2 development in determining whether significant effects on the environment are likely. It goes on to state that the question must be considered on a case-by-case basis.
- 5.1.6 Paragraph 44 of the Circular also cautions that Schedule 2 developments that exceed the thresholds in the Regulations and Circular will not, in every case, require EIA. The fundamental test to be applied in each case is whether that particular type of development is likely, in that particular location, to result in significant effects on the environment.
- 5.1.7 An assessment as to whether the proposed development will require EIA is set out below.

6.2 ENVIRONMENTALLY SENSITIVE AREAS

- 6.2.1 The site does not lie within any particular environmentally sensitive areas, for example, international or national designations such as AONBs, SSSIs etc.
- 6.2.2 It is considered that the site and the passive nature of the proposed development is of relatively low environmental sensitivity and that this element should not warrant an EIA.

6.4 RENEWABLE AND LOW CARBON ENERGY SCHEMES

6.4.1 Policy DM24 Renewable and low carbon energy schemes states that larger scale renewable or low carbon energy projects will be required to demonstrate that the following have been taken into account in the design and development of the proposals:

- Cumulative impact in the local area;
- Landscape and visual impact;
- Impact on heritage assets and their settings;
- Impact on amenity of local residents;
- Impact on the local transport network;
- Impact on ecology and biodiversity;

6.4.2 The policy goes on to state that preference will be given to land in commercial or industrial use, previously developed land or agricultural land that is not classified as the best and most versatile. Provision for the return of the land to its previous use must be made when the installation ceases operation.

6.4.3 Other policies relevant to the proposal are:

- SP17 The countryside
- DM1 Principles of good design DM3 Natural environment
- DM4 Development affecting designated and non-designated heritage assets
- DM7 Non-conforming uses
- DM8 External lighting

6.5 AGRICULTURAL LAND QUALITY

6.5.1 The site falls under various Agricultural Land Classifications (“ALC”) Grade 3.

6.5.2 The development proposal is not considered to lead to the ‘irreversible’ loss of agricultural land as it will be temporary in duration, after which the site will be fully decommissioned and returned to its previous agricultural use.

6.6 LANDSCAPE

6.6.1 The site is not subject to any nationally or locally important landscape designations and existing vegetation screens much of the site.

6.6.2 There are a number of Public Right of Ways (“PROWs”) along the boundaries of the site. Adequate screening will be planted where necessary based on the findings of the Landscape and Visual Impact Assessment [“LVIA”].

6.7 HISTORIC ENVIRONMENT

6.7.1 Whilst the site is situated within 0.75km of Grade II listed Little Cheveney Farm, it is considered that the existing established woodland and hedgerows provide an effective buffer between the site and the heritage assets. The Landscape and Visual Impact assessment will consider what measures can be implemented to mitigate any potential impacts on the setting of the listed building.

6.7.2 The site is not identified as having any archaeological significance.

6.7.3 The installation of the solar energy farm will involve only limited ground works with limited ground penetrating foundations confined only to the energy storage and electrical compound. It is not considered that there will be any impact upon archaeological assets.

6.8 **NOISE**

6.8.1 The proposed development will be passive in operation and therefore will not generate any operational noise, other than that associated with occasional visits to the site by maintenance/service vehicles. The noise associated with such activities will be negligible. There will be some limited noise associated with the construction phase. However, this will be for a limited duration.

6.9 **AIR EMISSIONS**

6.9.1 The proposed development will be passive in operation and therefore will not generate any emissions. Any emissions associated with the construction phase will relate to construction vehicles and will not be of a level to cause harm to the environment.

6.10 **WASTE**

6.10.1 The passive nature of the development will mean that there will be no significant amounts of waste generated during its operation. Due to the methods of standardised installation, limited waste will be generated during the construction phase. The appointed contractor would be required to produce and implement a Site Waste Management Plan. In addition, the solar modules are 95% recyclable and a recycling programme will be put in place to ensure appropriate disposal at point of decommissioning.

6.11 **FLOOD RISK / DRAINAGE**

6.11.1 With reference to the Flood Risk Map of the Environment Agency, the site is situated in Flood Zones 2 and 3.

6.11.2 Key infrastructure will be located where surface water flow is not obstructed and runoff is controlled.

6.11.3 A sequential approach will be taken with respect to the final site layout to ensure that key equipment is located with lower flood risk areas and where required sustainable surface water control systems will be implemented.

6.12 **TRAFFIC**

6.12.1 Any traffic associated with the operational site will be limited to occasional service/maintenance vehicles. Although there will be some traffic generation during the construction phase, this will be for a limited period.

6.12.2 In addition, due to the nature of the development once operational, there will be minimal on-site activity. It is anticipated that planned visits to the site will take place every 6 months for preventative maintenance activities and this will involve standard vehicles (car or transit van).

6.13 **BIODIVERSITY AND ECOLOGY**

- 6.13.1 It is expected that all existing trees and hedgerows on the site and any other ecological features will be retained, managed and maintained. Consideration will also be given to further tree and hedgerow planting and biodiversity enhancements to ensure that the natural environment and landscape are conserved and enhanced.

7.0 CONCLUSION

7.1 This section concludes the Screening Report with reference to the three key tests outlined by the Secretary of State, whereby in general, EIA will only be needed for Schedule 2 development in three main types of cases:

- a) For major development that are of more than local importance;
- b) For developments that are proposed within a particularly environmentally sensitive or vulnerable locations; and
- c) For developments with unusually complex and potentially hazardous environmental effects.

7.2 In relation to the above criterion (a), local importance is not explicitly defined in the EIA Regulations. However, it indicates that some major developments will have wide ranging environmental effects that are likely to extend beyond the local area and would warrant an EIA. In this case, it is considered the proposed solar PV farm would have a minor local effect on the appearance and character of the area. Other potential effects (ecology and socio-economic) would be predominantly local in nature and these are considered not to be significant in any case. The proposed development is unlikely to result in significant effects that are more than local importance and is unlikely to give rise to any form of environmental pollution, by virtue of light, noise or emissions.

7.3 In relation to criterion (b), the site is not within an environmentally sensitive or vulnerable location. Additionally the siting, scale and design of the solar PV farm means that it would not detract from the character of the surrounding local area. The land identified for the development was specifically selected due to its well contained nature, topography and surrounding vegetation. It will have no external impact on the views of the site or the wider landscape. Overall, it is considered that the solar PV farm will be compatible with the local area and is unlikely to give rise to significant adverse environmental impacts that constitute EIA development.

7.4 Paragraph 41 and 42 of Circular 02/99 address criterion (c). Paragraph 41 states that industrial development involving emissions which are potentially hazardous to humans and nature may fall into this category. Criterion (c) is not applicable in this case, as the proposed development is not considered to be unusually complex and will not result in potentially hazardous environmental effects.

7.5 In summary, the solar energy farm will be passive in operation.

7.6 The development site is not located in a particularly sensitive environmental area and it will not result in significant environmental effects.

7.7 The development will make a positive contribution towards reducing carbon emissions and will contribute to supporting the local community and economy.

7.8 The proposed development is not considered to be an EIA development.

PLANNING APPLICATION ACCOMPANYING REPORTS

Below is a list of the reports that will accompany the planning application.

Planning, Environment, Design and Access Statement

Landscape and Visual Impact Assessment including
photomontages, 3D visualisation and a Landscape Plan

Ecological Impact Assessment and Biodiversity Management

Agricultural Land Survey

Best and Most Versatile Agricultural Land and Sequential Test

Glint and Glare Study

Flood Risk Assessment and Sequential Analysis

Heritage Assessment

Construction Traffic Management Plan

Archaeological Written Scheme of Investigation

Grid Connection Feasibility

Land at Eckley Farms

