



Mr Richard Cooke
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Bridgeway House
Bridgeway
Stratford Upon Avon
CV37 6YX

Our Reference : 3/23/2349/SCREEN
Please ask for : David Lamb

Sent by email to:
richard.cooke@marrons.co.uk

16th January 2024
E Mail: david.lamb@eastherts.gov.uk

Dear Mr Cooke,

Town and Country Planning Act (Environmental Impact Assessment) Regulations (2017) -Screening Opinion for proposed development of Land West of Buntingford, South of the A507 Baldock Road for solar farm, commercial uses and greenspace.

I refer to the above request for a screening opinion received 5th December 2023.

The Local Planning Authority has considered your request in accordance with Regulation 6 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (the "2017 Regulations").

The Local Planning Authority has determined as follows:

- The proposed development does not fall within Schedule 1 of the Regulations.
- The proposed development falls within the thresholds for development outlined in category 3(a) (Industrial installations for the production of electricity, steam and hot water) and 10(b) Schedule 2 of the Regulations (Urban development projects).

The screening opinion has been undertaken in accordance with the selection criteria set out in Schedule 3 of the Regulations. The screening opinion has taken into consideration the information contained within the submitted Screening Opinion Request documents, and the Local Authority's knowledge of the site and the surrounding area.

Based on the information submitted and following a screening analysis (attached) it is considered that the project would not give rise to 'significant effects' on the wider environment, in EIA terms, owing to its scale, nature and location.

It is therefore the local planning authority's formal opinion that development of the form and scale as described in the correspondence from Marron's, and the masterplan by David Locke Associates acting on behalf of the site promoter, does not constitute EIA development and therefore it will not be necessary to submit an Environmental Statement with any subsequent potential planning application (should a development scheme be proposed of this type, scale and form).

For the avoidance of doubt this opinion should not be construed as the local planning authority's agreement with any statements relating to aspects of the proposal that would need to be assessed as part of any subsequent planning application. An assessment of any future planning application will be considered in the context of the Development Plan and any other material consideration. To date, the Local Planning Authority has not engaged in any pre-application discussions with the promoter or landowner for this site.

Yours sincerely



Karen Fossett
Service Manager (Development Management and Enforcement)

EIA Screening Opinion of East Herts District Council

EIA Screening Opinion for proposed development of a solar farm, commercial uses and greenspace at Land West of Buntingford, South of the A507 Baldock Road.

The application is not a Schedule 1 development.

The proposed development falls within the thresholds for development outlined in category 3(a) (Industrial installations for the production of electricity, steam and hot water) and 10(b) Schedule 2 of the Regulations (Urban development projects). An assessment of whether the development is likely to have significant effects on the environment must be undertaken.

Schedule 3 of the EIA Regulations outlines a selection of criteria for screening, Schedule 2 Development:

1. Characteristics of development
2. Location of development
3. Types and Characteristics of the potential impact

a) Characteristics of the proposed development

1. The characteristics of development must be considered with particular regard to:
 - a) the size and design of the whole development;
 - b) cumulation with other existing development and/or approved development;
 - c) the use of natural resources, in particular land, soil, water and biodiversity;
 - d) the production of waste;
 - e) pollution and nuisances;
 - f) the risk of major accidents and/or disasters relevant to the development concerned, including those caused by climate change, in accordance with scientific knowledge;
 - g) the risks to human health (for example, due to water contamination or air pollution).

The development subject to the screening analysis is for the development of a solar farm producing less than 50MW of electricity on a site measuring 9.4ha. The employment development would deliver circa 27,000 m² of employment floorspace, of a site area of up to 5.5ha. The site as existing is agricultural fields.

With regards to part a) above, the size and design would be a matter to be considered under any planning application.

It is considered unlikely that there will be any significant impacts of an EIA scale which typically could be of strategic environmental extent in respect of parts a)-g) above to warrant the need for an EIA.

b) Location of development

2. (1) The environmental sensitivity of geographical areas likely to be affected by development must be considered, with particular regard, to—

- a) the existing and approved land use;
- b) the relative abundance, availability, quality and regenerative capacity of natural resources (including soil, land, water and biodiversity) in the area and its underground;
- c) the absorption capacity of the natural environment, paying particular attention to the following areas—
 - (i) wetlands, riparian areas, river mouths;
 - (ii) coastal zones and the marine environment;
 - (iii) mountain and forest areas;
 - (iv) nature reserves and parks;
 - (v) European sites and other areas classified or protected under national legislation;
 - (vi) areas in which there has already been a failure to meet the environmental quality standards, laid down in retained EU law and relevant to the project, or in which it is considered that there is such a failure;
 - (vii) densely populated areas;
 - (viii) landscapes and sites of historical, cultural or archaeological significance.

The application site is located to the west of Buntingford and is currently in use as agricultural fields. The site is within the Rural Area beyond the Green Belt. To the east of the site is the A10 with the main settlement of Buntingford beyond this. To the north east are designated employment sites. No public rights of way run through the site.

The site is not within or adjacent to any 'sensitive area' as defined in the regulations. The proposal is not considered to trigger the need for an EIA due to the location of the development.

c) Types and characteristics of the potential impact

3. 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);
- b) the nature of the impact;
- c) the transboundary nature of the impact;
- d) the intensity and complexity of the impact;
- e) the probability of the impact;
- f) the expected onset, duration, frequency and reversibility of the impact;
- g) the cumulation of the impact with the impact of other existing and/or approved development;
- h) the possibility of effectively reducing the impact.

The application, whilst major in form, would largely be restricted to the site itself and would not have a major impact on a larger geographical area and population.

Ecology Impacts

Any planning application would need to include an ecology report, which HCC Ecology would be consulted on. As this would be controlled within any future submission this would not warrant EIA development.

Flood Risk and Drainage

The site is not located within a flood zone, and it is not considered that the proposed development would have significant adverse impacts, as to warrant an EIA. An assessment of the proposal with regards to flood risk and drainage would be undertaken as part of any planning application.

Highways

Due to the scale of the development and the proposed land uses, it is likely that there may be some impact upon the local highway network. Full details within an accompanying Transport Assessment and Trip Generation report will be required with any future application and a separate consultation with the Highway Authority.

However, due to the scale of development and relation to existing major roads, with the necessary mitigation measures, it is not considered that the proposal would warrant an EIA. The Highway Authority would be consulted on any future application.

Landscape

There is currently existing soft landscaping on and adjacent the site. The Landscape Officer would be consulted on any planning application and a Landscape Visual Assessment and Arboricultural report would be required in any future application to assess the impact. However, it is not considered that this would require an EIA as the

landscape impacts would not give rise to significant effects to the environment in EIA terms.

Noise, Vibrations and lighting

The Council's Environmental Health Team would be consulted on any future application, and with the necessary mitigation measures in place it is not considered that the proposal would result in a significant impact, in EIA terms, to warrant the preparation of an EIA.

Air Quality

The site is located adjacent to a busy road. The impact on local air quality as a result of the scheme would be considered in any future planning application within a technical assessment.

Heritage and archaeology

Any planning application would need to include Heritage Impact Assessments and Archaeological Assessments.

The Council's Conservation Officer and County Heritage Officer would be consulted on any future application to consider these constraints fully.

Contamination

It is possible there may be some contamination on site, but this could be mitigated. The Environmental Health Team would be consulted on any future application and therefore it is not considered that the development would have a significant environmental impact on ground conditions as to warrant an EIA.

Statutory and Third Party Comments

It is noted that HCC Highways have commented on this screening opinion and advise that separate to any EIA the Highway Authority would expect a Transport Assessment and Travel Plan to accompany any planning application. These matters would be covered within any planning application and do not need to be subject to an EIA.

Although the submission comprises an invitation to provide an EIA Screening Opinion, the LPA has received a letter from a third party supporting the proposal for the solar farm stating *'It is essential that we harness renewable energy to fulfil carbon neutrality goals for the future and local initiatives such as these are key to meeting these goals'*. These comments are noted and acknowledged.

This report comprises an assessment of whether an Environmental Impact Assessment would be needed to support a potential solar farm, commercial uses and greenspace development on land west of the A10 near Buntingford and can only be considered against the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (the “2017 Regulations”).

The submission for a screening opinion response from the LPA does not constitute a planning application on behalf of the site promoter. The response does not consider whether any such development would be acceptable from a planning perspective. The Screening Opinion includes no reference to the merits of the scheme itself, or the extent to which development is capable of demonstrating compliance with Local and National Planning Policies. The comments made above would be matters which would be considered when assessing any planning application submitted for this site and will be taken into account, if or when the scheme progresses towards a formal submission.