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East Hertfordshire District Council

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SUBMITTED BY E-MAIL

PROPOSED DEVELOPMENT OF LAND WEST OF BUNTINGFORD, SOUTH OF THE A507 BALDOCK ROAD FOR A SOLAR FARM, COMMERCIAL USES AND GREENSPACE

REQUEST FOR A SCREENING OPINION UNDER THE TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017

Introduction

I am writing on behalf of my client, Hallam Land Management Limited, who are preparing a planning application for the development of land to the west of Buntingford, in East Hertfordshire district.

Background

The site comprises two parcels of land with a combined area of circa 39.2ha to the west of the Buntingford and south of the A507 Baldock Road. The land is currently in agricultural use. Our client has an interest in the site and proposes to develop it for a solar farm, greenspace and employment uses.

Our client wishes to obtain a formal opinion as to whether Environmental Impact Assessment is necessary for the proposed development, and if an Environmental Statement is required to accompany the forthcoming outline planning application.

Legislation and Guidance

Under the 2017 EIA Regulations, the employment element of the proposed development falls within Schedule 2 (10b – Urban Development Projects). The proposed solar farm development also falls within Schedule 2 ('3a – Industrial installations for the production of electricity, steam and hot water (unless included in Schedule 1)'). As such, an Environmental Impact Assessment may be required if it is considered the development is likely to have significant effects on the environment.

The selection criteria for screening this category of Schedule 2 development are set out at Schedule 3 of the Regulations, and comprise the characteristics, location, and types and characteristics of potential impacts.

The National Planning Practice Guidance (PPG) (reference Paragraph: 058 Reference ID: 4-058-20150326) provides indicative criteria and thresholds for the various types of Schedule 2 development. These state, for urban development projects, the following indicative criteria and threshold should be applied:

“Environmental Impact Assessment is unlikely to be required for the redevelopment of land unless the new development is on a significantly greater scale than the previous use, or the types of impact are of a markedly different nature or there is a high level of contamination. Sites which have not previously been intensively developed:

- (i) area of the scheme is more than 5 hectares; or*
- (ii) it would provide a total of more than 10,000 m² of new commercial floorspace; or*
- (iii) the development would have significant urbanising effects in a previously non-urbanised area (e.g. a new development of more than 1,000 dwellings).”*

The table identifies the key issues to consider are the physical scale of such developments, and the potential increase in traffic, emissions and noise.

The Planning Practice Guidance identifies the following indicative criteria for solar farm developments, to help determine whether significant effects are likely. These state:

“Thermal output of more than 50MW. Small stations using novel forms of generation should be considered carefully.”

The table identifies the key issues to consider are the level of emissions to air, arrangements for the transport of fuel and any visual impact.

However, it should not be presumed that developments above the indicative thresholds should always be subject to assessment. Each proposed development will need to be considered on its merits.

Request

In accordance with Section 6 of the Regulations, this letter provides the following information to support this request.

A) A plan sufficient to identify the land.

The Site comprises two land parcels to the west of the A10 which borders the western edge of Buntingford and to the south of the A507. Buntingford Business Park and Tire Hill woodland lie to the north of the Site. There is also open land to the north, south and west. The villages of Aspenden and Throcking are to the south and to the north west respectively.

B) A description of the development, including in particular—

- (i) a description of the physical characteristics of the development and, where relevant, of demolition works;***

The proposed development is the construction of a solar farm on circa 8.5ha and up to 5.5ha employment development, and green space parkland on the remainder of the site.

The output of the proposed solar farm has not yet been determined, but will be below the 50MW thermal output threshold for nationally significant infrastructure projects. The proposed employment development would deliver circa 27,000sq.m floorspace.

The enclosed emerging Concept Masterplan shows the likely general distribution of development and the proposed uses within the site. This has been informed by initial technical and environmental appraisal work and will be developed further for the outline planning application.

Vehicular access would be via the A507 Baldock Road. The access strategy is yet to be confirmed but will include no more than two junctions.

There are no proposed works of demolition, and there is nothing unusual or unique with regard to the proposed development in terms of its use of resources, production of waste, pollution, or risks to human health.

Our Client is also promoting land west of Buntingford, to the north of the A507. This proposal includes land for up to 600 dwellings. The two developments are being promoted separately and are not reliant on each other. The proposed developments would be delivered independently of one another. Each site would include its own mitigation.

(i) a description of the location of the development, with particular regard to the environmental sensitivity of geographical areas likely to be affected

The site is not within a sensitive area as defined within Section 2 of the EIA Regulations. It is not covered by any environmental designations.

The land is not subject to any ecology designations and is not within the mitigation buffer zone for any Special Protection Areas or Site of Special Scientific Interest (SSSI).

There are no designated heritage assets (listed buildings, ancient monuments or conservation areas) or other non-designated heritage assets on, or immediately adjacent to the site.

The site is wholly within Flood Zone 1, at the lowest risk of flooding. Limited parts of the site are at potential risk of surface water flooding, which will be considered and improved as part of the development proposals. The risk of flooding from other sources (sewers, groundwater and artificial sources) is low.

C) A description of the aspects of the environment likely to be significantly affected by the development.

D) A description of any likely significant effects of the proposed development on the environment resulting from—

- (ii) the expected residues and emissions and the production of waste, where relevant; and**
- (iii) the use of natural resources, in particular soil, land, water and biodiversity; and**
- (iv) such other information or representations as the person making the request may wish to provide or make, including any features of the proposed development or any measures envisaged to avoid or prevent what might otherwise have been significant adverse effects on the environment.**

Developers are encouraged to identify any features of their proposed development and any measures envisaged to avoid or prevent what might otherwise have been significant adverse effects on the environment, and to include these with the information required to inform the screening decision (Paragraph: 023 Reference ID: 4-023-20170728 of the NPPG).

In considering the following aspects of the environment, consideration has therefore been given to proposed mitigation measures. Such measures will form part of the proposed development, and be incorporated within the planning application within relevant supporting documentation, such as the Landscape and Visual Impact Assessment (LVIA), and Transport Assessment.

Landscape and Visual Effects

There are no landscape designations which apply to the site or to the surrounding landscape.

The Buntingford Conservation Area lies to the east, situated within the existing settlement. Aspenden, including its Conservation Area, lies to the south. Listed Buildings within 1km include the Grade I Parish Church of St Mary to the south. Other Listed Buildings nearby are either Grade II* or Grade II.

There are two assets listed on the Register of Special Historic Parks and Gardens within 5km search area from the site: Julians Grade II, to the northwest of the site, and The Garden House, Cottered Grade II* to the south-southwest of the site.

The site lies within National Character Area Profile 86: South Suffolk and North Essex Clayland, and District Landscape Character Areas: East Herts Council SPD Landscape Character Assessment (2007) LCA141: Cherry Green Arable Plateau and LCA142: High Rib Valley.

There are no Public Rights of Way (PROW) passing through the site. There are PROW to the north of the site, beyond the A507 Baldock Road and to the south west.

The site comprises two large-scale, irregular shaped, arable fields and The Thicket existing triangular woodland area; there are also three small copses in the field to the south of The Thicket. The site spans the Thistley Vale Brook and abuts How Green Farm. There are intact field boundary hedgerows with trees, though part of the western boundary to the site is open. Landform is highest in central northern part of the site, and falls to the east and west.

It is considered that there is potential for proposed development to result in significant landscape effects upon the site's landscape character and landform, green infrastructure and vegetation within the site.

There is potential for significant visual effects upon people using the A10 and local road network; views from the edge of existing settlements including the western edge of Buntingford, northern edge of Aspenden, and isolated dwellings or clusters of dwellings in the rural landscape; and people using the PROW network.

There is potential for far-reaching views of the proposed development to be experienced in the rural landscape to the west, because of the nature of landform and lack of existing vegetation.

The Concept Masterplan to be submitted with the outline planning application will include measures to mitigate impacts associated with the proposed development. A Landscape and Visual Impact Assessment will inform the mitigation and will be included in the full suite of technical reports submitted with the application.

Cultural Heritage

The site does not include any designated heritage assets, as defined in Annex 2 of the National Planning Policy Framework (NPPF). Further, no designated assets outside of the site are considered to potentially constrain the development of the site.

A Heritage Statement will be prepared that will include an assessment of designated and non-designated built heritage assets with the potential to be impacted by the proposed scheme. The Heritage Statement will inform masterplanning for the site and suggest mitigation through design in response to any impacts to built heritage assets.

There are no built heritage assets within the site therefore impacts to surrounding built heritage assets will be confined to impacts to their settings. The Heritage Statement will assess impacts to the following assets:

- Buntingford Conservation Area
- Aspenden Conservation Area, including Parish Church of St Mary, I, NHLE 1347966 Aspenden Hall, Grade II, NHLE 1101364
- White Cottage and Buttermilk Hall Farm, II, NHLE 1101362
- Holy Trinity Church, II*, NHLE 1175183
- Barns at Throcking Hall Farm, II, NHLE 1101301, NHLE 1295415
- Farmhouse and Barn at How Green Farm, II, NHLE 1347965, NHLE 1101363

An archaeological desk based assessment will be prepared that will identify the archaeological potential of the site through analysis of baseline information. The desk based assessment will provide baseline information that will inform an appropriate scope of evaluation and mitigation works which will be agreed in consultation with the LPAs archaeological advisor.

The available information indicates that whilst the site has some archaeological potential, archaeology is unlikely to represent a design constraint.

Ecology and Nature Conservation

No part of the site is covered by a statutory designation and there are no internationally designated sites within 10km.

There are no nationally designated sites located within 5km of the site. As such, the development of this site is not considered to impact any statutory designated sites of nature conservation interest.

The design of green infrastructure within the Concept Masterplan will aim to retain the habitats of value within the site where possible. It is also proposed that habitats of greater value will be created than the improved and semi-improved grassland currently present.

Ground Conditions and Contamination

The land is currently used for agriculture and is undeveloped and appears to have remained the same throughout the historical mapped period.

Given the historic and existing land use, no significant made ground is expected and it is therefore considered unlikely that a high level of contamination would be encountered on site.

This will be confirmed through a Phase I Geo-Environmental Risk Assessment which will identify any potential contamination sources and associated risk to proposed end use. However, it is unlikely there will be any significant effects on ground conditions or contamination from the proposed development.

Flooding and Hydrology

There are no watercourses present within the site. The nearest watercourse is the Thistley Vale Brook which flows north to south east between the two land parcels, before converging with Aspenden Brook and the River Rib to the south-east of the site.

The Environment Agency (EA) mapping confirms that the site itself located within Flood Zone 1, with the risk of flooding to the development considered as very low.

The Flood Maps also indicate that limited parts of the site are at potential risk of surface water flooding. However, these are isolated areas where flow paths have been identified within the site. They will be considered and improved as part of the development proposals, and so is considered that the risk posed to the development will be low.

Based on the published information, it is considered that the risk of flooding to the site from a range of other sources is low. This includes flooding from sewers, groundwater and artificial sources.

The proposed drainage strategy will include a range of sustainable drainage systems to manage off-site surface water discharge so it does not exceed the predevelopment flow rate. Consequently, it is anticipated that no likely significant effects to the local hydrology or increase in the risk of flooding to the site or the surrounding area will be caused by the development.

In terms of foul water drainage, it is proposed to utilise a connection to the existing public sewer network that runs throughout the area of Buntingford. The water authority are obligated to provide a connection and ensure that sufficient capacity is available to accommodate the additional flows from the development.

It is therefore considered that no additional environmental impacts and so no likely significant effects are likely as a result of the development.

Transport

The location of the development in close proximity to Buntingford allows opportunity for a significant number of journeys to be undertaken via active modes (i.e. walking and cycling). In addition, the proposals will include high quality active travel connections that will serve to capitalise on this opportunity.

For longer distance journeys, it is proposed that users can also access the numerous public transport routes passing in close proximity to the site. An associated public transport connection strategy will also be set out that, identifying how connections can be further improved to allow convenient linkage with the development proposals.

The development is located in close proximity to the A10 which is a high standard road that would be appropriate for the associated local and longer distance vehicle journeys travelling to and from the proposals. High-quality access will be provided to connect into this corridor in compliance with the relevant national and local design standards.

Notwithstanding this, the proposals will be designed to promote journeys by sustainable transport first and foremost (i.e. active travel most importantly) and therefore vehicle impact will be minimised.

Detailed Transport Assessment and Travel Plan reports will be produced that will determine the impact of the development. Where required, mitigation strategies will be identified that will reduce the net impact of the development on the transport network.

Noise

The proposed employment land to the south of the A507 Baldock Road will introduce potentially noise generating activity that might affect the amenity of existing and proposed residential uses in the area. In order to avoid adverse noise impact, the masterplan will be optimised to increase the separation distance to sensitive receptors as far as practicable, with due consideration to other design constraints.

In addition, the noise impact from fixed plant and operations within the proposed employment development will be assessed at the nearest noise-sensitive receptors, in accordance with the British Standard 'BS 4142:2014+A1:2019 Methods for rating and assessing industrial and commercial sound'.

Design mitigation measures will be proposed as required. The noise effects of traffic flows from the proposed employment development will also be assessed in accordance with the principles of Basic Noise level (BNL) changes detailed within CRTN Calculation of Road Traffic Noise"

Air Quality

The baseline air quality in the local area is deemed to be good, there are no air quality management areas (AQMAs) declared in the local area and pollutant concentrations are likely to be below the regulatory thresholds.

The emissions released from the traffic generation associated with the Proposed Development could increase pollutant concentrations in the area, thus potentially exposing the local area to poorer air quality. The junction where Baldock Road meets the A10 roundabout is a key location.

The trip generation is currently unknown but is anticipated to exceed the screening threshold set out into the IAQM / EPUK Guidance (2017) and therefore an Air Quality Assessment will be conducted following the guidance and will assess the potential effects of the Proposed Development on the local area. The assessment will also assess the risk for future users of the Proposed Development in relation to air quality.

Conclusion

The output of the proposed solar farm has not yet been determined, but will be below the 50MW thermal output threshold for nationally significant infrastructure projects. This is also the indicative threshold at which EIA is considered more likely for solar farm developments.

Meanwhile, whilst the proposed commercial area is greater than the 5ha and would provide floorspace above the 10,000sq.m threshold at which EIA is more likely, the thresholds are indicative and the environmental sensitivity of the location must also be considered.

Based on the available information, the site is not an environmentally sensitive location. It is not subject to any landscape, ecology or heritage designations. In addition, there is nothing unusual or unique with regard to the proposed development in terms of its use of resources, production of waste, pollution, or risks to human health.

At this stage, it is considered that significant adverse effects associated with the proposed development can potentially be mitigated. This would be assessed as part of the planning application which would include a full suite of technical reports, including a Landscape and Visual Impact Assessment (LVIA).

Our Client is also promoting land to the north of the A507 for residential and associated uses (up to 600 dwellings, older people's accommodation a local centre, community hub and primary school). This is the subject of a separate outline planning application and EIA Screening Request. The two developments are being promoted separately and are not reliant upon each other. Each site will have its own mitigation and the proposals would be delivered independently of one another.

I would be grateful if you would review the information provided with this submission and provide a Screening Opinion within 3 weeks of receiving this request, in accordance with the Regulations. In the meantime, I look forward to receiving confirmation of this request being registered.

Yours sincerely

A handwritten signature in blue ink, appearing to be 'R. Cooke', with a long horizontal stroke extending to the right.

Marrons Planning

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Encs:

Site Location Plan
Emerging Concept Masterplan