

EIA SCHEDULE 2 SCREENING CHECK-LIST AND REPORT

Site Address: Land at Oatcroft Farm, Titley, Kington, Herefordshire, HR5 3RU
Applicant: ADAS Planning
Agent: ADAS Planning
Proposal: Request for Screening opinion for a proposed 30 MWp Solar Photovoltaic (PV)
Reference: 230859
Site area: 34.6ha

Date received: Original submission received on the 21/2/2023. Following the issue of the Councils Screening opinion on the 22 March 2023 a rebuttal was received on the 3 May. This following checklist takes account of the rebuttal, as well as the original submission.

Stage 1: Is the proposal indicated by the broad descriptions given in
Schedule 2 Column 1 of the Regulations?

Yes	✓
No	

Ref No [e.g. 3 (a)]	Relevant description/s (the descriptions are indicative, not prescriptive).
3(a)	Installations for the production of electricity, steam and hot water

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Stage 2: Does the proposal exceed threshold criteria in
Schedule 2 Column 2 of the Regulations?

Yes	✓
No	

Ref No [e.g. 3 (c) (i)]	Relevant threshold and/or criteria [e.g. floor or site area, scale, size etc]	Relevant proposal details for comparison
3 (a)	Threshold of site area of 0.5ha	34.6ha

Stage 3: Does the proposal exceed any of the 'indicative criteria and thresholds'
 For the Schedule 2 entry, found in the National Planning
 Guidance?

Yes	
No	✓

Enter all relevant details [May be multiple criteria/thresholds].

Relevant criteria/threshold in NPPG [e.g. floor or site area, scale, size etc]	Relevant proposal details for comparison
3 (a) Thermal output of more than 50MW	30MWp

Stage 4: Assessing Sensitivity

A

EU/National designations	On/adjoining site ✓	Surrounding Area ✓
Fintsham Pool and Titley Pools – SSSI – 282m to southeast <i>Within Impact zone</i>	✓	
River Lugg Catchment - SSSI	✓	

B

Local and other indicators for 'environmental sensitivity'	On/adjoining site ✓	Surrounding Area ✓
PROW – TL1 – adjoining to west	✓	
PROW – Herefordshire Trail – 854m to southeast		✓
Ancient Woodland – Stocking Wood – adjoining to north	✓	
Ancient Trees – a number within surrounding area	✓	
Registered Historic Parks and Garden – Eyewood – 200m to east	✓	
Historic Parks and Garden Visual – Eyewood	✓	
Spécial Wild life Site – 320m to south		
Listed buildings – Grade II – 300m to south		✓
NE Priority Habitat	✓	

	Yes/No	Details
(a) Is the proposal site within a type A or B 'sensitive area?'	No	282m from boundary of Fintsham & Title Pools. Eastern corner of site within Impact zone. Within visual envelope of Registered Parks and garden.
(b) Is the proposal close to a type A or B sensitive area? (distance?)	Yes	Ancient Woodland, PROW, Historic Parks and Garden, Special Wildlife sites all adjoin the site.
(c) If not, is the proposal site sensitive for other reasons?	N/A	
(d) Is the proposal for intensive agriculture?	No	
(e) If yes to (d), is the site or general area 'semi-natural'?	N/A	

Stage 5: PLANNING OFFICER'S APPRAISAL:

Schedule 3 selection and assessment criteria. Tick all applicable and likely to raise concerns.

1 Characteristics of the development:

(a) size and scale	✓	(d) production of waste	✓
(b) cumulation with other development	✓	(e) pollution and nuisance inc noise	✓
(c) use of natural resources	✓	(f) risk of accidents (substances / technologies)	✓

2 Location and environmental sensitivity:

(a) existing land use/s	✓	(d) existing environmental quality	✓
(b) capacity of natural resources (eg water)	✓	(e) populations	✓
(c) environmental absorption capacity	✓	(f) landscapes/archaeological	✓

3 Potential impacts:

(a) geographical area to be affected	✓	(d) probability	✓
(b) any transfrontier issues	✓	(e) duration, frequency and reversibility	✓

(c) magnitude and complexity	✓		
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APPRAISAL REPORT

The purpose of this screening report is to consider whether an Environmental Impact Assessment (EIA), in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, is required for the proposed installation of ground mounted solar photovoltaic array together with associated infrastructure to produce a renewable energy source to be exported to the national grid.

5.0 Site location and description of the proposal;

The proposed site is spread across multiple agricultural fields on land located 1.2km west of the centre of the village of Titley in north-west Herefordshire. The site is fully within the Parish of Titley in north-west Herefordshire. The site is accessed via Eywood Road which leaves the B4355 within the settlement of Titley and terminates at Oatcroft Farm, immediately south of the application site.

The small settlement of Titley is located 1.2km to the east of the application site, with the Market Town of Kington located around 3.4km to the north south west of the site. There are two residential properties at Oatcroft farm located 120m to the south. There are a number of residential properties located at Eywood located around 320m to the south of the site which are also accessed via Eywood Road.

The application site is located around 200m from the boundary of the Registered Park and Garden of Eywood and is identified as within its visual envelope. Within the boundaries of the Registered Park and Garden and its visual envelope there are many planning constraints including Ancient Trees, Natural England Priority Habitats, Listed Buildings, Protect Species and Special Wildlife sites. There are a number of clusters of woodlands within the surrounding area, some of which are ancient as well as numerous PROWs including the Herefordshire Trail.

Also of particular note is Fintsham Pool and Titley Pools Site of Special Scientific Interest which are both Sites of Special Scientific Interest (SSSI). The eastern corner of the site is identified as within the impact zone for solar scheme with an area greater than 0.5ha. The application site also is located within the River Lugg SAC-SSSI Catchment.

Proposal

The proposal put forward under this EIA screening request is for a proposed solar photovoltaic (PV) farm development with continued agricultural use, ancillary infrastructure and security fencing, landscaping provision and ecological enhancements across two multiple fields on land to the north of Oatcroft farm. The proposal is to be a temporary use for a duration of 40 years. The proposed solar array will generate 30MW of energy which will be converted and exported to the local distribution network. This will involve the installation of several inverters and transformer cabins, CCTV and DNO substation.

The development will consist of nine clusters of solar arrays on field parcels across the site. The proposed site layout largely follows the existing field structures of the site and retains the majority of existing hedgerow boundaries. The panels are composed of photovoltaic cells and are designed to maximise the absorbency of the sun's rays and minimise solar glare. The submission has not indicated how high the panels will be above the ground, but typically they are to be mounted at around 1m from the ground at the lowest point rising to approximately 2.5/3m at the highest point. The panels are to be dark grey/blue in colour and mounted on aluminium alloy frames. The site will be enclosed with a high security fence/ deer fence.

This submission for an EIA screening opinion has been supported with an EIA Screening Request document produced by ADAS Planning dated February 2023. The submission has not been supported with any detailed plans or landscape or ecology appraisals.

5.1 Stage 1: Schedule 1 or Schedule 2 column 1 development;

The development is not considered to be a Schedule 1 development.

The development is considered to fall under Schedule 2 in the context of paragraph 3 (a) – Industrial installations for the production of electricity, steam and hot water.

5.2 Stage 2: Schedule 2 column 2 thresholds;

The applicable thresholds and criteria under Schedule 2, 3 (a) is - *The area of the development exceeds 0.5 hectare.*

The supporting documents submitted with the request identify that it is expected that the whole combined site will be 34.6ha.

5.3 Stage 3: NPPG indicative criteria and thresholds/key issues;

Indicative criteria and threshold - *Thermal output of more than 50 MW. Small stations using novel forms of generation should be considered carefully.*

The proposal has indicated the scheme will provide up to 30MW and is therefore below the threshold of the PPG.

Key issues to consider are levels of emissions to air, arrangements for the transport of fuel and any visual impact.

5.4 Stage 4: Sensitivity, including designations and amended / additional legislation;

The application site does not contain any “sensitive area” as defined in Part 1 of the Regulations. Although it is in close proximity to a number of the SSSI of Fintsham Pools, ancient woodlands, Eywood Registered Historic Parks and Garden and grade II listed buildings. It is also visible from number of recreational routes within the wider area.

Applying the screening criteria for Schedule 2 developments specified in the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1992, the following considerations apply under Schedule 3 Selection Criteria for Schedule 2 developments:

- Characteristics of the development
- Location of the Development
- Characteristics of potential impact

The proposed project is listed in the first column in Schedule 2 of the 2017 regulations and exceeds the relevant thresholds set out in the second column. There are also a number of local and regional designations which are listed above in close proximity to the site. In Screening the proposal regard has been given to the selection criteria in Schedule 3 of the 2017 Regulations and these are discussed below.

Characteristics of development

(a) The size of development	<p>The proposed site area has been worked out as around 36.4ha. The proposed development is for a solar farm spanning across eight agricultural fields with nine arrays in total, transformers, inverters, substation, CCTV and fencing. The export generation from the proposed development is to be 30MW.</p>
(b) The cumulation with other development	<p>The site is located in a rural area in the northwest Herefordshire on elevated ground. The development will consist of rows of panels mounted on metal frames with areas surrounded by high security fencing to be installed around the perimeter with a number of CCTV cameras. There will also be a need for a number of inverters and a number of internal access tracks.</p> <p>The overall site itself as 34.6ha in area which is relatively large scale in EIA terms. However the development as a whole would produce up to 30MW of electricity which is below the 50MW threshold set out in the PPG.</p> <p>Visually the development will be seen from local highways and wider recreational footpaths, especially from elevated land to the south. Although there are a several smaller PV schemes within the wider landscape, none have been identified which will be seen in conjunction with that proposed. The immediate landscape is notably absent of any large scale industrial or agricultural developments.</p> <p>The northern edge of the site and setting are typical of the landscape character type <i>Enclosed Moors & Commons</i> with exposed rolling topography enclosed with hedges providing medium sized fields of a planned nature.</p> <p>The southern part of the site is identified as landscape character type Wooded Hills and Farmlands. These are areas of varied sloping topography within field boundary hedgerows which are visually prominent because of the topography and which have a mixed farming and use and contain small blocks of ancient woodland.</p>
(c) The use of natural resources, in particular land, soil, water and biodiversity;	<p>The proposed development would not result in any significant use or loss of natural resources. The development will not require any significant ground works that will alter the topography.</p> <p>The development is aimed at reducing the need for electricity from other sources, including fossil fuels and nuclear electricity generation, and therefore will reduce the potential for pollution relative to the baseline.</p> <p>The screening report submitted identifies the site largely as</p>

	<p>grade 4 agricultural land. Following the decommissioning of the development the site would be restored to agricultural land.</p> <p>The screening report identified that the site is in close proximity to the SSSI Flintsham and Titley Pools and a preliminary Ecological Appraisal walkover survey has been undertaken. This was not submitted as part of the request.</p> <p>The submission does not identify traffic to be generated through the construction of the development, only that a Construction Traffic Management Plan will be submitted with an application. It is common that once operational solar farm proposals require minimum amount of visits and as such minimum vehicle generation will be low.</p>
(d)The production of waste	Production of waste would be limited to that connected with the construction. There will no waste produced by the operational development.
(e)Pollution and Nuisance	<p>The operation development will not release any pollutants or any hazardous substances into the air.</p> <p>Vehicle movements would be limited to that during construction and once in operation require minimum visits in connection with maintenance.</p> <p>Construction impacts can be controlled by way of construction traffic and environment management plans.</p> <p>The development once operation will produce an element of noise and nuisance to surrounding properties through the Inverters.</p>
(f) The risk of accidents, having regard in particular to substances or technologies used.	<p>Risk of accidents most likely during the construction and development process. Post constructional and during operation the risk of accidents is likely to be reduced, however still have potential.</p> <p>The site will be secured and will be monitored remotely and via CCTV.</p>

Location of the development

(a) The existing land use	The present land use is that of agricultural arable land, specifically arable farming. The screening report identified that the land outside of the development footprint will remain in agricultural production.
(b) The relative abundance, quality and regenerative capacity of the natural resources in the area	The development has the potential for the loss of arable land, however is only temporary in nature allowing the land to return to agriculture once the development is decommissioned.

	<p>The landscape is not designated, however is within the visual envelope of the Registered Historic Parks and Garden of Eywood and the setting of a number of listed buildings. The development given its scale and nature has the potential to significantly change and alter the location and surrounding area during its operation.</p> <p>The site does adjoin the ancient woodland and is in close proximity to the SSSI of Fintsham and Titley Pools. The proposed development is also within the catchment of the River Lugg SAC-SSSI and a relevant Habitat Regulations Assessment process will be triggered by any future application. This HRA is in addition to any EIA process. The River Lugg is currently failing its conservation status due to excess nutrient loading and any future application will need to demonstrate with scientific and legal certainty that it will not intensify or increase any nutrient loading in the catchment due to either the construction process eg through soil movement/transport and erosion and siltation into local watercourses or other potential contaminants and pollutants being discharged from the site such as cement products; or through any changes in agricultural practices and land management changes as a result of the operation of the development and the use and management of land underneath the proposed solar panels.</p> <p>Local effects on known protected species populations such as multiple bat species recorded roosting, foraging and commuting in the locality and adjacent habitats; and potentially amphibians and reptiles associated with nearby ponds will need to be considered as part of any final planning application.</p> <p>The sites topography is varied and sloping, with the land elevated within the landscaping and exposed to views from the south.</p> <p>The screening submission has given not provide any plans or details of proposed additional planting or reinforcement of existing green infrastructure. The submission does identify that that the effects on the ecological designations will be fully assessed as part of the planning application and mitigation measures incorporated into the design if necessary.</p>
(c) The absorption capacity of the natural environmental	<p>The site itself is not a designated landscape, however the site is within the visual envelope of the Registered Historic Parks and Garden of Eywood which is located to the south east.</p> <p>There are a number of PROWs within the site and the wider landscape, many on elevated ground which will have the potential to view the development.</p>

	<p>The submission indicates that the impacts of the development will be fully assessed within a Landscape Visual Assessment.</p> <p>The existing hedgerow boundaries and field parcels are to be retained or enhanced providing for a net gain for biodiversity.</p>
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Characteristics of the potential development

(a) The magnitude and spatial extent of the Impact	<p>The effect of introducing this large scale solar farm within the rural area will represent potentially significant localised visual impacts in EIA terms. However, the level of emissions to air, and vehicle generation will be low. The screening Matrix submitted in support of the application indicates this to be limited, with impacts to be assessed through an LVIA, however no detailed assessment or plans provided.</p> <p>The Matrix also indicates biodiversity improvements are to be included, however these aren't specified or detailed.</p> <p>Off-site there would be a significantly larger benefit in terms of electricity generation and reduction in the reliance on carbon based fuels.</p> <p>The proposal has the potential to affect a number of dwellings which are in close proximity to the site both during construction and whilst in operation.</p> <p>The proposal has the potential to increase fluvial flood risk in the surrounding area if the management of the overland surface water flow is not accounted for. The screening report has not provided details of the drainage.</p> <p>Given the scale of the proposal, the topography of the site and surrounding area.</p>
(b) The transfrontier nature of the impact	<p>The impacts of the development particularly that of the visual impacts will be not be limited to the immediate locality. Given the topography of the site and surrounding landscape character, it is likely that the landscape and visual impacts will be seen from a number of elevated locations within the wider landscape.</p>
(c) The magnitude and complexity of the impact	<p>When considered in isolation the effects of the development on the local area visually are considered to be significant. There are no other near large scale renewable energy installations within the locality which have been identified.</p> <p>The proposal, given the sites context and nature, has the potential to generate a complex interaction in terms of</p>

	<p>landscape impact, heritage impact, biodiversity, transport or use of materials. The impacts can readily be assessed through individual reports such as Landscape Visual Impact Assessments, Heritage Impact Assessments, Landscape and Biodiversity assessments and Transport Assessments, however for an overall understanding of the wider environmental impacts these will also need to be considered in combination of each other.</p>
(d)The probability of the impact	<p>The visual impacts from a solar farm development on the site identified have the potential to be significant. The EIA screening submission has not presented any detailed or indecisive plans or studies.</p> <p>Traffic associated with construction of the development has the potential to be significant due to the junction within the village of Titley up towards the application site and careful planning and management will be required.</p> <p>The proposal has the potential to impact visually on the Public Rights of Way (PRoW). The impacts could be mitigated and do not warrant a full EIA on their own, although requires detailed consideration at the planning application stage.</p> <p>There are no designated archaeological or cultural heritage assets within the site itself, however there are assets within close proximity to the site as already referenced above which will need to be assessed.</p> <p>A full Habitats Regulations Assessment (HRA) will be required as part of the application process. The proposed development is within the catchment of the River Lugg SAC-SSSI which is currently failing its conservation status due to excess nutrient loading. Any future application will need to demonstrate with scientific and legal certainty that it will not intensify or increase any nutrient loading in the catchment.</p>
(e) The duration, frequency and reversibility of the impact	<p>Visual Impacts from the proposed development would be continuous and permanent once constructed.</p> <p>The construction process would in itself generate temporary impacts in terms of noise and vibration, wildlife disturbance and general construction nuisance. However these could be minimised through the conditions that control the magnitudes of disturbance.</p> <p>The development will be in place for 40 years. If the site is relinquished at the end of the 40 years then the land can be readily returned to full agricultural use.</p>

Conclusion

When considering whether the development would be likely to have a significant effect on the environment consideration has to be given to the selection criteria in Schedule 3 of the Regulations and the indicative criteria and thresholds set out in the PPG. As identified and outlined above the development is considered to fall into Schedule 2, 3 (a) 'industrial installations for the production of electricity, steam and hot water', and exceeds the criteria set out in column 2. However, in regards to the thresholds in the NPPG, the proposed development falls below the indicative threshold having a thermal output of 30MW.

Paragraph 058 of the NPPG provides further guidance on the indicative screening thresholds. It is advised that small stations using novel forms of generation should be considered carefully. When considering the thresholds, it is important to also consider the location of the proposed development. The paragraph also advises that the more environmentally sensitive the location, the lower the threshold will be at which significant effects are likely.

Although the proposed output is below the 50MW indicative threshold and the operation of the solar farm does not involve the transportation of fuel or emissions, landscape character and visual impact, heritage impact, highways impacts and impact upon the wildlife habitats and ecology are key issues for consideration. The proposed development extends to 34.6ha, in an area characterised by open countryside with potential for expansive views due to the varied and steep topography, making the proposed installation visible from many viewpoints. The site itself is not within a designated Landscape Character Area, however there are many extensive and panoramic views into and out of the area, including from recreational routes and from listed buildings. The site is considered to include exposed upland topography, which has the potential to be visually prominent when viewed from the south and from some recreational routes within the surrounding area. The proposal has the potential to compromise and weaken the character of the landscape. On the basis of the information provided, the LPA considers that the proposed development has the potential to give rise to significant landscape and visual effects.

Having regards for the characteristics of the development and the location of the development in relation to nearby heritage assets and identified ecology assets, the proposed development has the potential to impact upon these areas, however suitable mitigation would be possible and impacts are not likely to be significant. Local effects on known protected species populations such as multiple bat species recorded roosting, foraging and commuting in the locality and adjacent habitats; and potentially amphibians and reptiles associated with nearby ponds will need to be considered as part of any final planning application but are not considered a significant constraint alone to trigger an EIA.

The screening request has not been accompanied by any formal landscape assessment or plans detailing the proposed mitigation. The submission has also not provided assessments of the local ecology and biodiversity, construction access or the drainage strategy for the site. The rebuttal letter has argued that there is significant existing screening that exists and this will be extended. Overall, although based on all current available information the proposed development is considered to have significant impacts visually on the landscape character and the visual amenity of the area, this alone is not considered to be trigger an EIA.

Having examined the proposed development in relation to the relevant criteria in the Regulations and the guidance within the PPG, and taken account of the rebuttal letter submitted by the agent, it is considered that the proposed development does not EIA development as defined in the 2017 Regulations. This decision is based on the information known at the time and selection criteria for screening Schedule 2 development Schedule 3 (above), and the National Planning Policy Guidance.

RECOMMENDED SCREENING OPINION:

On balance, and based on the assessment above, the proposal is EIA Development and an Environmental Statement will be required.

Reasons:

The development proposed is not considered to be an EIA development within the meaning of the EIA Regulations. The development is considered to be listed in Schedule 2 and exceeds the thresholds in column 2. The site is not directly within a sensitive area, and although the scale, nature and location of the proposed development has the potential to give rise to significant adverse effects on the local landscape, this alone is not considered to trigger the EIA process. This decision is based on the information known at the time and submitted with the EIA screening opinion, having regard to selection criteria for screening Schedule 2 development (Schedule 3) Planning Practice Guidance (Environmental Impact Assessment). This decision is given without prejudice to any final determination of the planning application.