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Planning
Cornwall Council
New County Hall
Treyew Road
Truro
TR1 3AY

6 New Bridge Street
London EC4V 6AB
T: 020 7489 0213
F: 020 7248 4743
E: info@dwdllp.com
W: dwdllp.com

Sent by e-mail to: planning@cornwall.gov.uk

Dear Sir or Madam,

REQUEST FOR SCREENING OPINION UNDER REGULATION 6 OF THE TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017

PROPOSED SOLAR FARM, BATTERY STORAGE AND ASSOCIATED INFRASTRUCTURE – LAND TO THE NORTH OF A3058, CORNWALL, TR8 4QL

We write on behalf of our client, Renewable Connections Developments Ltd (the 'Applicant'), to formally request from Cornwall Council (the 'Council') an Environmental Impact Assessment ('EIA') Screening Opinion under Regulation 6 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (the 'EIA Regs').

The request for a Screening Opinion relates to a proposed solar photovoltaic ('PV') farm, battery storage and associated infrastructure (the 'Proposed Development') on approximately 88.62 hectares ('ha') of land to the north of the A3058, Cornwall, TR8 4QL (the 'Site'). The Proposed Development would generate up to 49.9 megawatts ('MW').

It is notable that more land than is required to generate 49.9 MW has been included for the purpose of this screening exercise. This is because the Applicant wishes to retain flexibility on the site layout by screening a larger area than is necessary. It follows that some land within the Site would not be developed, rather it would be retained in agricultural use or given over to higher value habitat.

REQUIREMENT FOR EIA

The EIA Regulations cover two main types of development:

- Schedule 1 – identifies all types of projects for which EIA is mandatory; and
- Schedule 2 – identifies the types of projects for which EIA may be required if the project in question is considered likely to give rise to significant environmental effects.

The Proposed Development does not constitute Schedule 1 development as for energy projects, this applies to thermal power stations with a heat output of 300 MW or more and nuclear power stations.

It is considered that the Proposed Development constitutes Schedule 2 of development under Section 3(a) of Schedule 2:

Partners

R J Greeves BSc (Hons) MRICS
G Bullock BA (Hons) BPL MRTPI
A Vickery BSc MRICS IRRV (Hons)
S Price BA (Hons) DipTP MRTPI

A R Holden BSc (Hons) FRICS
G Denning B.Eng (Hons) MSc MRICS
B Murphy BA (Hons) MRUP MRTPI
A Meech BSc MRICS

S Page BA MA (Cantab) MSc MRTPI
P Roberts FRICS CEnv
T Lodeiro BA (Hons) PGDip MSc MRICS
A Pilbrow BSc (Hons) MRICS IRRV(Hons)



“industrial installation for the production of electricity, steam and hot water (unless included in Schedule 1”

Development proposals described under Schedule 2 require an EIA if they are considered likely to have significant effects on the environment by virtue of factors such as nature, size and location.

The Site, at approximately 88.62 ha, exceeds the applicable threshold of 0.5 ha site area. Subsequently, there is a requirement under provisions of the EIA Regs to screen the Proposed Development in order to determine whether or not an EIA is required.

SCREENING REQUEST SCOPE

Regulation 6(2) of the EIA Regs requires a request for a screening opinion to be accompanied by:

- a plan sufficient to identify the land;
- a description of the development; including in particular a description of the physical characteristics of the development and a description of the location of the development, with particular regard to the environmental sensitivity of geographical areas likely to be affected;
- a description of the aspects of the environment likely to be significantly affected by the development;
- a description of any likely significant effects of the Proposed Development on the environment resulting from expected residues and emissions and use of natural resources, in particular soil, land, water and biodiversity; and
- such other information or representations as the person making the request may wish to provide or make.

This letter and enclosures provide the following information:

- a description of the Site, its planning designations and the nature and purpose of the Proposed Development;
- an assessment of the possible environmental effects of the Proposed Development and consideration of these within the context of the guidance on EIA;
- a Site Location Plan with the boundary of the Site coloured in red;
- a MAGIC map and an extract from the Local Plan Proposals Map, showing designations/allocations in the area; and
- technical data relating to the proposed solar farm and associated infrastructure.

The remainder of this letter considers the Proposed Development within the context of the guidance provided on the potential need for EIA. It follows that the Applicant accepts that the Proposed Development is likely to result in some potential environmental effects however these are anticipated to be of a limited nature. This letter seeks to demonstrate in further detail that the Proposed Development (with reference to its size, nature and location) would not require an EIA and the preparation of an Environmental Statement ('ES').

SITE LOCATION AND DESCRIPTION

The Site, delineated in red on the submitted Site Location Plan and in the aerial photo below, comprises several parcels of agricultural land. The Site lies entirely within the administrative area of Cornwall Council.



The Site is located to the north of the A3058 and south of Coswarth. It is relatively isolated and the closest village is Quintrell Downs, approximately 800 metres ('m') to the north west. The Site is very well screened by existing vegetation including a large woodland belt which wraps around its northern boundary. The Site is bound to the east by a minor road with dense tree vegetation on both sides of the road.

There are a small number of isolated properties and farmsteads within the broad locality of the Site. The closest properties are the Trevean and Tregonning farmsteads, located near to the north western boundary and to the centre of the Site respectively. Beyond this, there are properties located further from the Site, for example Rose in the Vale (approximately 400m to the north west of the Site). A private fishery is located at Fish Ponds approximately 180m to the north east of the Site. Dairyland Farm Park, a children's adventure park and petting zoo, is located to the south of the Site adjacent to the A3058.

The immediate surrounding area comprises similar agricultural fields, many bounded by hedgerows and interspersed with woodland blocks. It is noted that there are a number of existing solar farms (Trefullock Solar Farm, Summercourt Solar Farm and the Land North East of Penrose Farm Solar farm) located south east of the A30, some 3-5 kilometres ('km') to the south east of the Site.

An Agricultural Land Classification Survey has recently been undertaken and confirms that the Site comprises a mixture of subgrades 3a and 3b quality agricultural land with smaller areas of grade 2 land in the north east and south east corners.

There are no Public Rights of Way ('ProW') within the Site and very limited ProWs within the vicinity of the Site.

PLANNING AND ENVIRONMENTAL DESIGNATIONS

The MAGIC Map extract contained within this letter indicates that the Site is not covered by any national or international designations or assets that relate to biodiversity, landscape, cultural heritage or other, e.g. Special Protection Areas, Scheduled Monuments or Areas of Outstanding Natural Beauty.

There are no statutory above ground heritage assets located within the Site. There are a number of designated heritage assets in the wider area, including: Grade I Listed Church of St Enoder (List Entry No: 1311865) and associated structures, approximately 2.3km to the southeast of the Site; the Grade II Listed Waymarking Stone (List Entry No: 1328730), located approximately 15m from the Site boundary; the Grade II Listed Retyn Farmhouse (List Entry No: 1144056), located approximately 850m east of the Site; and the Grade II Listed Coswarth (List Entry No: 1144174) with associated Gate Piers (List Entry No: 1327365), located approximately 650m north of the Site.

There are no local landscape or environmental designations in the immediate surrounding area, as shown on the Proposals Map extract that accompanies this letter.

The Site is located within Flood Zone 1 and therefore has a low probability of flooding.

THE PROPOSED DEVELOPMENT

The Proposed Development is for the construction, operation, maintenance and decommissioning of a ground mounted solar farm with a maximum export capacity of up to 49.9MW laid out across various field enclosures across the site in addition to battery storage other associated infrastructure. The battery storage system may be located on the solar PV site in which case the battery storage units would be spread across the site as opposed to being located together in one 'block'.

As a general design principle for the ground mounted solar, the layout will be based on a bifacial panels fixed onto a fixed or tracking mounting system, running either east to west or north south in orientation. Bifacial panels collect light both on the front and the rear sides as it captures sunlight reflected from the grass surface under the solar framework. Depending on site conditions, bifacial yield-gain can reach +30 percent compared to traditional systems. The top height of the panels is expected to be circa. 3m.

For information purposes, the Proposed Development may also include a battery storage system located on a separate and significantly smaller site, however this is not currently part of the Site to which this request for an EIA Screening Opinion relates. Similarly, the proposal will also include an underground cable connection to the point of connection however the final route is not known at this stage. Nevertheless, it is confirmed that neither the battery storage site or the cable connection will be proposed through a 'sensitive area' as defined by the EIA Regs.

The application proposal would also include a package of landscape, ecological and biodiversity benefits that could include the installation of barn owl boxes, bird nesting boxes, bee hives, log piles, restoration of traditional field boundaries, and other hibernacula such as small buried rubble piles suitable for reptile species, amphibians and insect life. Land between and beneath the panels can be used for biodiversity enhancements and seasonal grazing. Existing hedgerows surrounding the site would be bolstered with additional hedgerow and tree planting where required. The new hedgerows would deliver biodiversity enhancements by providing green ecological corridors.

The arrays would be set within a 2.0m high stock-proof fence. The distance between the proposed fencing and existing hedges would vary across the site and would typically be around 5m. The security measures that will accompany the scheme include CCTV.

Construction

The construction phase of the Proposed Development is expected to last for approximately 24 weeks only. During this period, initial site setup works would take place followed by construction of the internal access route(s), ground works, and the installation of the solar panels and other infrastructure.

It is currently envisaged that the Site would be accessed via the A3058 and minor roads running adjacent to the east of and through the centre of the Site.

Operation

Once operational, occasional maintenance of the solar panels and other infrastructure would be required. The solar panels would also need to be periodically cleaned, most likely using simple soap and water, to ensure the efficient running of the system.

It is expected that under normal circumstances, only a very small number of cars/vans would visit the Site each week (generally less than 1 a day).

The Site would be retained in agricultural use for the life of the Proposed Development. The majority of the Site would be planted with a combination of grassland/meadow, which would enable grazing (sheep). This would include land between and underneath panels.

Decommissioning and restoration

At the end of the operational lifespan (i.e. circa 40 years), the solar panels and other infrastructure would be removed, and the Site restored back to full agricultural use. The small quantity of foundations, hard surfacing and heavy infrastructure, in combination with retaining the majority of the site as grassland, means that the land would be easier to restore than other more intrusive development, e.g. large buildings requiring significant foundations.

The restoration process is intended to ensure that the land is restored to the same quality as it was previously, and it is envisaged this would be secured through a suitable condition attached to any planning permission.

ASSESSMENT OF POTENTIAL ENVIRONMENTAL EFFECTS

Schedule 3 of the EIA Regs identifies criteria that should be considered in screening Schedule 2 developments in terms of the need for EIA. These encompass the characteristics of the Proposed Development, including the cumulation with other development; the location of the development; the environmental sensitivity of the area; and the characteristics of the potential impact.

The Secretary of State's view is that, in general, EIA is only needed for Schedule 2 development in three main types of case:

- for major developments that are of more than local importance;
- for developments that are proposed within a particularly environmentally sensitive or vulnerable location; and
- for developments with unusually complex and potentially hazardous environmental effects.

Paragraph 018 Reference ID 4-018-20170728 of the Government's Planning Practice Guidance provides guidance in relation to the need for EIA for Schedule 2 development that:

"Only a very small proportion of Schedule 2 development will require an assessment. While it is not possible to formulate criteria or thresholds which will provide a universal test of whether or not an assessment is required, it is possible to offer a broad indication of the type or scale of development which is likely to require an assessment...To aid local planning authorities to determine whether a project is likely to have significant environmental effects, a set of indicative thresholds and criteria have been produced."

The guidance further states:

"...it should not be presumed that developments above the indicative thresholds should always be subject to assessment, or those falling below these thresholds could never give rise to significant effects, especially where the development is in an environmentally sensitive location. Each development will need to be considered on its merits."

An assessment as to whether the Proposed Development requires EIA is set out below:

- **Environmentally sensitive areas** – the Site does not lie within or close to any environmentally sensitive areas; for example, national or international designations, nor are there any landscape designations in the immediate area. The environmental sensitivity of the location is an important factor in determining whether EIA is required. In this case, the Site is within a location that is considered to be of relatively low environmental sensitivity and certainly not the type of location where the EIA Regs indicate that there would be the need for an EIA.
- **Land use and agricultural land quality** – An Agricultural Land Classification Survey has recently been undertaken and confirms that the Site comprises a mixture of subgrades 3a and 3b quality agricultural land with smaller areas of grade 2 land in the north east and south east corners. The Applicant acknowledges that whilst the land is shown as consisting of predominately moderate quality, agricultural land is a valuable resource. The majority of the Site would be planted with a combination of grassland/meadow, which would enable grazing (sheep). This would include land between and underneath panels thereby allowing a form of agricultural use to continue. This scenario would allow agriculture and renewable energy generation to be facilitated simultaneously. At the end of the Proposed Development's lifespan, the panels and other infrastructure would be removed and the land restored to its original condition. It follows that there would be no permanent loss of agricultural land as a result of the Proposed Development.
- **Biodiversity** - the Site is not designated for its biodiversity value; rather, the Site predominantly comprises of intensively farmed agricultural land or improved grassland which is of negligible/low ecological value. The field boundaries comprise earth/stone banks with hedgerows/scrub and trees (including mature specimens) known as 'Cornish Hedges'. It is proposed that the planting along the Site boundaries would be reinforced with native hedgerow species and trees, and appropriate standoffs would be maintained from any natural features within/outside the Site, including adjacent hedgerow habitats and the Cornish Hedges. For the avoidance of doubt, there are no proposals to remove trees or hedgerows. Any planning application would be supported by a Preliminary Ecological Appraisal (PEA) including a Phase 1 Habitat Survey, species surveys (as required) along with a management and mitigation strategy (as necessary). If any protected species are identified

within or near to the site (such as badgers or GCN) then these will be fully protected as part of the proposals. As detailed below, the application would also be supported by a Landscape and Biodiversity Strategy which will secure a number of ecological enhancement measures to ensure a biodiversity net gain at the Site as a result of the Proposed Development.

- **Landscape and visual impact** – the Site is not subject to any locally, nationally or international important landscape designations. The Proposed Development would be designed to respect the character of the landscape and use the strong field pattern to integrate the scheme as far as practicable. All trees and hedgerows on the Site would be retained and additional planting provided, where necessary, to fill gaps in the existing boundary planting. Any planning application would also include a full Landscape and Visual Impact Assessment (LVIA). In terms of landscape and visual impact (generally), at this stage it is considered that landscape and visual impacts can be adequately managed, particularly (i) as a result of the existing mature screening that exists around the Site and (ii) when considering that a comprehensive landscaping scheme would be provided to assimilate the Proposed Development into the landscape. The latter would include the provision of new hedgerows where there are none and the gapping up of existing. The LVIA report will advise that mitigation planting should take place around the boundaries of the Site in order to break up the visual mass and provide a natural screen.
- **Cultural heritage** – The Site is not identified as having any archaeological significance and does not contain any listed buildings, Scheduled Monuments or other designations/assets. There are a number of heritage assets located within the wider surrounding area (described on page 4 above). It is considered that the majority of these are unlikely to be impacted by the Proposed Development due to their distance and other prominent physical features in the landscape, however, any forthcoming planning application would include a landscaping scheme in order to mitigate, where necessary, any impact on setting of heritage assets and the wider landscape. The landscaping scheme would be informed and supported by a full LVA and a Cultural Heritage Desk-Based Assessment (DBA). Like any rural site, there is also the potential for impacts on any unknown archaeological assets within the Site. The Cultural Heritage DBA would therefore include detailed consideration of this. A geophysical survey will also be undertaken to establish whether or not there are any significant buried archaeological remains within the Site. Depending on the results of the survey and following discussions with the County Archaeologist, it may be necessary to undertake further investigatory work such as targeted trial trenching, but only if required. It should be noted that solar farms are relatively low impact in terms of ground disturbance and it is possible to achieve mitigation by design, such as through the use of raised foundations and/or exclusion zones etc.
- **Noise** – the Proposed Development would be passive in operation and therefore would not generate any significant operational noise, other than that associated with occasional visits by maintenance/service vehicles. The noise associated with such activities would be negligible and less than that associated with farming activities in the area. There will be some temporary noise during the construction phase, which is anticipated to last approximately 24 weeks. This would include the following activities: vehicle movements along access tracks and haulage routes associated with the delivery and removal of construction materials; equipment delivery; site and ground preparation activities; erection of panels using construction machinery; and material hauling. The construction activities

may increase noise levels within the vicinity of the Site; however, it is considered that noise impacts during construction would be intermittent, localised and temporary in nature.

- **Air emissions** - the development would not result in any emissions to air during its operation other than those from vehicles associated with periodic maintenance/inspection visits to the Site. Emissions associated with the construction phase would relate to construction vehicles and it is considered would not be of a level to cause harm to the environment or residential amenity. It is considered that emissions would be more than offset by the benefits of generating renewable energy at the Site.
- **Waste** - no waste would be generated during the operation of the Proposed Development. Due to the methods of installation, limited if any waste would be generated during the construction phase.
- **Flood risk/drainage** – the Site is located entirely within Flood Zone 1. However, due to its size being in excess of 1 ha the planning application would be accompanied by a Flood Risk Assessment and Drainage Strategy outlining how the Proposed Development would remain operational and safe for users in times of flood, result in no net loss of floodplain storage, and not impede water flows and not increase flood risk elsewhere.
- **Traffic** - traffic associated with the Proposed Development would be largely limited to the temporary construction phase, during which appropriate and proportionate management measures would be implemented. Traffic during operation would be limited to periodic maintenance/inspection. The planning application would however be accompanied by a Transport Statement.
- **Complex and potentially hazardous environmental effects** - the Proposed Development is not of a nature, being for the generation of renewable energy, that presents any complex or potentially hazardous environmental effects.
- **Cumulative effects** - a search of satellite imagery and the Council's online planning register identified three solar farms ranging between approximately 3-5km to the south east of the Site, to the south of the A30. These will be taken into account in the planning application in addition to any other relevant major developments within 3km of the Site however it is not considered that the Proposed Development would result in any significant cumulative effects, such that EIA is required.

In view of the characteristics of the Proposed Development, the relatively low environmental sensitivity of the location and the limited potential for impacts, it is considered that the proposed solar farm would not result in significant environmental effects that require an EIA to be undertaken.

SUMMARY AND CONCLUSIONS

The Proposed Development involves the generation of renewable energy. It would make a positive contribution towards reducing carbon emissions and also contribute to supporting the local community and economy.

The Site is not environmentally sensitive nor subject to any local, national or international environmental designations. It would not involve complex or potentially hazardous environmental effects.

The development does not therefore, in our view, represent EIA development.

We very much look forward to hearing from you.

Yours faithfully,

A handwritten signature in blue ink, appearing to read 'Nick Bowen'.

Nick Bowen
Senior Associate
DWD

Nick.bowen@dwdllp.com

020 7489 1175

Encs:

Site Plan

Magic Map

Proposals Map Extract

Environment Agency Flood Risk Map