

NOTIFICATION OF SCREENING OPINION OF THE LOCAL PLANNING AUTHORITY

Date of Decision 25 August 2021



ASHFORD
BOROUGH COUNCIL

Mr I Booker
Engena Limited
The Old Stables
Bosmere Hall
CREETING ST MARY
IP6 8LL

Town and Country Planning (Environmental Impact Assessment) Regulations 2017

APPLICATION NO: 21/00002/EIA/AS

PROPOSAL: Screening opinion for proposed solar farm with a rated capacity of up to 49.9MW

LOCATION: Land south of M20 and south of railway line to the east and west of, Church Lane, Aldington, Kent

APPLICANT: Engena Limited The Old Stables Bosmere Hall CREETING ST MARY IP6 8LL

DECISION: The Local Planning Authority is of the opinion that an Environmental Impact Assessment is required for the following reasons:-

This decision is issued in accordance with Regulation 6 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

The proposal comprises an array of ground-mounted solar panels and ancillary infrastructure including inverters, transformer units, electrical infrastructure, switchgear, storage and welfare cabins and a temporary construction compound. The development also include the installation of underground cable route to a substation cabinet on a proposed Pivot Power battery energy storage site north of the M20 on Church Lane west of the existing Sellindge Converter Station. The grid connection will connect from this cabinet under Church Lane to the adjoining National Grid substation.

It is understood that the proposed solar farm and battery are each independent stand-alone projects and viable and implementable each in their own right - should either consent not be forthcoming. The battery energy storage project is therefore subject to a separate application. It is anticipated that the proposed solar farm development would be generating electricity for a period of forty (40) years and would have a rated capacity of up to 49.9MW at the point of connection. The panels would be ground-mounted, orientated to face approximately south, at a fixed angle (typically between 20-25°) and with a maximum height above ground of approximately 3 metres.

Solar energy developments are not listed under Schedule 1 and are not explicitly listed under Schedule 2. However, Class 3(a) lists the following as Schedule 2 development:

'(a) Industrial installations for the production of electricity, steam and hot water (unless

included in Schedule 1)'; where 'the area of the development exceeds 0.5 hectare.'

A formal Screening Process is set out within the EIA Regulations to determine whether or not an EIA is appropriate. The online Planning Policy Guidance (PPG) (from Paragraph: 017 Reference ID: 4-017-20170728) sets out guidance to the Regulations for developers and Authorities on EIA and their application including the application of the Screening Process.

The area of the development exceeds 0.5 ha which is the applicable threshold in column 2 of the table under schedule 2 of the Regulations and therefore EIA may be required. For a development which exceeds the threshold in column 2, the potential significant effects of the development should be considered in relation to the criteria set out under schedule 3.

Paragraph 058 of the National Planning Practice Guidance provides further guidance on indicative screening thresholds. Under column 3 (Indicative Criteria and Thresholds) in respect of thermal output of more than 50MW, it is advised that small stations using novel forms of generation should be considered carefully with column 4 suggesting that level of emissions to air, arrangements for the transport of fuel and any visual impact are the key issues for consideration. Although the proposed output is below 50MW and the operation of the solar farm does not involve the transportation of fuel or emissions. Nonetheless landscape visual impact, heritage impact and impact upon the wildlife habitats and ecology are main issues for consideration.

Schedule 3 to the Regulations provides selection criteria for screening schedule 2 development. The proposal is a schedule 2 development by virtue of exceeding the 0.5 ha threshold set out under schedule 2. An EIA is required if the development is likely to result in significant effects on the environment. These effects are examined under 3 broad headings:

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

1. Characteristics of the development

Of the 7 criteria listed under this heading, the size and design of the whole development; cumulation with other existing development and/or approved development; and the use of natural resources, in particular land, soil, water and biodiversity are of particular importance.

The proposed solar farm would extend over an area of approximately 102 hectares. It is adjacent to the Sellindge solar farm which covers 25 hectares, approved and implemented under reference 14/00398/AS. The cumulative size of 127 hectares is considered to be very large in the context of this rural location, where the largest developments are modest farm buildings, residential dwellings and an ecclesiastical building. In an area which is characterised by open countryside with expansive views and scattered dwellings, it is considered that the impact of the proposed installation in combination with the existing installation would be great. The installation and its visual impact would be visible from many viewpoints.

2. Location of the development

The environmental sensitivity of geographical areas likely to be affected by the development must be considered having regard to existing use, relative abundance, quality and capacity to regenerate the natural resources and the absorption capacity of the natural environment with particular regard to a number of specified areas.

The site lies within a designated Landscape Character Area with a number of public footpaths through and around the site. There are many extensive and panoramic views into and out of the area, including the view from the St. Martin's churchyard on Church Lane and the Aldington Conservation Area. The surrounding area is characterised by a very undulating landform and this provides a strong local distinctiveness and continuity throughout the area.

3. Types and characteristics of the potential impact

The likely significant effects of the development on the environment must be considered in relation to criteria set out under the 2 headings above, especially with regard to the impact of the development on the factors specified in regulation 4(2), taking into account—

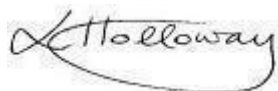
- (a) the magnitude and spatial extent of the impact (for example geographical area and size of the population likely to be affected);
- (b) the nature of the impact;
- (c) the transboundary nature of the impact;
- (d) the intensity and complexity of the impact;
- (e) the probability of the impact;
- (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 impact of the proposal would persist for the lifetime of the development, which is anticipated to be 40 years. Although the impact of the development is reversible provided adequate planning safeguards are attached and implemented, in general EIA will be needed for Schedule 2 development in three main types of case:

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

When the potential significant effects of the development are considered in relation to the characteristics of the development (particularly the cumulation with other existing development and/or approved development; and the use of natural resources, in particular land, soil, water and biodiversity) and the location of the development in relation to nearby heritage assets, the development is considered to be an EIA development and an EIA is therefore required.

Information to be included in the Environmental Statement can be found at Schedule 4 of the 2017 Regulations.



Development Management Manager