

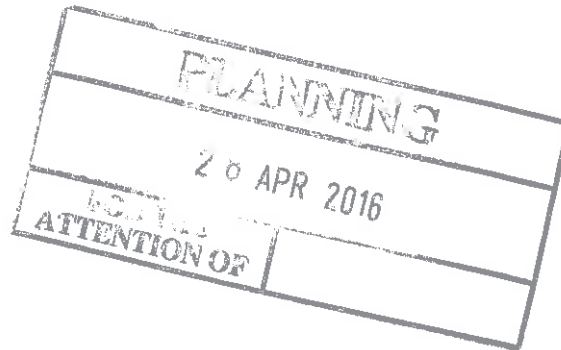
26th April 2016

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Dear Sir / Madam,

TOWN AND COUNTRY PLANNING ACT 1990

TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2011

REQUEST FOR A SCREENING OPINION IN RESPECT OF THE PROPOSED INSTALLATION OF PHOTOVOLTAIC ARRAYS AT HODDER WATER TREATMENT WORKS, BENTHAM ROAD, SLAIDBURN, NR. CLITHEROE, LANCASHIRE, BB7 3AQ

I write to seek a formal Environmental Impact Assessment screening opinion in respect of a proposed installation of a ground mounted solar array development to provide renewable electricity to the existing, operational water treatment works on behalf of United Utilities.

The site has been identified by United Utilities, as having good potential for the development of a ground mounted solar array, due to its ability to accommodate this type of low scale development.

I wish to obtain a formal screening opinion from Ribble Valley Borough Council to confirm the opinion that an Environmental Impact Assessment is not required in this instance. The water treatment works was subject to a previous EIA Scoping Opinion for a floating array in February 2016 (Ref: CS/CMS/3/2015/0662/P) which advised that an EIA would not be required. Whilst the development and site has changed, the conclusions of this previous EIA Scoping Opinion are still considered valid. This is on the basis that the new site occupies the same locality as that previously considered.

Site Location and Context

The site is located approximately 2.2km north of the settlement of Slaidburn, which is a small village within the Ribble Valley district. The surrounding area comprises open countryside, a number of isolated farms with associated commercial and residential buildings. The site was purchased on 19th May 1916.

The site comprises an area of 0.79ha of operational land located to the south-west of the Hodder reservoir and water treatment works. The reservoir is situated at the head of the Hodder valley in the Forest of Bowland, Lancashire, which is classified as being an Area of Outstanding Natural Beauty (AONB) within the adopted 2014 Core Strategy and saved policies of the District Wide Local Plan.

The site is extensively screened via area of mature woodland located to the south, east, north, and west. As

such the site is not highly prominent in landscape terms. It also benefits from its close association with the Hodder water treatment works and reservoir which contain a number of notable and prominent man made structures.

The site is enclosed to the south and east by areas of woodland that provide screening to the site. To the south west of the site, is the existing, operational Hodder water treatment works.

The site is accessed via a road called 'The Skaithe'. From this road, the site would be accessed by existing tracks from a junction west of Phynis Wood, where the site would be accessed by internal tracks serving the water treatment works.

The nearest Listed Building (LB) is Hammerton Hall (Grade II* listed), which is located approximately 800m to the south. It is a Grade II Listed Building built originally in the sixteenth century and comprises slobbered rubble with sandstone dressings and slate roof.

A footpath is situated south-east of the site, running across Ten Acre Hill. To the north of the footpath is an established woodland, which would limit views towards the site. A permissive footpath runs across the eastern and south-eastern boundary of the reservoir, which further runs across the northern and southern perimeter boundary of the wider reservoir area. There could be potential for views towards the site from this permissive footpath receptor.

Requirement for an EIA

Under Part II, Section 5 of the *Town and Country Planning (Environmental Impact Assessment) Regulations 2011* (the Regulations) a person who is minded to carry out development may request the relevant planning authority to adopt a screening opinion as to whether that development is EIA development.

The Regulations require that a screening opinion request be accompanied by a plan sufficient to identify the land; a brief description of the development and of its possible effects on the environment; and such other information or representations as the person making the request may wish to provide or make. This letter and the enclosed plan comprises such a submission.

In determining whether or not the proposed development requires EIA, the local planning authority is required to follow Part II, Section 4 of the Regulations and the relevant schedules. Guidance on 'Screening Schedule 2 projects' and the EIA process is provided in the National Planning Practice Guidance (PPG) at ID: 4-017-20140306 and a flowchart of the EIA Screening process can be found in the PPG (ID: 4-030-20140306).

As you will be aware, section 5 (5) of the Regulations states that the local planning authority shall adopt a screening opinion within three weeks of the date of receipt of a request, and we look forward to receiving a response within this timescale.

Consideration of the development proposal against the Regulations is set out in the sections below.

Description of the development

The proposed development comprises an array of free-standing solar panels to generate approximately up to 750kW of electricity from a renewable source to feed directly into the water treatment plant to meet part of its electricity demand.

The solar panels would be arranged in rows comprising a series of panels facing south. Each panel would be inclined to between 20 and 30 degrees with the lower part approximately 60-80cm from ground level, and the highest part up to 3m from ground level. The panels would be mounted on aluminium frames supported by upright poles which would be driven into the ground. No concrete foundations are required and little excavation is therefore necessary. The distance between each row of panels would be between 4m and 6m to avoid the potential for overshadowing.

Up to two inverter station and switchgear structures will be required. It is anticipated that these structures would be 4.6 in length by 2.5 width by 2.6 metres high.

CCTV will be positioned at regular intervals along the site's boundary, typically every 100 metres and up to 4 metres in height.

Any additional security fencing would be erected around the site comprising 2m high fencing erected along existing field boundaries where possible to take advantage of existing boundary lines and features. Access within the site would be provided by upgrading existing access tracks.

The solar array is expected to have an operational life of approximately 25 years and would be unmanned during typical day to day operation.

Potential impacts of the development

The regulations require that any request for a screening opinion should be accompanied by a brief outline of the potential impacts of the development. For the proposed solar array development, the potential impacts are considered to be:

- **Landscape and Visual:**

At a maximum of 4m above ground level the potential landscape and visual impacts close to the site would be limited especially taking into consideration the extensive vegetation screening in the immediate locality of the site.

- **Ecology:**

The nature of the development allows for the retention of existing vegetation below the solar panels. Trees and shrubs can be retained within the boundaries of the site.

Stocks Reservoir is designated as a County Biological Heritage site where birds, mosses and Liverworts reptiles are present. The site also lies within the wider Forest of Bowland (AONB), which is an expansive area of wild, open rolling heather moorland and blanket bog, which are managed for grouse and sheep. The area provides a habitat for internationally important populations of red grouse, hen harrier Merlin, peregrine and golden plover.

Barn Gill Meadow is an area of neutral grassland that is classified as a Site of Special Scientific Interest (SSSI) approximately 1.1km to the east of the site. There are a number of wider statutory designations within 5km, including; Bell Sykes Meadows SSSI, Bowland Fells SSSI / SPA, Langcliff Cross Meadow SSSI, Field Head Meadow SSSI, Myttons Meadows SSSI, Standridge Farm Pasture SSSI and North Pennine Dales Meadows SAC. These sites are designated for their habitat value including grassland and meadow habitats.

Due to the separation distance of the proposed development and the identified designated sites; direct impacts are considered unlikely, although standard pollution control measures must be implemented to ensure indirect effects do not occur.

United Utilities will commission extended phase 1 ecological surveys of the working areas, along with any recommended habitat and species specific surveys. United Utilities will obtain any licences required and shall implement mitigation measures, as appropriate to the surveys' findings. United Utilities is of the opinion that, by applying best practice and establishing and enforcing a contractor's site-specific environmental management plan during construction, there will be no significant deleterious environmental effects.

- **Cultural Heritage and Archaeology:**

The proposed development has the potential to impact indirectly on the setting of cultural heritage assets, such as scheduled ancient monuments and listed buildings.

Hammerton Hall is the closest designated cultural heritage asset, located approximately 800m south of the site. Hammerton Hall is a Grade II* listed building, built originally in the sixteenth century with features including slobbered rubble with sandstone dressings and slate roof. Areas of woodland would screen the solar array development and it is therefore considered that there would be no significant impacts upon this cultural heritage asset. There are two further Grade II Listed buildings

approximately 1.7km south west of the site. It is considered that there would be no significant impacts upon the setting or significance of these heritage assets, given the distance of separation and the intervening topography.

- **Noise and Vibration:**

There is the potential for noise and vibration impacts during the construction of the solar array development. However, given that these would be limited to the construction period alone these are not considered likely to be significant. Operational noise is likely only to occur from the inverter structure, although this is not anticipated to be significant on the basis that the inverter would produce a low level of noise and would be located within an acoustically insulated structure meaning that any generated noise would not exceed 35db at the site boundaries. It is also noteworthy that solar panels only operate during daylight hours, and will not therefore generate any noise during twilight hours. No potential noise impacts are therefore anticipated, although as an additional precaution the inverter would be positioned to maximise the separation distance from residential properties.

- **Cumulative Impacts:**

The proposed development could have cumulative impacts if there are any existing or consented solar array schemes in the area and any other developments which could lead to cumulative impacts, particularly with relation to landscape and visual impacts. However, according to our most up to date cumulative search, we are not aware of any nearby proposals which might reasonably be considered for cumulative effects.

Consideration against Environmental Impact Assessment (EIA) Regulations

The EIA regulations detail developments in two Schedules. These are:

- Schedule 1 – identifies development types *requiring* EIA;
- Schedule 2 – identifies development types where, if the relevant threshold criteria are exceeded, a formal assessment must be undertaken against Schedule 3 in order to determine whether an EIA is required.

The proposed solar park does not fall within any of the categories within Schedule 1.

Schedule 2 of the regulations identifies development types which need to be screened against Schedule 3 of the regulations. Solar array development does not fall within any specific category within Schedule 2, although the most appropriate category is considered to be 3 (a) which states:

- **Energy industry**
3.—(a) Industrial installations for the production of electricity, steam and hot water (unless included in Schedule 1);

Schedule 2, category 3(a) development needs to be screened as to whether the proposal is an EIA project if the area of development exceeds 0.5ha, or if any part of the development is to be carried out in a 'sensitive area' (as defined in Regulation 2(1)). If the planning authority's screening against Schedule 3 finds that a proposal is likely to have significant effects on the environment by virtue of factors such as nature, size or location, it is EIA development and requires an assessment. The site is within a 'sensitive area' (Forest of Bowland AONB), as defined in the regulations.

PPG (Paragraph: 018 Reference ID: 4-018-20140306) highlights 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. It is also possible to provide an indication of the sort of development for which an assessment is unlikely to be necessary...However, 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.'

Schedule 3 of the EIA regulations contains the criteria against which Schedule 2 development should be screened. In such circumstances, Part II, section 4 (6) of the Regulations requires the local planning authority to take into account "... such of the selection criteria set out in Schedule 3 as are relevant to the development...". This assessment is set out below.

1) Characteristics of development

a) the size of the development;

The proposed development would cover in total, an area of approximately 0.79 ha comprising solar panels on stands with an overall structure height of between 0.6m at their lowest point and 3m in height. Given the relatively low height of the proposal and the screening which could be offered by existing boundary planting, it is considered that the development would not be overbearing within the local landscape.

b) the cumulation with other development;

No other similar developments have been identified close to the site which would likely result in significant potential impacts.

c) the use of natural resources;

The proposed development is a renewable energy scheme which will assist the UK in achieving its legally mandated targets.

d) the production of waste;

The development in itself would not generate waste when operational. Minimal waste could be generated during construction but this is not considered to be significant. Recycling of some components upon decommissioning is possible.

e) pollution and nuisances;

With the exception of the small on-site (onshore) sub-station, the proposed development does not require the use of concrete or any other potential pollutants during its operation. A small amount of concrete would be required for the sub-station foundations, but this is not considered significant enough to warrant the requirement for an EIA.

f) the risk of accidents, having regard in particular to substances or technologies used.

In terms of the EIA regulations the potential risk of accidents which could impact upon the environment is considered to be extremely low.

2) Location of development

a) the existing land use;

The existing land use is an operational land, associated with the water treatment works.

b) the relative abundance, quality and regenerative capacity of natural resources in the area;

The proposed development would employ the use of sunlight and daylight for the generation of electricity, an energy source which is abundant. Given the relatively unobtrusive construction methods used for the ground mounted development, the site would regenerate quickly following the cessation of the solar array use.

c) the absorption capacity of the natural environment;

The surrounding area is suitable for this development given the limited height of the solar panels

proposed. It is considered that the environment has the capacity to suitably absorb this development into the landscape fabric, particularly given the lack of other similar projects in the area impacting upon its capacity for further development.

3) Characteristics of the potential impact

a) *the extent of the impact (geographical area and size of the affected population);*

The extent of the potential impacts would generally be limited to the site and the immediate surroundings given the relatively low level nature of the development.

b) *the transfrontier nature of the impact;*

No transfrontier impacts are anticipated.

c) *the magnitude and complexity of the impact;*

The potential effects of the development are quantifiable and not considered to be complex.

d) *the probability of the impact;*

All of the potential impacts are quantifiable. None of the potential impacts are considered to be significant enough to require an EIA.

e) *the duration, frequency and reversibility of the impact.*

The proposed floating solar array development would be operational for 25 years, with any impacts fully reversible upon the cessation of operation.

Conclusion

Consideration of the proposed development against the Environmental Impact Regulations 2011 and the PPG. Despite the site being located within a sensitive area (Forest of Bowland AONB), the site is screened by boundary vegetation and the existing water treatment works. Therefore, it has been determined that the proposal is unlikely to result in significant effects on the environment. Consequently, it is of my opinion that an environmental impact assessment is not required.

I trust that the above information is sufficient to enable you to issue a screening opinion within the statutory three week period allowed for this task.

If you require any further clarification, please do not hesitate to contact me.

Yours Sincerely



David Palmer

Associate Director