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Our Ref: 2024/0619/EIAS

21 January 2025

Dear Sir / Madam,

Town and Country Planning (Environmental Impact Assessment) Regulations 2017

Assessment is not Required

Address: Proposed Solar Farm At Epney, Framilode, Gloucester, Gloucestershire.
Application Type: Environmental Impact Assessment
Description: Request for Screening Opinion under Regulation 6 for Proposed Solar Farm

Reasons for decision

DESCRIPTION OF THE SITE

The site is located to the southwest of the village of Epney and to the east of the village of Saul. The River Severn is approximately 380 metres to the north of the site and the Gloucester and Sharpness Canal runs parallel to the southeastern boundary of the site.

The site is approximately 48.60ha and lies within the Parishes of Longney and Epney to the east and Fretherne with Saul to the west. The parish boundary follows the Spring Rhyne ditch which crosses through the site in a north-south direction.

There is one access point via the western edge of Epney village

The site comprises agricultural land, including arable fields as well as pasture for cattle and sheep grazing. The site does not lie within a designated landscape, such as The Cotswolds National Landscape (formally known as an Area of Outstanding Natural Beauty), nor does the site location include any listed buildings. The site location is not within a Conservation Area, although the nearest Conservation Area is located in proximity to the site.

The site is located in Flood Zones 2 and 3. Spring Rhyne crosses the site, and River Frome runs along the southern boundary of the site.

The site falls within the Cotswold Beechwoods SAC zone, as well as within the Severn Estuary SAC/SPA linear buffer zone.

There is a public right of way which crosses the site, connecting the canal towpath with Epney and Lea Court Farm.

THE PROPOSAL TO BE SCREENED

The screened development consists of a solar farm and battery energy storage system (BESS) facility with an export capacity of up to 49.5MW, along with the installation of associated infrastructure at Land at Epney.

CONSULTATION RESPONSES

Longney & Epney Parish Council

Comments were received on 15th January 2025 and were noted accordingly.

Fretherne with Saul Parish Council

Comments were received on 14th January 2025 and were noted accordingly.

Public Comments

This application attracted a significant level of attention with a large number of public comments were received. These comments are noted, however, Officers are unable to directly comment or respond to issues raised.

RELEVANT PLANNING GUIDANCE AND LEGISLATION

The appropriate guidance for the consideration of a Screening Opinion can be found within the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 and the accompanying guidance contained within the National Planning Policy Guidance (NPPG). These documents set out the formal legislation against which Screening Opinions must be considered as well as the various thresholds for determining the need for EIA.

This background requires that a Screening Opinion should be considered as a two-stage process. The first stage is to determine if the proposal is of sufficient scale to be considered as Schedule 1 or 2 Development for the purposes of the Regulations. The second stage relates to considering that if the proposal is Schedule 1 or 2 what are the environmental implications of the proposal and are these significant and hence is the proposal EIA development.

It should be noted that the screening opinion is only concerned with identifying whether an Environmental Statement should be submitted to accompany a planning application. The screening opinion/process is not concerned with the planning merits of the proposal. This would be fully assessed during the planning application process.

Schedule 1 or Schedule 2 Development

A screening opinion firstly seeks to establish if the proposal falls under Schedule 1 or 2 development.

The Local Planning Authority is satisfied that the proposed development is not Schedule 1 development.

The proposed development is such that it falls into Schedule 2, Column 1 (3 - Energy Industry). The site area is well in excess of the indicative threshold contained in column 2. The proposal is therefore considered to be Schedule 2 development.

Although the development site is not within or partly within a sensitive area as defined in regulation 2 of the EIA regulations, the LPA considers that the site is located close to sensitive areas which includes international wildlife habitat designations such as Ramsar, SPA, and SAC sites. These areas are highly sensitive. For this reason, the proposal is considered to fall into Schedule 2 development for the purposes of the Regulations and should be screened in accordance with the EIA regulations.

The screening opinion will have regards to significance of the impacts in respect of the sensitive areas identified.

Schedule 3 outlines the key areas for consideration:

- Characteristics of Development
- Location of Development
- Type and Characteristics of the potential impact

Characteristics of the Development

The proposed development comprises the installation of photovoltaic panels with the total capacity of up to 49.5MW, together with a battery energy storage system (BESS), a 132kV substation and associated infrastructure.

The proposed solar panels would be mounted on frames piled into the ground. The frames would have a maximum height of 3m. The underground cables would connect transformers with an on-site substation.

The proposal includes up to 66 shipping container-like battery energy storage system (BESS) which would be positioned on a concrete plinth. Permeable gravel would infill the area between the individual BESS units. Depending on the battery technology selection, the containers would be approximately 12m long, 2.4m wide and 2.9m high. A circular attenuation water tank is proposed within the battery compound. The tank proposed would be 10.5m in diameter and 2.5m in height.

The development includes a 132kV Substation compound which comprises of transformers, busbars and other equipment of up to 9m in height.

It is noted that the security CCTV would use infrared technology, thus no external lighting would be proposed, with the exception of emergency lighting within the development.

The development is proposed to have a limited lifespan of 40 years after which it would be decommissioned and the land restored to its original agricultural use. All structures, buildings and hardstanding would be removed.

The site is relatively flat. There may be some minor physical changes or levelling of the site to accommodate the electrical equipment, plant and containers.

Location of the Development

Schedule 3, 2 (1) seeks the environmental sensitivity of geographical areas likely to be affected by development to be considered in relation to three criteria a, b and c.

Criterion a) the existing and approved land use. The existing land use is agricultural and the site is located within the open countryside.

'Criterion b) the relative abundance, availability, quality and regenerative capacity of natural resources (including soil, land, water and biodiversity) in the area and its underground.' The Best and Most Versatile (BMV) agricultural land is afforded greater protection by planning policies at national and local level. Natural England has produced a series of maps indicating the likely Agricultural Land Classification for different areas. The map for this area indicates that the site is likely to comprise Grade 4 land which is neither the best nor most versatile (BMV). The application documents also indicate that the land is grade 3b.

Criterion c) seeks to understand 'the absorption capacity of the natural environment, paying particular attention to the following areas'. In this instance, i) wetlands, riparian areas, river mouths, v) European sites and other areas classified or protected under national legislation and viii) landscapes and sites of historical, cultural or archaeological significance' are considered relevant.

The site is located approximately 300m to the southeast of the village of Upper Framilode and 500m to the south of the village of Epney. The village of Saul is located 550m to the southwest of the assessed site. The assessed site falls within the boundary of two parish councils.

The site is also approximately 2.3 km away from the Severn Estuary SPA, SAC, SSSI and RAMSAR which are designations of national and international importance. Frampton Pools SSSI is located approximately 1.9 km south of the assessed site. The site lies partially within the Cotswold Beechwoods SAC 15.4km core catchment zone and entirely within the Severn Estuary SAC/SAC 15.4km buffer.

The Gloucester and Sharpness Canal and Severn Way recreational routes are set to the east of the site.

The site is located within Flood Zones 2 and 3.

Types and Characteristics of the Potential Impact

Landscape Constraints -

This area of the countryside is set within the Severn Vale Grazing Marshes landscape character area and it is classified by Stroud District Council's 'Landscape Character Assessment' as an open flat landscape with extensive views across a large scale rectilinear field pattern. This area of the countryside does not benefit from a special landscape designation such as a National Landscape (formerly referred to as an Area of Outstanding Natural Beauty - AONB). The site and surrounding area are relatively flat with deep ditches and a distinctive colour and texture of wet, regularly flooded, pastures.

Whilst the proposal may result in localised impacts it is considered that mitigation measures such as planting will help reduce any impact. The proposal is also reversible as the application seeks permission for 40 years. By virtue of the scale of the site, local topography and mitigation planting it is not considered that the proposal would lead to significant environmental effects with regards to the EIA regulations. Any impacts can be considered by way of a Landscape and Visual Impact Assessment that accompanies a planning application. This would address the localised impacts and views from the Wey Valley National Landscape, as well as those from the Cotswolds National Landscape.

Ecological Constraints -

The proposed development is in a close proximity to the Severn Estuary Special Protection Area (SPA), Special Area of Conservation (SAC), Ramsar and Site of Special Scientific Interest (SSSI). It also falls within the 'zone of influence' (functionally linked land) to the Wye Valley and Forest of Dean Bat Sites (SAC). Therefore, it is not considered that an EIA is required as the project is not within, or partially within a sensitive area, and is not a Schedule 1 development.

However, as this is considered to be a Schedule 2 development, which is located close to a sensitive site, designated for its wetlands, riparian areas, and the marine environment, and falls within the floodplain of the Severn Estuary, then the location of the development should still be considered as a geographical area that has environmental sensitivity.

No technical material has been supplied with the consultation to allow for a meaningful consultation with Natural England and Biodiversity Officers. The Local Planning Authority considers proposed development to have potential likely significant effects on statutorily designated nature conservation sites or landscapes and further consideration is required.

In the context of the temporary nature of the proposal and its limited amount of built form, the Local Planning Authority is satisfied that the likely significant effects of the development on the environment could be considered and effectively addressed at an application stage, subject to sufficient information being provided for the Local Planning Authority to undertake a Habitats Regulations Assessment (HRA) Appropriate Assessment (AA) under the Conservation of Habitats and Species Regulations 2010. The information/evidence necessary to inform an HRA would be required at the submission stage and should consist of a Shadow HRA.

In addition to the above, relevant surveys for protected species, two-seasons-worth of overwintering bird surveys, and a Biodiversity Net Gain Assessment would be required at the application submission stage.

While the development has potential likely significant effects on the statutorily designated nature conservation sites and landscapes, the LPA is satisfied that the effects of the development can be effectively addressed at the application stage.

Heritage Constraints -

While the location is relatively close to the Industrial Heritage Conservation Area. Due to the nature of the development, the impacts on the conservation area could be addressed by appropriate landscaping and site layout thus the localised impacts could be effectively mitigated at the application stage.

There are several listed buildings within the wider area. Impacts of the proposal would be assessed during the application stage when a full heritage statement is submitted for Council's consideration.

The site has the potential for archaeological remains to be present. However, the investigation and remediation of potential archaeology within the site could be dealt with during the planning application process. A comprehensive Heritage Statement will be required at the submission stage. If remains of interest are located at the site, it is likely to be possible to record and preserve these. An EIA is not considered necessary in this respect.

Transportation Impacts -

The proposal is likely to impact upon the highway network during construction and decommissioning through increased traffic movements in the area by HGVs. The site is in close proximity to the strategic road network that comprises the A38 and M5. Whilst there would be some disruption during construction and decommissioning to the local road network which comprises narrower roads, this would be for a temporary period of time and as such would not generate a significant impact in respect of the EIA Regulations. Once operational vehicle movements associated with the assessed proposal would not be significant.

In the event of a fire at the site, the emergency vehicles would utilise the proposed access from Epney. All emergency procedures, including access assessment for emergency vehicles, will be outlined within the Risk Management Plan and/or Emergency Response Plan which will be required at the application stage and assessed accordingly.

Socio-Economic Impact -

The proposal may have some impact upon the local population of nearby villages of Saul, Framilode, Epney, and users of the nearby Saul marina, however, these impacts would likely to be limited to visual amenity only.

The increased traffic (during construction and decommissioning) and noise emissions during construction, operation and decommissioning would likely impact on residents of Epney only.

It is considered that these issues could adequately be dealt with under the planning application process. Mitigation measures such as a condition requiring construction hours could help reduce any impact.

A noise impact assessment would be requested with the planning application and it is considered that this document is sufficient to assess noise levels and any impact upon the local population as well as any protected species and wildlife.

There is the opportunity for construction workers to use local services.

Cumulation of Impacts -

Development in this area is relatively limited. There are existing and proposed Solar Farms and Battery Energy Storage Systems (BESS) within 10km of the assessed site.

The location of the site is such that it may be possible to see the proposed development from longer views from higher ground on both sides of the River Severn. However, there is considerable separation distances to other approved or existing energy projects within the local authority, it is not considered that there would be a cumulative impact of development nor transboundary effects.

Whilst there are other solar farm installations and proposals in the wider locality, the proposal site is in an isolated location with large areas of open countryside providing substantial separation such that a substantial area of land would be retained and available for the identified protected ecological interest. Accordingly, the accumulation of this development proposal with other existing and proposed development would not likely result in a significant effect. These matters are appropriately dealt with by way of comprehensive consideration accompanying a subsequent planning application, such as appropriate Heritage/Archaeological Assessments, Landscape Assessment Habitat Regulation Assessment, as well as Landscape and Visual Impact Assessments.

Other Environmental Issues -

The site is located in Flood Zone 3 and as such the future planning application would be required to demonstrate how the proposal complies with the national guidance and policy which directs development to areas with lower risks of flooding. Technical evidence would also need to demonstrate that all sources of flooding have been assessed and that the development would not result in flooding elsewhere. Any application would be required to be supported by a flood risk assessment.

There are no identified contamination issues associated with the site.

Solar PV development generates very low levels of noise when operational and does not generate air-borne pollutants or other forms of physical waste. Any noise is usually associated with its ancillary equipment. The BESS element of the proposal does have the potential to generate noise, and air-borne pollutants, however, these could be appropriately assessed during the application process. Any application would be required to be supported by appropriate noise assessment.

These matters would not likely give rise to significant effects. Impacts of the development can be appropriately addressed through a planning application.

Conclusion

The Local Planning Authority has determined that the proposal is 'Schedule 2' development. The screening opinion has been carried out in accordance with criterion a) b) and c) listed under Schedule 3 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017. It is the Local Planning Authority's opinion that taking into consideration the nature of the proposal, its location and potential impact, no significant effects would occur to warrant the submission of an Environmental Statement.

The characteristics of the development and relationship with the identified Ecological, Landscape and Heritage designations; and highway and other environmental characteristics is such that there will be some impact on the area. However, it is not considered that the impact is of such a significance or scale to be considered unusually complex in nature as defined in the EIA Regulations. The proposal by itself, or in combination with others, is not 'EIA Development' as defined by the Regulations.

The proposal by itself, or in combination with others, **is not 'EIA Development'** as defined by the Regulations.

Yours sincerely,



Proper Officer of the Council
Duly authorised in that behalf