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14th November 2023



Council Offices
Priory Road
Spalding
Lincolnshire PE11 2XE

Screening Opinion

Dear Mr Rob Warren,

Our Reference: PE-00302-23
Application Site: Fields South of Pilgrim's Pride Ltd, Fulney Lane, Spalding.
Proposal: Screening Request (formulation of solar array at above site)

I am writing to provide you with a screening opinion from the local planning authority under Regulation 6 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017.

This screening opinion is provided in response to development proposals for a proposed solar farm at Fields South of Pilgrim's Pride Ltd, Fulney Lane, Spalding.

Given its understanding of the site environment and the development proposal at the time of writing, the local planning authority considers that the development would not comprise EIA development. As such, the authority advises that you are not required to undertake an Environmental Impact Assessment of the development proposed, and therefore, not required to submit an Environmental Statement with an application for planning permission.

Please do not hesitate to contact me should you wish to discuss any aspect of this response.

Yours Faithfully,

M Niland

Mark Niland

Screening Report

Our Reference: PE-00302-23
Application Site: Fields South of Pilgrim's Pride Ltd, Fulney Lane North
Proposal: Screening Request (formulation of solar array at above site)

The Development is for a Solar photovoltaic (PV) Array with a maximum generating capacity of 3.5 MW and an onsite connection to the existing Pilgrim factory. Alongside the Solar PV Array, associated infrastructure and equipment would include fencing, security cameras, cabling and access track. Biodiversity enhancement will also be integrated into the site design and will be informed through a Biodiversity Net Gain Assessment.

This proposal exceeds the thresholds set out within Schedule 2 (3)(a) Industrial installations for the production of electricity, steam and hot water (unless included in Schedule 1); The threshold area of development is in exceedance of 0.5 ha. The site area proposed is 1.4 hectare.

Legislative Background:

The process of Environmental Impact Assessment in the context of town and country planning in England is governed by the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (the '2017 Regulations').

Consultation Responses

National Gas:

Regarding planning application PE-00302-23, there are no National Gas Transmission assets affected in this area.

Environment Agency:

The Environment Agency no longer wishes to be consulted in relation to Environmental Impact Assessment Screening Requests (and therefore has no comments in this case). Please do however continue to consult us when you receive EIA Scoping Opinion Requests. This is reflected in our consultation checklist, 'When to consult the Environment Agency'.

Highway Authority:

The installation of solar array panels, along with ancillary electrical equipment, on the enquiry site would not be expected to have an unacceptable impact upon highway safety. The site is accessed via the existing route into the Pilgrim Factory which is routinely used by Heavy Goods Vehicles. It is typically the construction phase of such facilities that has the greatest impact upon the highway network. Provided the movement of delivery vehicles and the return journeys of those vehicles are suitably managed, the impact upon the operational capacity of the local highway network should not be severe. It would be the highway

authority's preference that only the northern access into the enquiry site, via the existing Pilgrim factory entrance, is used for delivery vehicles. The identified Low Road entrance/exit is on the inside of a bend, where visibility to the right for emerging drivers is poor, and the entrance is very close to the exit off the A16 Spalding By-pass roundabout, where slowing, waiting and turning vehicles would be a hazard to other road users. Any formal Application would need to be supported by a Construction Management Plan, detailing how delivery of materials and equipment and the movement of site personnel would be managed.

LLFA:

Solar Array development do not normally have the potential to increase surface water flood risk as rainfall onto the panels is cast upon the ground from their lower edges only a short distance from where it would have fallen had the panels not been there, and thus water continues to infiltrate into the ground dispersed over the full area of the site. There is a footpath along the top of the bank of The Coronation Channel, which borders the west side of the enquiry site, but this is not a Definitive Public Right of Way

Active England:

No Comment

National Grid:

I have checked and we do have some assets that may be affected, we currently have an 11kV overhead line running through the proposed site. (Please see attached plan). We would ask that the developer either requests for the line to be undergrounded or that they provide a corridor for NGED to access the equipment with a vehicle and adequate segregation for the existing pole mounted transformer.

Natural England:

It is Natural England's advice, on the basis of the material supplied with the consultation, that significant effects on statutorily designated nature conservation sites or landscapes are unlikely.

Lincolnshire Wildlife Trust:

Lincolnshire Wildlife Trust advises that an environmental impact assessment is included in the application and that it includes an assessment of the ecology of the proposed development site and the surrounding area. We are in a climate and biodiversity crisis, and we all need to play our part in addressing that, as recognised by the UK Government in their 25-Year Environment Plan, where they state protecting is not enough anymore, we need to recover nature and natural environment so it functions to deliver all the ecosystem services we require. The Lincolnshire Wildlife Trust hopes these comments are helpful at this stage and welcomes further discussion relating to the points covered. LWT are keen to discuss this application further with the Local Planning Authority, the developer and others as a joint endeavour to achieve more for the natural environment in South Holland

Environmental Protection:

We have assessed the above application in regard to an EIA. We don't consider the need for a EIA to support a planning application. However, we would expect an application as a minimum require a Construction Environmental Management Plan (CEMP) detailing working

hours for the site, lighting, acoustic assessment and details of mitigation. This proposal should be based on good acoustic design and contain a stage 1 risk assessment.

Historic England:

Having consulted our records and considered the topographical relationship of the scheme to designated heritage assets we have not identified a likely significant effect in respect of the Historic Environment, (however please note that the Historic Environment Record may contain additional information on undesignated assets and archaeological potential). We welcome that the applicant states they will undertake work including but not limited to an archaeological desk based assessment and we refer you to your archaeological advisors as regards that and any further work to inform an application (whether as part of an Environmental Statement or a stand-alone Heritage Impact Assessment), in particular any records of discoveries made during the creation of the adjacent Coronation Cut (opened 1953) would be highly relevant.

Assessment

The local planning authority have been requested to determine whether the project is of a type listed in Schedule 1 or Schedule 2 of the 2017 Regulations:

- if it is listed in Schedule 1 an Environmental Impact Assessment is required in every case;
- if the project is listed in Schedule 2, the local planning authority should consider whether it is likely to have significant effects on the environment.

If a proposed project is listed in the first column in Schedule 2 of the 2017 Regulations and exceeds the relevant thresholds or criteria set out in the second column (sometimes referred to as 'exclusion thresholds and criteria') the proposal needs to be screened by the local planning authority to determine whether significant effects on the environment are likely and hence whether an Environmental Impact Assessment is required. Projects listed in Schedule 2 which are located in, or partly in, a sensitive area also need to be screened, even if they are below the thresholds or do not meet the criteria.

In this instance the proposal type is described under *3-Energy Industry* located within Column 1 of Schedule 2. The relevant description is '(a)Industrial installations for the production of electricity, steam and hot water (unless included in Schedule 1)'. The threshold set is 0.5ha; this proposal exceeds that indicative threshold being a proposed area of 1.4ha.

When screening Schedule 2 projects, the local planning authority must take account of the selection criteria in Schedule 3 of the 2017 Regulations. This report is a background working document that supports the accompanying Screening Matrix.

Assessment against Schedule 3

Schedule 3 sets out that the likely significant effects of the development on the environment must be considered in relation to criteria set out in paragraphs 1 and 2 'Characteristics of the

Development' and 'Location of the Development', 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.

Characteristics of development are set out under schedule 3.1.

1. The characteristics of development must be considered with particular regard to—

- (a) the size and design of the whole development;
- (b) cumulation with other existing development and/or approved development;
- (c) the use of natural resources, in particular land, soil, water and biodiversity;
- (d) the production of waste;
- (e) pollution and nuisances;
- (f) the risk of major accidents and/or disasters relevant to the development concerned, including those caused by climate change, in accordance with scientific knowledge;
- (g) the risks to human health (for example, due to water contamination or air pollution).

Location of development are set out under schedule 3.2.

2.— (1) The environmental sensitivity of geographical areas likely to be affected by development must be considered, with particular regard, to—

- (a) the existing and approved land use;
- (b) the relative abundance, availability, quality and regenerative capacity of natural resources (including soil, land, water and biodiversity) in the area and its underground;

(c) the absorption capacity of the natural environment, paying particular attention to the following areas—

- (i) wetlands, riparian areas, river mouths;
- (ii) coastal zones and the marine environment;
- (iii) mountain and forest areas;
- (iv) nature reserves and parks;
- (v) European sites and other areas classified or protected under national legislation;
- (vi) areas in which there has already been a failure to meet the environmental quality standards, laid down in Union legislation retained EU law and relevant to the project, or in which it is considered that there is such a failure;
- (vii) densely populated areas;
- (viii) landscapes and sites of historical, cultural or archaeological significance

Relevant topics within the Matrix

The matrix contains a list of topics/issues for consideration, not all are relevant to every site. The section below is a commentary on the foreseen impacts relating to each topic.

Natural Resources

Environmental Protection have been consulted and consider that mitigation in relation to natural resources can be applied sufficiently under a planning application. The Environment Agency have chosen not to make comment. The application site is located in close proximity to the River Welland. It is considered that there may be an effect during construction, the application would be subject to a construction Environmental Management Plan and Traffic Management Plan. Given the location of the development this could sufficiently be assessed without the requirement for an Environmental Statement.

Waste

Environmental Protection do not consider that the impacts in relation to waste would necessitate an accompanying Environmental Statement. It is likely that some excavating and civil work is necessary during construction. The proposal would be subject to land contamination assessment as well as a requirement for a Construction Environmental Management Plan. Given the characteristics of the development this could sufficiently be assessed without the requirement for an Environmental Statement.

Pollution & Nuisance

Environmental Protection suggest that Construction Environmental Management Plan (CEMP) detailing working hours for the site, lighting, acoustic assessment and details of mitigation will be required. An assessment of these documents is sufficient given the characteristics of the proposal.

Population & Human Health

Construction phase is likely to present more risks than operation phase. Mitigation of working practices and traffic management would be required. Based on the assessment significance criteria, the residual effects of the Proposed Development are considered to be not **significant** for all pollutants assessed at nearby sensitive receptors. An assessment of these documents is sufficient given the characteristics of the proposal.

Water Resources:

The River Welland is in close proximity. Notwithstanding this the LLFA have stated that 'Solar Array development do not normally have the potential to increase surface water flood risk as rainfall onto the panels is cast upon the ground from their lower edges only a short distance from where it would have fallen had the panels not been there, and thus water continues to infiltrate into the ground dispersed over the full area of the site.'

Given its flood zone classification as well as the scale of proposal an FRA as well as a drainage strategy would be required in support of the application. An assessment of these documents is sufficient given the characteristic and location of the proposal.

Bio-Diversity

The corridor of the River Welland is a designated Local Wildlife Site. It is considered that a UK Habitat Classification Survey (UKHAB) would be required to accompany any application. This would allow for an appropriate level of mitigation to be put forward.

Natural England do not consider that the impacts in relation to ecology are to have a likely significant effect and a full planning application with accompanying survey works would be sufficient to assess the impact of the development. Lincolnshire Wildlife Trust however consider that this proposal does represent EIA development.

It is considered that given the status of the area and the proximity to the LWS along the Welland corridor that an assessment of the merits of the proposal under a traditional application is sufficient. Impact would be identified within the UKHAB report. Potentially information on Flora through Horticultural information may also be necessary. Also a baseline of existing bio-diversity needs to be understood so if approved methods for a net gain can be built in. An assessment of these documents is sufficient given the characteristics and location of the proposal.

Landscape & Visual

The application site would be highly visible from the A16 as well as rights of way along the River Welland. A Landscape Visual Impact Assessment (based upon GLVIA3) would be required to accompany any application. Given the likely localised impact due to the characteristics of the development this could sufficiently be assessed without the requirement for an Environmental Statement.

Cultural Heritage Archaeology

The closest listed buildings are located on Holbeach Road, north of the Established Employment site (screening by factories). The conservation area of Spalding is located south west and a sufficient distance away from the site. There are no Scheduled Monuments within the site.

An archaeological evaluation would be required. It is likely that supporting information as regards, both a desk-based study and some field work as the site may contain potential for buried finds of archaeological importance. Given the location of the development this could sufficiently be assessed without the requirement for an Environmental Statement.

Transport and Access

A right of way exists along the western side of the Welland. A proposed cycle route is also proposed by the local plan along the eastern side of the river.

In terms of construction the A16 roundabouts (one north of the site connecting with the A151 and one south connecting with Low Road) may experience congestion during construction.

The proposed cycle route should be unhindered by the proposed development. In terms of the effect upon transport and access due to the impacts mainly relating to the construction phase (as opposed to when the site would be operational) then accompanying transport statement/ CMP would be anticipated this development could sufficiently be assessed without the requirement for an Environmental Statement, given the characteristics of the proposal.

Land Use

Dwellings located to the west on the other side of the Welland will experience some effects. A Glint and Glare or some form of assessment relating to the impact upon those dwellings, through reflection/light and visual impacts should accommodate the application. The location of the site is on the opposite side of the Welland and due to this it is considered that this development could sufficiently be assessed without the requirement for an Environmental Statement, given the location of the proposal

It is considered that; Land Stability and Climate, Cumulative Effects and Transboundary Effects are not relevant in this instance.

Conclusion

Notwithstanding the fact that the proposal exceeds the relevant thresholds set out in Column 2 of Schedule 2 the proposed for the reasons outlined in this report which are based upon the characteristics and location of the development would not be required to submit an accompanying Environmental Statement in support of the application. The proposal is therefore not considered to represent EIA development.