

NOTIFICATION OF SCREENING OPINION OF THE LOCAL PLANNING AUTHORITY

Date of Decision

05 June 2013



ASHFORD
BOROUGH COUNCIL

Mr Michael Gordon
Green Switch Solutions Ltd.,
502 Merlin Park
Ringtail Road,
Burscough
L408JY

Town and Country Planning (Environmental Impact Assessment) Regulations 2011

APPLICATION NO: 13/00006/EIA/AS

PROPOSAL: Proposed solar park

LOCATION: North Court Farm, Lower Lees Road, Chilham, Canterbury,
Kent, CT4 8AU

APPLICANT: Green Switch Solutions Ltd., 502 Merlin Park Ringtail
Road, Burscough L408JY

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 5 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011.

The proposed development involves the installation of a 50 MW PV solar farm covering approx 250 acres (101 ha) in area comprising of 3 sites bisected by Shalmsford Street, Lower Ensden Road and Lower Lees Road. The proposal comprises of:

- Installation of PV panels approx. 1m off the ground with a maximum height of 3.0m facing south with a 35° angle, panels are to be installed in an array of 3 panels
- Inverter/ Substation

Approximately 101 ha would be used for the installation for a solar PV farm

The proposal falls within category 3a, Energy Industry, Industrial installations for the production of electricity, steam and hot water of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011.

The area of the development exceeds 0.5 ha which is the applicable threshold in Column 2 of the table in schedule 2 of the Regulations and

therefore EIA may be required. As development which exceeds the threshold in column 2, the potential significant effects of the development should be considered in relation to criteria set out in schedule 3. However, column 3 of the table refers to small stations using novel forms of generation and advises that these are to be considered carefully in line with guidance. As neither the transport of fuel nor emissions are a consideration in this instance, visual impact and impact upon wildlife are the main issues.

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

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

1. Characteristics of the development

The size is considered to be the most relevant of the 6 criteria set out under this heading. The size of 101 ha is considered to be very large in the context of this rural location where the largest developments are modest farm buildings. In an area which is characterised by open farmland, orchards and expansive views and scattered farms and dwellings, it is considered that the impact of the installation would be great. The site will be visible not only from adjacent houses, roads and public footpaths but also from the longer view, particularly from the Kent Downs AONB on the opposite side of the Stour Valley in particular Mystole Lane and the junction with Downs Road.

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 adjacent to a number of listed buildings and houses which are in very close proximity to the site.

There are a number of public footpaths through and around the site.

The site lies within the Old Wives Lees Landscape Character Area. Old Wives Lees is located on high ground above the Stour River and there are many extensive and panoramic views into and out of the area. The area is characterised by a very undulating landform as part of the immediate foreground to the Kent Downs AONB with extensive orchards, segregated into small fields. This provides a strong local distinctiveness and continuity throughout the area. The location immediately adjacent to the Kent Downs AONB makes this a sensitive landscape and overall the sensitivity of the landscape is high.

The overall guidelines are to conserve the rural setting of the Kent Downs AONB, avoid development on high and visually prominent ground, avoid the introduction of unnecessary fencing landscape, conserve shelter belts and hedgerows.

The site does not lie within the AONB but is very close to it and very visible from it.

3. Characteristics of the potential impact

The potential significant effects of development must be considered in relation to criteria in paragraphs 1 and 2 above with particular regard to:

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

The size of the site is considered very large in local terms, but the size of the affected population limited.

b) the transfrontier nature of the impact

The impact would be local and not of a transfrontier nature.

c) the magnitude and complexity of the impact.

Having regard to the scale and nature of the development, the impact would be of importance to surrounding residents and also by users of the public footpaths and motorists who use the surrounding roads and visitors to the AONB. The impact would be the visual impact.

d) the probability of the impact.

The predicted impact is very likely to occur if the development goes ahead.

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

The impact would persist for the lifetime of the development, which is said to be 25 years. The impact of the development is also reversible providing adequate planning safeguards are attached and implemented.

Paragraph 33 of circular 2/99 advises that 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 and the location of the development, the development is considered to be EIA development and an EIA is therefore required.



Development Control Manager