

3rd August Mid Suffolk Development Control B Tabled Papers

Agenda Item 7b - DC/21/06825 LAND TO THE SOUTH OF SUGGENHALL FARM, CHURCH LANE, RICKINGHALL, IP22 1LL

- 1) Place Services Ecology Consultation Response – No objection, subject to conditions

- 2) **For Reference** - Environmental Impact Assessment Screening Request for proposed development of a 7MW solar farm (Reference DC/21/04419)



19 July 2022

Averil Goudy
Mid Suffolk District Council
Endeavour House
8 Russell Road
Ipswich, IP1 2BX

By email only

Thank you for requesting advice on this application from Place Services' ecological advice service. This service provides advice to planning officers to inform Mid Suffolk District Council planning decisions with regard to potential ecological impacts from development. Any additional information, queries or comments on this advice that the applicant or other interested parties may have, must be directed to the Planning Officer who will seek further advice from us where appropriate and necessary.

Application: DC/21/06825
Location: Land To The South Of Suggenhall Farm Church Lane Rickinghall IP22 1LL
Proposal: Full Planning Application - Development of a photovoltaic solar array, battery storage and ancillary infrastructure.

Dear Averil,

Thank you for re-consulting Place Services on the above application.

No objection subject to securing ecological mitigation and enhancement measures

Summary

We have reviewed the Ecological Assessment (Avian Ecology Ltd, Nov 2021) and the Breeding Bird Survey Report (Avian Ecology Ltd, July 2022), submitted by the applicant, relating to the likely impacts of development on designated sites, protected and Priority Species & Habitats.

We are satisfied that sufficient ecological information is available for determination.

This provides certainty for the LPA of the likely impacts on protected and Priority species/habitats and, with appropriate mitigation measures secured, the development can be made acceptable.

The mitigation measures identified in the Ecological Assessment (Avian Ecology Ltd, Nov 2021) and the Breeding Bird Survey Report (Avian Ecology Ltd, July 2022) should be secured and implemented in full.

The Breeding Bird Survey Report identified a max number of five skylark territories during the breeding season. Therefore, an outlined mitigation strategy for Skylark has been provided, which includes the provision of five Skylark Plots in nearby arable land in the applicant's control. The provision of five Skylarks Plots is considered sufficient to compensate the loss of the Skylark nesting territories. We are



also satisfied the proposed Solar Farm will provide further enhancement for the species, by providing additional foraging habitat. As a result, we are satisfied that the provision of two Skylarks Plots per territory lost (one for compensation and one for enhancement), in line with methodology set out within the [AB4 – Skylark Plots Countryside Stewardship Grant](#), is not required for this scheme.

In addition, we agree that there is a possibility that the grassland areas to the north and south of the site may also offer some suitable nesting habitat for the species. However, it is considered highly likely that these areas will be too small to ensure consistent nesting usage or successful breeding, due to risk of predation / disturbance.

In addition, we support the proposed reasonable biodiversity enhancements, which have been recommended to secure net gains for biodiversity, as outlined under Paragraph 174d of the National Planning Policy Framework 2021. The bespoke species enhancement measures should be outlined within a Biodiversity Enhancement Strategy to be secured as a condition of any consent. Furthermore, it is advised that a separate condition should be secured for the landscape aftercare measures of the proposed native species planting, which could be secured via a Landscape Ecological Management Plan. It highlighted that Landscape Ecological Management Plan should include information on the times of year and stocking densities of any livestock will be present within the Solar Farm, with the purpose of managing the grassland for biodiversity gains.

This will enable LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006.

Impacts will be minimised such that the proposal is acceptable subject to the conditions below based on BS42020:2013.

Submission for approval and implementation of the details below should be a condition of any planning consent.

Recommended Conditions

1. ACTION REQUIRED IN ACCORDANCE WITH ECOLOGICAL APPRAISAL RECOMMENDATIONS

“All mitigation measures and/or works shall be carried out in accordance with the details contained in the Ecological Assessment including a Shadow Habitats Regulations the Ecological Assessment (Avian Ecology Ltd, Nov 2021) and the Breeding Bird Survey Report (Avian Ecology Ltd, July 2022) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.”

Reason: To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) as updated by the Environmental Act 2021.

2. ACTION REQUIRED PRIOR TO COMMENCEMENT OF DEVELOPMENT: SKYLARK MITIGATION STRATEGY

“A finalised Skylark Mitigation Strategy shall be submitted to and approved in writing by the local planning Authority.”



The Skylark Mitigation Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed measures;*
- b) Detailed Methodology for measures to be delivered;*
- c) Location of the proposed measures by appropriate maps and/or plans; and*
- d) Mechanism for implementation & Monitoring of delivery*

The Skylark Mitigation Strategy shall be implemented in the first nesting season following commencement of the development and in accordance with the approved details, and all features shall be delivered for a minimum period of 10 years."

Reason: To allow the LPA to discharge its duties under the NERC Act 2006 (Priority habitats & species).

3. ACTION REQUIRED PRIOR TO COMMENCEMENT OF DEVELOPMENT: LANDSCAPE AND ECOLOGICAL MANAGEMENT PLAN

"A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority.

The content of the LEMP shall include the following:

- e) Description and evaluation of features to be managed.*
- f) Ecological trends and constraints on site that might influence management.*
- g) Aims and objectives of management.*
- h) Appropriate management options for achieving aims and objectives.*
- i) Prescriptions for management actions.*
- j) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a minimum five-year period).*
- k) Details of the body or organisation responsible for implementation of the plan.*
- l) Ongoing monitoring and remedial measures.*

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details."

Reason: In order to ensure appropriate management is carried out across the site, to provide net gains for biodiversity, maintain functionality and visual aesthetic.

4. ACTION REQUIRED PRIOR TO BENEFICIAL USE: BIODIVERSITY ENHANCEMENT STRATEGY

"A Biodiversity Enhancement Strategy for protected and Priority species shall be submitted to and approved in writing by the local planning authority.

The content of the Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed enhancement measures;*



- b) detailed designs to achieve stated objectives;*
- c) locations, orientations and heights of proposed enhancement measures by appropriate maps and plans (where relevant);*
- d) persons responsible for implementing the enhancement measures;*
- e) details of initial aftercare and long-term maintenance (where relevant).*

The works shall be implemented in accordance with the approved details prior to beneficial use of the solar farm and shall be retained in that manner thereafter.”

Reason: To enhance protected and Priority species & habitats and allow the LPA to discharge its duties under the NPPF and s40 of the NERC Act 2006 (Priority habitats & species).

Please contact us with any queries.

Yours sincerely,

Hamish Jackson ACIEEM BSc (Hons)
Ecological Consultant
placeservicesecology@essex.gov.uk

Place Services provide ecological advice on behalf of Mid Suffolk District Council

Please note: This letter is advisory and should only be considered as the opinion formed by specialist staff in relation to this particular matter.

Philip Isbell
Chief Planning Officer

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TOWN & COUNTRY PLANNING (EIA) (AMENDMENT)
REGULATIONS 2017

ENVIRONMENTAL IMPACT ASSESSMENT

PART II SCREENING OPINION

DECISION

ENVIRONMENTAL IMPACT ASSESSMENT IS NOT REQUIRED

Application: DC/21/04419

Proposal: Environmental Impact Assessment Screening Request for proposed development of a 7MW solar farm.

Location: Suggenhall Farm Solar Farm, Common Road, Rickinghall Superior, Suffolk IP22 1LL

Section 1: Assessment checklist:

Hereinafter the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 are referred to as 'the EIA Regs'.

Is the Application accompanied by an Environmental Statement			No	
Q1. Is there sufficient information to determine whether an EA is required?			Yes	
Q2. Is the application a Schedule 1 Project?			No	
Q3. Is the application listed in Schedule 2 to the EA Regs 2017 or is any part of the development within a 'sensitive area' as defined in EA Regs 2017?			Yes	Schedule 2, 3(a) energy project over 0.5ha in area.
Q4 Does the proposal have significant environmental effects as set out in Schedule 3 EA Regs 2017?			No	See Section 2 below

Section 2: Assessment

1. SCHEDULES 1 AND 2 ASSESSMENT:

The proposal is not a type specified in Schedule 1 of the EIA Regs.

As a solar farm, the proposal is considered to be an energy project, as defined in column 1, part 3(a) of the table at Schedule 2 of the EIA Regs. At 11.3ha, the site area exceeds the 0.5ha threshold in column 2, part 3 of the of the table at Schedule 2 of the EIA Regs.

The proposal is not considered to be Schedule 1 development but is considered to be Schedule 2 development and has therefore been assessed against the screening selection criteria at Schedule 3 of the EIA Regs as set out below.

2. SCHEDULE 3 ASSESSMENT

In accordance with the Indicative Screening Thresholds and NPPG, the particular focus of this assessment will therefore be the likely significance of effects arising from emissions to air, arrangements for the transport for fuel and any visual impact of the proposed development.

Characteristics of Development

The proposed development is for the installation, temporary (40 year) operation and subsequent decommissioning of a 7MW capacity solar farm. The detailed layout has set to be finalised however the array is to be comprised of an unspecified number of panels, along with associated ancillary elements to support the site.

Ancillary elements of the proposal would also consist of access and transport measures, control building, switchgear building, security measures and a grid connection cable of approximately 95m along Church Lane to an electricity substation.

The proposed development will be sited on an area of 11.3ha, Grade 3 classified agricultural land, limiting the usability of the land for the projected lifetime of the installation. The development is not considered to result in significant ground disturbance, pollution or leachate that would affect the ongoing quality of the land.

The earthworks would be limited to soil stripping for track construction, and the formation of foundations for the ancillary works to support the proposal, but the solar panels would not require any significant excavation works.

The nature of the development is such that it is largely reversible such that the land could be capable of being returned to functional agricultural use following decommission. It is also reasonable to expect that the land around the installation could be used for grazing should the agricultural operation require, and there is potential for other biodiversity gains during the lifetime of the proposal. No other significant use of natural resources is anticipated to arise from the proposal.

The nature of the proposed development is such that there are not considered to be significant waste production effects and the solar panels are comprised of materials that are capable of

recycling following decommissioning of the scheme, which is covered by the Electrical and Electronic Equipment (WEEE) Directive (European Community Directive 2012/19/EU).

Solar PV panels are not known to produce significant pollutants, with the main pollutants arising from the vehicle emissions associated with the delivery and removal of the development during construction and decommissioning. The site lies approximately 650m from the main built-up area of Rickingham. There are few dwellings in the surrounding area, with Suggenhall Barn immediately to the north, a small cluster of dwellings to the west and Potter's Farm 400m to the east. These associated vehicle, noise and light emissions will be time limited and as such will not likely have any significant effects on nearby residents that could not be reasonably assessed through the normal application process.

The risk of accidents arising from the technology and the operation of the development is not considered to be significant and would likely be limited to during the construction and decommissioning phases, and vehicles movements during these times.

The proposed development is likely to generate some traffic movement within the area, with the most significant effects during the construction and decommissioning phases. The construction period for the proposal has been indicated to last approximately 10 weeks. However, there is no indication that, during the operational phase, traffic effects would be significant. There are no existing constraints or other information to demonstrate that drainage and flood risk issues would result in significant effects as the site lies in Flood Zone 1, and these issues can reasonably be considered during the normal application process.

Notwithstanding the energy generation of the development there are unlikely to be significant resource, energy and CO2 effects arising from the proposed development that need to be assessed outside of the usual application process.

Location of the Development

The application site is located within an area of countryside, approximately 650m from the main built-up area of Rickingham. The site is 11.3ha of Grade 3 agricultural land, with the surrounding area characterised by various agricultural holdings. The site is not allocated within the existing Mid Suffolk Local Plan or the emerging Joint Local Plan for residential development. The Grade II listed Suggenhall Farm lies immediately north of the site on Church Lane, with an electricity distribution site also to the north on Church Lane.

The character of the immediate area is predominantly agricultural in nature with a relatively flat, open, landscape offering broad views across the site from the highway and a public right of way located 78m to the east of the site, which runs south from Church Lane.

The site lies within the impact risk zones to two neighbouring SSSIs in the locality (Burgate Wood to the north east and Westhall Wood to the south west). There are a number of recorded priority species within the locality, specifically birds.

There are no designated wetlands, coastal zones, mountain and forest areas, nature reserves and parks, areas designated by Member States pursuant to Council Directive 79/409/EEC on the conservation of wild birds and Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora or areas in which the environmental quality standards laid down in community legislation have already been exceeded within the site itself or in the locality of the site.

The site does not fall within a designated Conservation Area. There are no listed buildings within the proposed site area, but the Grade II listed Suggenhall Farm lies to the north, with several other listed buildings of varying classifications in the wider area and two Scheduled Monuments within 3km of the site. There may be potential for below ground assets within the site.

The location, scale and nature of the proposed development is such that there may be a degree of harm to the significance of heritage assets and possible below ground assets. However, on the basis of the information available, it is considered that the development would not be likely to have significant effects in respect of heritage impacts and that this topic can be adequately and appropriately assessed through the non-EIA development planning application process.

Types and Characteristics of the Potential Impact

The size, nature and location of the development is such that the proposal has the potential to affect local residents, workers, rights of way and highway users and biodiversity.

When considering the wider context of the area, such as the flat open landscape, the various nearby residential dwellings, and the nature and scale of the development, including the specific features of solar array developments such as glint and glare and the availability of public views, it is highly probable that the proposal will have a substantial visual impact on the character and appearance of the area.

As shown in the submitted documents, there is a varied Zone of Theoretical Visibility, with the worst zones of visibility in the immediate locality, however there is a low level of visibility up to 3km away.

It is also necessary to consider the cumulative impacts of the proposal in context with other relevant developments in the locality, in terms of all issues.

The duration of the environmental effects of visual impact are expected to be a mixture of short, medium, and long term during construction, operational lifetime and decommissioning of the development. There is also likely to be a mix of frequency of impacts including unique, continuous, permanent and temporary.

There are two relevant planning references within 6.6km of the site, for a 17.5MW Solar Farm 1.6km to the west, which does not appear to have been developed, and an EIA Screening Request for a 48MW solar farm 6.5km to the east. Whilst the visual impact of the proposal is likely to be substantial, based on the Zone of Theoretical Visibility, it is not considered that this impact, having had regard to the cumulative impact of the development with other relevant proposals, would be likely to result in significant environmental effects that warrant EIA. The assessment of the visual impacts of the development could therefore be appropriately and adequately achieved by means of the type of submission documents and consideration of a non-EIA application development process.

Conclusion

The proposed development is Schedule 2 development and has been assessed against the criteria set out in Schedule 3 of the EIA Regs.

Regard has been had to the potential for the development to have significant environmental effects considering location, nature and scale of the proposal and the potential cumulative impacts when considered with other development sites in the locality.

At 7MW, the proposal is significantly below the 50MW indicative screening threshold for likelihood of significant effects. The proposal is likely to create a substantial visual impact, along with other relevant material impacts. It is considered that the proposal would not be likely to result in significant effects in accordance with the EIA Regs and that all relevant topics and materials considerations can be appropriately assessed through the usual planning application process.

A number of assessments that would be included within the formal submission on a future application have been indicated within the submitted documents under this screening opinion, including glint and glare, ecological, noise, heritage, landscape and visual impact, and a transport statement. This is an indication provided by the applicant, with a final list of documents to be confirmed at application stage.

On the basis of the assessment above it is concluded that Environmental Impact Assessment is not required.

Section 3: Decision

ENVIRONMENTAL IMPACT ASSESSMENT IS NOT REQUIRED

Officers Name: Michael Booker

Date: 18th August 2021

Signed: Michael Booker