

**Town and Country Planning (Environmental Impact Assessment)
(England and Wales) Regulations 1999**

**Request for a "Screening Opinion" in respect of the following
development:**

Proposed Development:

**4MW Solar Photovoltaic Farm
Former Barracks Site, Marchington**

Introduction:

The Council has been requested to adopt a screening opinion as to whether the above development is EIA development requiring the submission of an Environmental Statement.

Schedule 1:

No

Schedule 2:

Yes

The development proposed does not fall within Schedule 1 of the Regulations where an assessment is mandatory. However, the development falls within Schedule 2, Category 3 (a) as an industrial installation for the production of electricity, steam and hot water. The proposal exceeds the 0.5 hectare site area threshold laid down by the above regulations beyond which an Environmental Statement may be required.

Circular 2/99:

In respect of Schedule 2 development, an assessment will only be required if the development is likely to have significant effects on the environment by virtue of factors such as its nature, size or location.

Paragraph 33 of Circular 02/99 indicates that the Secretary of State's view is that, in general, EIA will be needed for Schedule 2 developments in three main types of case:

- a. for major developments which are of more than local importance (e.g. wide ranging environmental effects);
- b. for developments which are proposed for particularly environmentally sensitive or vulnerable locations (paragraphs 36-40); and
- c. for developments with unusually complex and potentially hazardous environmental effects.

Circular 02/99 Annex A comments on indicative thresholds and criteria for identifying Schedule 2 development requiring an Environmental Statement:

Energy Industry – Power Stations

A11. EIA will normally be required for power stations which require approval from the Secretary of State at the Department of Trade and Industry (i.e. those with a thermal output of more than 50 MW). EIA is unlikely to be required for smaller new conventional power stations. Small stations using novel forms of generation should be considered carefully in line with the guidance in PPG 22 Renewable Energy. The main considerations are likely to be the level of emissions to the air, arrangements for the transport of fuel and any visual impact.

Assessment:

In assessing the proposal in the context of the above, the Council's view is that it is not a major development of more than local importance. The proposal has a relatively small generating capacity and would not contribute significantly to the National Grid.

The proposed development would not produce emissions other than those associated with construction, maintenance and decommissioning and low level noise emissions associated with the inverters and substation. The proposal does not necessitate the transportation of fuel.

Although the application site is relatively large the proposed apparatus is low lying, and the visual impact of the proposal will therefore be confined to the local area. The application site is partially brownfield, and lies between existing built development to the north-west and south-east. It is not therefore considered that the visual impact of the proposal would be sufficiently significant to require an Environmental Statement.

It is therefore considered that the proposal is of local importance only and is unlikely to generate complex or unusually hazardous environmental effects.

The site falls outside the definition of a "sensitive area" as set out by Regulation 2(1) of the Town and Country Planning (Environmental Impact Assessment)(England and Wales) Regulations 1999. There have been records of protected species in the area and the developer intends to submit an ecological assessment as part of any planning application submitted. It is considered that this would adequately address the impact of the proposal upon wildlife and habitats.

It is not therefore considered that the site lies within a particularly environmentally sensitive or vulnerable location. It is considered that the impacts of the proposal upon ecology would be more appropriately assessed through an ecology assessment in this instance.

In conclusion, the proposed development is not of more than local

importance, does not affect a sensitive area and would not involve unusually complex or hazardous environmental effects. Having considered the proposal against the provisions of the Town and Country Planning (Environmental Impact Assessment)(England and Wales) Regulations 1999 and Circular 02/1999, it is not considered that an Environmental Statement will be required in this instance.

Recommendation:

A formal screening opinion be adopted that Environmental Assessment will not be required

[Redacted]

17/01/2011

Team Leader/Chief Planning Officer comments:

The following decision is made by the undersigned in accordance with powers delegated to the undersigned under the provision of S101 of the Local Government Act 1972.

DELETE AS NECESSARY

~~A formal Environmental Statement is required in respect of the development as proposed.~~

~~TL/CPO~~

~~Signature~~

~~Date~~

A formal Environmental Statement is not required in respect of the development as proposed.

TL/CPO

Signature [Redacted]

Date 18th January 2011

Tim Furnell, BA (Hons), MRTPI, Chief Planning Officer

Date : 19 January 2011

Direct Line: 01283 508695
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Reply To: Jonathan Imber
E-mail: jonathan.imber@eaststaffsbc.gov.uk
Our Ref: P/2010/01487/JI
Your Ref: 19340/A3/NTH/CMF
(please quote this reference on all correspondence with us)

Nichola Traverse-Healy
Barton Willmore
Elizabeth House
1 High Street
Chesterton
Cambridge
CB4 1WB

Dear Madam

**Re: Formal Screening Opinion, Solar Photovoltaic Farm, Former Marchington Camp
Stubby Lane
Marchington
Staffordshire**

I refer to your request for a Screening Opinion in respect of the above proposal, which was received on 20th December 2010, and apologise for the delay in responding to you.

I confirm that the Local Planning Authority has considered the information submitted, and in accordance with Regulation (5) of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 has concluded that the development does not constitute EIA development, and as such a formal environmental statement will not be required in this instance.

Jonathan Imber
Planner
Planning Delivery

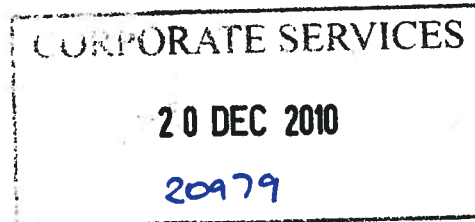


P/10/01487

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WILLMORE**

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Planning Services
East Staffordshire District Council
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King Edward Place
Burton upon Trent
Staffordshire
DE14 2EB



t o
f o

Our Ref: 19340/A3/NTH/CMF
15 December 2010

Dear Mr J Imber,

4MW SOLAR PHOTOVOLTAIC FARM, FORMER BARRACKS, MARCHINGTON, REQUEST FOR SCREENING OPINION - TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) (ENGLAND AND WALES) REGULATIONS 1999

Further to our meeting on the 22 November 2010 at East Staffordshire District Council this letter and the supporting plan (drawing number: 1071-07) represent a formal request, on behalf of Evans Property Group, for a Screening Opinion from East Staffordshire District Council in accordance with Regulation 5 of the EIA Regulations 1999.

The Screening Opinion is requested in order to confirm that an Environmental Impact Assessment (EIA) would **not** be necessary for a planning application seeking planning permission for the development of a Solar Park, on land at the Former Barracks, Marchington.

The following information is provided as part of this Screening Request, as set out in Regulation 5(2) of the EIA Regulations:

- (a) a plan sufficient to identify the land (included as drawing number: 1071-07); and
- (b) a brief description of the nature and purpose of the development and of its possible effects on the environment (set out below and in **Appendix 1**).

Application Site and Surrounding Area

The application site is approximately 16.4 hectares in size and comprises an area of predominantly previously developed land at the former Marchington Barracks, immediately to the south of Marchington Industrial Estate on the B5017 between Uttoxeter and Burton Upon Trent. At present the site broadly consists of 6 derelict barrack buildings and foundation floor slabs belonging to previous structures and internal access roads surrounded by trees, overgrown scrub and grassland.

Immediately to the north of the application site is the Marchington Industrial Estate which is approximately 27ha in size and comprises large to medium scale industrial units. The Industrial Estate is accessed via the B5017 which runs along the applications site's western boundary. Beyond the application site's eastern boundary are a number of agricultural fields whilst to the south of barracks is an area of grassland which falls away to a large pond and properties along the southern extent of Stubby Lane. The closest area of residential development consists of terrace properties along Didcot Drive which lie adjacent to the site's south west boundary.

Certificate No. FS 29837



Proposed Development

The Proposed Development is for a Solar Photovoltaic Park designed to deliver some 4MW of power which will comprise of the following key elements:

- The erection of fixed solar panels, mounted on steel frames and set into the ground at a depth of approximately 1.5-2m. To achieve optimum solar gain the panels are laid out in rows with each individual panel orientated at 30 degrees with a total height of approximately 2.8m from ground level to the top of the panel frame; and
- The installation of four Solar Panel Inverter Housings used to contain the inverters and transformers which are required to convert the direct current PV output to useable AC power for the local distribution network. There is sufficient capacity on the local grid to accept the electrical output but an on-site electrical substation and an underground 11kv connection from this substation to the 33kV primary substation at Marchington is required. The Inverters and the substation will be flat roofed structures, approximately 3m in height and placed on small concrete foundations with all cabling underground; and
- A new security fence which will be approximately 2.4m and erected around the perimeter of the site. These security measures will also include CCTV cameras fitted with infra-red technology; and
- Appropriate landscaping and the reopening of the existing access point off Stubby Lane.

EIA Regulations

The Proposed Development does not fall within 'Schedule 1' where an ES is mandatory. It may be considered to constitute 'Schedule 2' development, as it comprises as an industrial installation used for the production of electricity. If a development is considered to fall within Schedule 2, EIA is only required if the site is located within a sensitive area or the proposals would be likely to generate significant environmental effects. In accordance with the EIA Regulations and Figure 1 in Circular 02/99, the Proposed Development is not considered to be EIA development.

The Application Site comprises brownfield land located at the former Marchington Barracks, immediately to the south of Marchington Industrial Estate. Neither the Application Site nor the adjoining land is classified as a 'sensitive area'. Appendix 3 of the Environmental Impact Assessment Guide to Procedures advises that the main considerations for determining whether an EIA is necessary for a new 'industrial installations for the production of electricity' is whether the development exceeds 0.5 in size and would have a significant effect on air quality, traffic generation or visual impact. For completeness, a review of the potential for effects is provided below.

Potential Construction Phase Effects

- The anticipated demolition and site preparation period for the proposal would be approximately 6-8 weeks with an installation period of approximately 14-16 weeks. It is expected during the demolition period there will be some minor effects with regard to noise, dust and traffic. However, these are not considered to be significant, unusual or different to those from a typical construction site and can be managed effectively through the existing measures to control noise and dust from construction sites.
- The Application Site is a predominantly brownfield site at the former Marchington Barracks which is not located within or close to an area of high nature conservation value. As the Proposed Development will involve the removal of trees and the removal of existing buildings a full tree survey and ecological assessment will be undertaken as part of the planning application. However with appropriate mitigation measures in place its anticipated that any environmental effects can be reduced to an acceptable level.
- Other potential construction effects such as socio-economic (temporary employment) and landscape and visual (building materials and construction vehicles) are also considered to be typical effects which, given the temporary duration of the construction period, are not significant.
- The Application Site is not located within a known archaeological protection area, whilst the closest Scheduled Monument is situated approximately 2.6km to the west at Hodge Lane

Manor. The Proposed Development is not expected to result in significant adverse effects on archaeology.

Potential Operational Phase Effects

Effects with the potential to arise from the completed and operational phase of the application site relate to ecology and landscape and visual. These effects will be assessed in assessments accompanying the planning application. However, they are not considered to be significant for the following reasons

- **Visual** – The proposed development is for a solar farm consisting of 2.8m high panels which will be located on a former army barracks and set against the backdrop of Marchington Industrial Estate. The majority of sensitive receptors comprise properties to the south west of the application site along Didcot Drive. Views from these properties will be minimised by siting the panels at a greater distance from the site's south western boundary and by introducing appropriate landscaping. In light of the scale of development proposed and the character of the local environment the effect on landscape and views is not considered to be significant.
- **Flora and Fauna** – When in operation activities at the solar farm will be limited to occasional visits from engineers and contractors to ensure site maintenance and care. To ensure the protection of the natural environment an ecological assessment is being undertaken as part of the planning application and with appropriate mitigation measures in place the impact of the development is not considered to be significant.

Effects on potential archaeological remains, and human beings as a result of light and air emissions, noise, water and waste disposal are not envisaged for the following reasons:

- **Air Quality** – No hazardous, toxic or noxious substances will be emitted as a result of the Proposed Development.
- **Noise** – Following the construction phase, once installed the solar panels operate silently. The only noise arising from the Development will be associated with the Inverters. However the level of noise arising from these small electrical devices will be very low and unnoticeable from surrounding areas of development. In light of the type of development proposed the impacts associated with noise are considered to be negligible.
- **Traffic** – As previously stated when in operation the activities would be limited to occasional visits from engineers and contractors to ensure site maintenance and care. The effects of the Proposed Development on the local road network are considered to be negligible.
- **Archaeology** – once built, the Proposed Development will not exert any further effect on potential buried archaeology;
- **Lighting** – No external lighting is proposed.
- **Socio Economic** – The development will utilise an area of predominantly brownfield land for a renewable energy scheme that will contribute to the region's energy requirements. There will also be benefits to the local economy during installation and construction works related to provision of accommodation, services and supplies for a temporary workforce.
- **Ground Conditions and Hydrology** – the Application Site is a former barracks comprising solely residential accommodation and associated hard standing and as such these uses would not result contaminated land. During operation no polluting substances will be released in the environment as a result of the Proposed Development. The entire site is identified on the Environment Agency Flood Maps as Flood Zone 1 and is therefore considered to be at a low risk of flooding.

The following documents will be prepared to accompany the planning application:

- Planning Support Statement;
- Design and Access Statement;
- Landscape and Visual Assessment; and
- Ecology Assessment.

We would be grateful for an acknowledgement of formal receipt of this submission, together with notification of the expiry date of the statutory period and confirmation that the Screening Request has been placed on the Public Register in accordance with Regulation 20 (2).

Please advise if you require any further information to form a decision.

Yours sincerely

NICHOLA TRAVERSE-HEALY
Planner

cc: Simon Bottomley Esq

RECEIVED

20 DEC 2010

P/10/01487

APPENDIX 1

**SUMMARY OF SELECTION CRITERIA FOR SCREENING SCHEDULE 2 DEVELOPMENT
(BASED ON SCHEDULE 3 OF THE EIA REGULATIONS 1999)**

The following selection criteria for screening Schedule 2 development (based on Schedule 3 of the Town & Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999) have been reviewed with regard to the proposed redevelopment of the Application Site, as identified on Figure 1.

DESCRIPTION OF DEVELOPMENT	
Is it a Schedule 1 case?	No
Is it a Schedule 2 case?	The Proposed Development comprises a 4MW Solar Photovoltaic Farm which will use renewable sources to generate electricity. It is not located within a 'sensitive area', and it is not considered to be EIA Development.
1.CHARACTERISTICS OF THE DEVELOPMENTS	
a) Size of the development	
Will the development be out of scale with the existing environment?	No. The Proposed Development is smaller in scale than existing development in the immediate area and also benefits from extensive natural screening. In light of the size and scale of surrounding buildings and existing vegetation the Proposed Development can be effectively absorbed into the local environment.
Will it lead to further consequential development or works?	No. The Proposed Development seeks a full planning application for a new Solar Photovoltaic Farm and associated infrastructure.
b) Cumulation with other development	
Are there potential significant cumulative impacts with other existing development or development not yet begun but for which planning permission exists?	No The potential for significant cumulative effects is considered unlikely. No adverse effects associated with noise, traffic or air quality will arise as a result of the Proposed Development therefore the cumulative effects are considered to be low.
Should the application for this development be regarded as an integral part of a more substantial project? If so, can related developments which are subject to separate applications proceed independently?	The Proposed Development does not rely on a more substantial project.
c) Use of natural resources	
Will construction or operation of the development use natural resources such as land, water, material or energy, especially any resources which are non-renewable or in short supply?	The Site makes the most efficient use of natural land by utilising an area of brownfield land in close proximity to the primary road network. Furthermore the development will contribute to the increasing the proportion of energy in the UK generated by renewable sources.
d) Production of waste	
Will the development produce wastes during construction or operation or decommissioning?	The demolition of the proposed development will generate demolition arising which will be crushed on site for re use under access roadways and in foundation materials where necessary. Through the implementation of

	appropriate mitigation techniques such as the preparation of a waste management plan the potential effects will not be significant. Materials will be recycled on site where possible.
e) Pollution and nuisances	
Will the development release any pollutants or any hazardous, toxic or noxious substances to air?	No hazardous, toxic or noxious substances will be emitted.
Is there a potential risk from leachate or escape of wastes of other products/by-products that may constitute a contaminant in the environment?	This is considered very unlikely. Appropriate measures will be used to ensure that there are no accidental spillages of contaminants during the construction or development phase.
Will the development cause noise and vibration or release of light, heat, energy or electromagnetic radiation?	As traffic flows from the Proposed Development are not anticipated to significantly increase those on the existing network, noise effects are unlikely. No electromagnetic radiation releases are expected.
Will the development lead to risks of contamination of land or water from releases of pollutants onto the ground or into surface waters, groundwater, coastal waters or the sea?	There will be no foul water drainage as a result of the Proposed Development. As the development will mostly consist of fixed solar panels mounted on steel frames the total development footprint will be relatively low. Subsequently the risk of surface water flooding as result of the Proposed Development is considered to be low.
f) Risk of accidents, having regard in particular to substances or technologies used	
Will there be a risk of accidents during construction or operation of the development which would have effects on people or the environment?	No. All risks will be carefully identified and managed in accordance with industry regulations.
Will the development involve use, storage, transport, handling or production of substances or materials which could be harmful to people or the environment (flora, fauna, water supplies)?	No.
Other characteristics	
Potential physical changes (topography, land use, changes in water bodies etc) from construction, operation or decommissioning of the development?	The proposals seek to develop a Renewable Energy Scheme on previously developed land adjacent to an industrial location.
2. LOCATION OF THE DEVELOPMENT	
a) Existing land use	
Are there existing land uses on or around the location which could be affected by the development, e.g. residential, industry, commerce, recreation, public open space, community facilities, agriculture, forestry, tourism, mining or quarrying?	The Application Site lies adjacent to an existing haulage yard. The nearest dwellings to the south west on Didcot Drive are unlikely to be significantly affected by the Proposed Development.
Is the development located in a previously undeveloped area where there will be loss of greenfield land?	No.
b) Relative abundance, quality and regenerative capacity of natural resources	

in the area	
<p>Are there any areas on or around the location which contain important, high quality or scarce resources which could be affected by the development?</p> <ul style="list-style-type: none"> • groundwater resources • surface waters • forestry • agriculture • fisheries • tourism • minerals 	No
c) Absorption capacity of the natural environment	
<p>Are there any areas on or around the location which are protected under international or national or local legislation for their ecological, landscape, cultural or other value, which could be affected by the development?</p>	No
<p>Are there any other areas on or around the location which are important or sensitive for reasons of their ecology</p> <ul style="list-style-type: none"> • wetlands, watercourses or other water bodies • the coastal zone • mountains, forests or woodlands • nature reserves and parks 	No
<p>Are there any areas on or around the location which are used by protected, important or sensitive species of fauna or flora e.g. for breeding, nesting, foraging, resting, overwintering, migration, which could be affected?</p>	No
<p>Are there any inland, coastal, marine or underground waters on or around the location which could be affected?</p>	No
<p>Are there any groundwater source protection zones or areas that contribute to the recharge of groundwater resources?</p>	No
<p>Are there any areas or features of high landscape or scenic value on or around the location which could be affected?</p>	No
<p>Are there any routes or facilities on or around the location which are used by the public for access to recreation or other facilities, which could be affected?</p>	No
<p>Are there any transport routes on or around the location which are susceptible to congestion or which cause environmental problems, which could be affected?</p>	No.
<p>Is the development in a location where it is likely to be highly visible to many people?</p>	No
<p>Are there any areas or features of historic or cultural importance on or around the location which could be affected?</p>	No
<p>Are there any areas on or around the location which are densely populated or built up, which could be affected?</p>	No
<p>Are there any areas on or around the location which are already subject to pollution or</p>	No

environmental damage e.g. where existing legal environmental standards are exceeded, which could be affected?	
Is the location of the development susceptible to earthquakes, subsidence, landslides, erosion, flooding or extreme or adverse climatic conditions e.g. temperature inversions, fogs, severe winds, which could cause the development to present environmental problems?	No. The site is shown on the Environment Agency Flood Maps as lying with Flood Zone 1 and therefore is considered at a low risk of Flooding.
CHARACTERISTICS OF THE POTENTIAL IMPACT	
a) Extent of the impact	
Will the effect extend over a large area?	No
Will many people be affected?	No
b) Transboundary nature of the impact	
Will there be any potential for transboundary impact? (n.b. Development which has a significant effect on the environment in another Member State is likely to be very rare. It is for the Secretary of State to check Environmental Statements to decide whether there is likely to be such an effect in each case).	No
c) Magnitude and complexity of the impact	
Will there be a large change in environmental conditions?	No
Will the effect be unusual in the area or particularly complex?	No
Will many receptors other than people (fauna and flora, businesses, facilities) be affected?	No
Will valuable or scarce features or resources be affected?	No
Is there a risk that environmental standards will be breached?	No
Is there a risk that protected sites, areas and features will be affected?	No
d) Probability of the impact	
Is there a high probability of the effect occurring?	No significant effects
Is there a low probability of a potentially highly significant effect?	No significant effects
e) Duration, frequency and reversibility of the impact	
Will the effect continue for a long time?	Construction effects will be temporary in duration and the operational effects will be permanent.
Will the effect be permanent rather than temporary?	Construction effects will be temporary in duration and the operational effects will be permanent.
Will the impact be continuous rather than intermittent?	n/a
If intermittent, will it be frequent rather than rare?	n/a
Will the impact be irreversible?	n/a
Will it be difficult to avoid or reduce or repair or compensate for the effect?	No

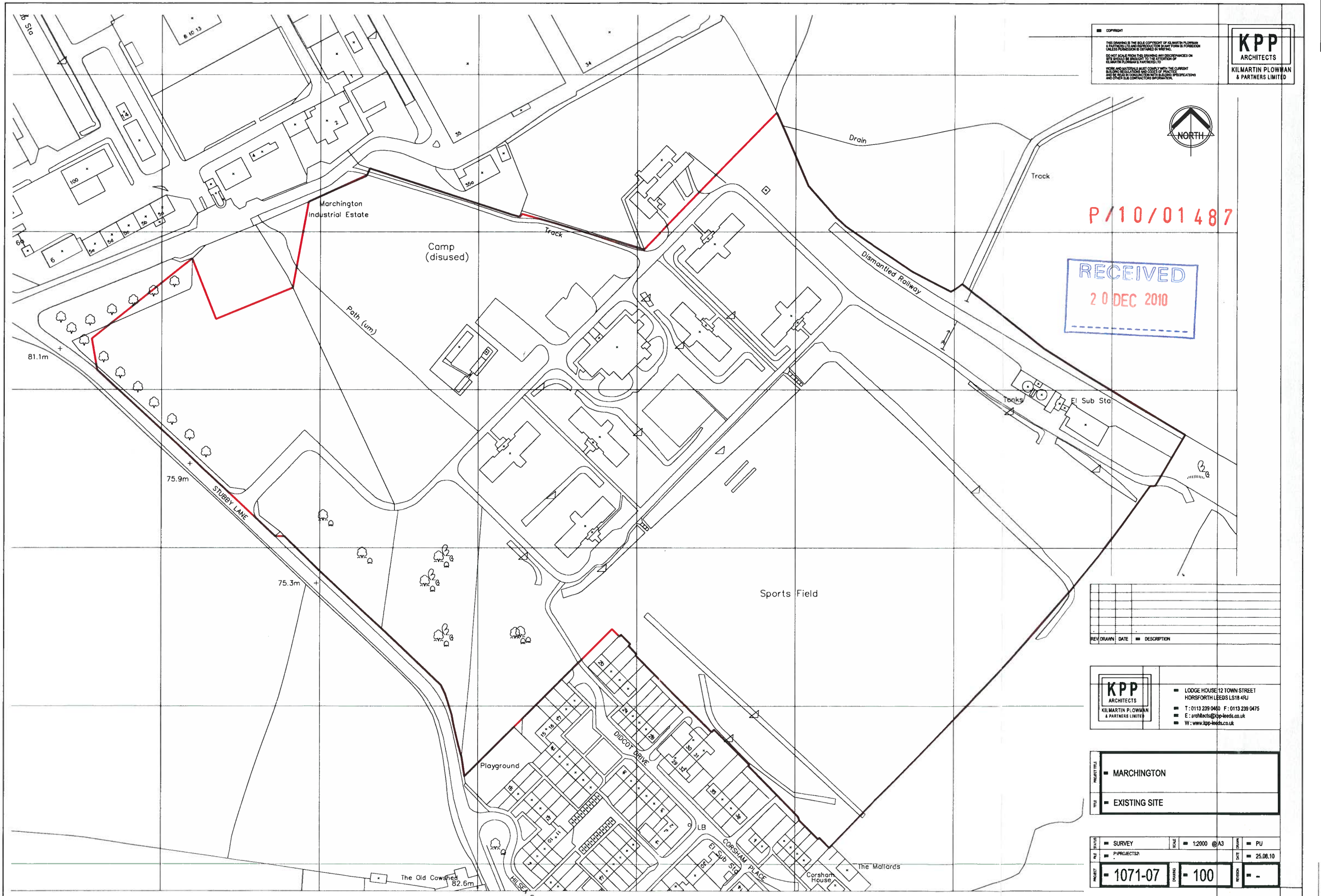
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P/10/01487

RECEIVED
 20 DEC 2010



REV	DRAWN	DATE	DESCRIPTION

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PROJECT TITLE
 - MARCHINGTON
 TITLE
 - EXISTING SITE

STATUS	SURVEY	SCALE	1:2000 @ A3	DRAWN	PU
FILE	P/PROJECTS2	DATE	25.08.10		
PROJECT	1071-07	ISSUE	100		

expired

PLANNING APPLICATION FILE SHEET

Reference: **P/2010/01487/JI** Planning Officer: Jonathan Imber
 Planning Assistant:

Proposal: Formal Screening Opinion

Location: **Former Marchington Camp, Stubby Lane, Marchington, Staffordshire**

Applicant: Evans Property Group Agent:

Ward: Crown Date Valid: 20/12/2010
 Parish: Marchington Date Registered: 21 December 2010
 Grid Ref: 413785 329722 Fees Received: £0.00
 Fee Due: £0.00

Target Date: 03 January 2011
 Expiry Date: 10 January 2011

Discussion required	Requested:	Actioned:
Discussion Unlikely		
Signatory		

Notes –

Discharge of Conditions	Consultations Done
Severn Trent	
Highways	
Environment Agency	
Environmental Health	
Archaeology	

