

Date: 08 March 2021
Our Ref: 15349

Planning Services
Boston Borough Council
Municipal Buildings
West Street
Boston PE21 8QR

6 New Bridge Street
London EC4V 6AB
T: 020 7489 0213
F: 020 7248 4743
E: info@dwdllp.com
W: dwdllp.com

Dear Sir/Madam,

REQUEST FOR SCREENING OPINION UNDER REGULATION 6 OF THE TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017

PROPOSED SOLAR FARM, BATTERY STORAGE AND ASSOCIATED INFRASTRUCTURE – LAND AT VICARAGE DROVE, BICKER, BOSTON, LINCOLNSHIRE, PE20 3BF

We write on behalf of our client, Renewable Connections Developments Ltd (the 'Applicant'), to formally request an Environmental Impact Assessment ('EIA') Screening Opinion under Regulation 6 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (the 'EIA Regs').

The request for a Screening Opinion relates to a proposed solar photovoltaic ('PV') farm, batteries and associated infrastructure (the 'Proposed Development') on approximately 122 hectares ('ha') of land at Vicarage Drove, Bicker, Boston, Lincolnshire, PE20 3BF (the 'Site'). The Proposed Development would generate up to 49.9 megawatts ('MW').

It is notable that more land than is required to generate 49.9 MW has been included for the purpose of this screening exercise. This is because the Applicant wishes to retain flexibility on the site layout by screening a larger area than is necessary. It follows that some land within the Site would not be developed, rather it would be retained in agricultural use or given over to higher value habitat.

REQUIREMENT FOR EIA

The EIA Regulations cover two main types of development:

- Schedule 1 – identifies all types of projects for which EIA is mandatory; and
- Schedule 2 – identifies the types of projects for which EIA may be required if the project in question is considered likely to give rise to significant environmental effects.

The Proposed Development does not constitute Schedule 1 development as for energy projects, this applies to thermal power stations with a heat output of 300 MW or more and nuclear power stations.

It is considered that the Proposed Development constitutes Schedule 2 of development under Section 3(a) of Schedule 2:

"industrial installation for the production of electricity, steam and hot water (unless included in Schedule 1)"

Development proposals described under Schedule 2 require an EIA if they are considered likely to have significant effects on the environment by virtue of factors such as nature, size and location.

The Site, at approximately 122 ha, exceeds the applicable threshold of 0.5 ha site area. Subsequently, there is a requirement under provisions of the EIA Regs to screen the Proposed Development in order to determine whether or not an EIA is required.

SCREENING REQUEST SCOPE

Regulation 6(2) of the EIA Regs requires a request for a screening opinion to be accompanied by:

- a plan sufficient to identify the land;
- a description of the development; including in particular a description of the physical characteristics of the development and a description of the location of the development, with particular regard to the environmental sensitivity of geographical areas likely to be affected;
- a description of the aspects of the environment likely to be significantly affected by the development;
- a description of any likely significant effects of the Proposed Development on the environment resulting from expected residues and emissions and use of natural resources, in particular soil, land, water and biodiversity; and
- such other information or representations as the person making the request may wish to provide or make.

This letter and enclosures provide the following information:

- a description of the Site, its planning designations and the nature and purpose of the Proposed Development;
- an assessment of the possible environmental effects of the Proposed Development and consideration of these within the context of the guidance on EIA;
- a Site Location Plan, with the boundary of the Site coloured red;
- a MAGIC map and an extract from the Local Plan Proposals Map, showing designations in the area; and
- technical data relating to the proposed solar farm and associated infrastructure.

The remainder of this letter considers the Proposed Development within the context of the guidance provided on the potential need for EIA. It follows that the Applicant accepts that the Proposed Development is likely to result in some potential environmental effects however these are anticipated to be of a limited nature. This letter seeks to demonstrate in further detail that the Proposed Development (with reference to its size, nature and location) will not require an EIA and the preparation of an Environmental Statement ('ES').

SITE LOCATION AND DESCRIPTION

The Site, delineated in red on the submitted Site Location Plan and in the aerial photo below, comprises two parcels of agricultural land both of which take access from Vicarage Drove. The Site is located within the administrative area of Boston Borough Council ('BBC') however it abuts South Holland District Council ('SHDC') boundary to the south, indicated by a black line on the submitted Site Location Plan.

The Site is located approximately 2km to the north west of Bicker village and approximately 11km south west of Boston town in the county of Lincolnshire.



Renewable energy generation is already a component in the area as the Site is adjacent to an existing operational 13 turbine wind farm (known as Bicker Fen), approved in 2004 (LPA ref. B/03/0189) and constructed in 2008. The Site is also adjacent to large substation complex (shaded in light purple on the Site Location Plan) which contains various electricity substations, infrastructure and equipment.

The Site is bound to the north by Bicker Drove and beyond this to the north is a substation associated with the Triton Knoll offshore wind farm. The eastern part of the Site is adjacent to Hammond Beck. The South Forty Foot Drain, a designated Local Wildlife Site, runs adjacent to the western boundary (of the western parcel) which is defined by a 3m embankment. The North Kesteven District Council ('NKDC') boundary is adjacent to the west of the South Forty Foot Drain.

In addition to the existing wind farm and substation complex, the skyline surrounding the Site is also broken up by the many electricity pylons which cross the landscape. The surrounding area is predominantly agricultural and the topography of both the Site and nearby land is relatively flat.

There are residential properties within the broad locality of the Site however these are not within its immediate vicinity. The closest residential properties to the Site are to the south east of the site along Cowbridge Road, approximately 200 metres ('m') from the Site boundary. Furthermore, there is an isolated dwelling located within a farmstead just north east of Bicker Drove, approximately 350 m from the Site.

According to the nationally available Provisional Agricultural Land Classification data, it is understood that the Site comprises primarily Grade 2 agricultural land however this will be confirmed by an Agricultural Land Classification Survey.

There are few PRoWs in the locality. The Cross Britain Way, a National Trail, crosses the landscape to the south of the Site along North Inge Road and then along the South Forty Foot Drain embankment going south. The footpath continues as a minor path along the embankment to the north. A local footpath passes south of the Site along the Hammond Beck.

PLANNING AND ENVIRONMENTAL DESIGNATIONS

The MAGIC Map extracts contained within this letter indicate that the Site is not covered by any national or international designations or assets that relate to biodiversity, landscape, cultural heritage or other e.g. Special Protection Areas, Scheduled Monuments or Areas of Outstanding Natural Beauty.

The Wash, which is internationally designated as a Ramsar site, a Special Protection Area (SPA) and a Special Area for Conservation (SCA) is located 13km to the southeast of the Site. The South Forty Four Drain, which runs along the Site's western boundary, is designated as a Local Wildlife Site in the South East Lincolnshire Local Plan 2011 – 2036 Policies Map. There are no landscape designations in the immediate surrounding area.

No above-ground heritage assets have been identified within or adjacent the Site. The closest designated heritage assets consist of a Scheduled Monument, known as Roman saltern in Helpringham Fen, which is located approximately 800 m west of the Site on the other side of the South Forty-Foot Drain. There are also a number of Grade II Listed Buildings located east of the Site in Bicker and Bicker Gauntlet, with the closest located approximately 1.3 km from the Site.

The Site is almost entirely located within Flood Zone 3 with small areas within Flood Zones 1 and 2 in the northern part of the Site.

THE PROPOSED DEVELOPMENT

The proposal is for the construction, operation, maintenance and decommissioning of a ground mounted solar farm with a maximum export capacity of up to 49.9 megawatts laid out across various field enclosures across the site in addition to battery storage and other associated infrastructure.

As a general design principle for the ground mounted solar, the layout will be based on a bifacial panels fixed onto a fixed mounting system, running east to west and orientated to the south.

Bifacial panels collect light both on the front and the rear sides as it captures sunlight reflected from the grass surface under the solar framework. Depending on site conditions, bifacial yield-gain can reach +30 percent compared to traditional systems. The top height of the panels is expected to be circa. 3m.

The battery storage system would charge at times of low demand and export power back onto the electricity grid at times of high demand or when solar irradiation is low. The batteries will be contained within cabin type structures and would be located next to the existing substation complex.

The application proposal would also include a package of landscape, ecological and biodiversity benefits that could include the installation of barn owl boxes, bird nesting boxes, bee hives, log piles, restoration of traditional field boundaries, and other hibernacula such as small buried rubble piles suitable for reptile species, amphibians and insect life. Land between and beneath the panels can be used for biodiversity enhancements and seasonal grazing. There is limited existing planting in the locality however any existing hedgerows would be bolstered with additional hedgerow and tree planting where required in addition to potential new mitigation planting around the boundaries of the Site in order to provide a natural screen.

There will also be some electrical connection infrastructure to allow the power to enter the electricity grid. The point of connection to the electricity grid is a direct connection to the Bicker Fen substation which houses both transmission and Western Power Distribution infrastructure. An on-site substation will be required to facilitate the connection.

The arrays would be set within a 2.0m high stock-proof fence. The distance between the proposed fencing and existing hedges would vary across the site and would typically be around 5m. The security measures that will accompany the scheme include CCTV.

Construction

The construction phase of the Proposed Development is expected to last for approximately 24 weeks only. During this period, initial site setup works would take place followed by construction of the internal access route(s), ground works, and the installation of the solar panels and other infrastructure.

It is currently envisaged that the Site would be accessed from Vicarage Drove and Bicker Drove.

Operation

Once operational, occasional maintenance of the solar panels and other infrastructure would be required. The solar panels would also need to be periodically cleaned, most likely using simple soap and water, to ensure the efficient running of the system.

It is expected that under normal circumstances, only a very small number of cars/vans would visit the Site each week (generally less than 1 a day).

The Site would be retained in agricultural use for the life of the Proposed Development. The majority of the Site would be planted with a combination of grassland/meadow, which would enable grazing (sheep). This would include land between and underneath panels.

Decommissioning and restoration

At the end of the operational lifespan (i.e. circa 40 years), the solar panels and other infrastructure would be removed, and the Site restored back to full agricultural use. The small quantity of foundations, hard surfacing and heavy infrastructure, in combination with retaining the majority of the site as grassland, means that the land would be easier to restore than other more intrusive development, e.g. large buildings requiring significant foundations.

The restoration process is intended to ensure that the land is restored to the same quality as it was previously, and it is envisaged this would be secured through a suitable condition attached to any planning permission.

ASSESSMENT OF POTENTIAL ENVIRONMENTAL EFFECTS

Schedule 3 of the EIA Regs identifies criteria that should be considered in screening Schedule 2 developments in terms of the need for EIA. These encompass the characteristics of the Proposed Development, including the cumulation with other development; the location of the development; the environmental sensitivity of the area; and the characteristics of the potential impact.

The Secretary of State's view is that, in general, EIA is only needed for Schedule 2 development in three main types of case:

- for major developments that are of more than local importance;
- for developments that are proposed within a particularly environmentally sensitive or vulnerable location; and
- for developments with unusually complex and potentially hazardous environmental effects.

Paragraph 018 Reference ID 4-018-20170728 of the Government's Planning Practice Guidance provides guidance in relation to the need for EIA for Schedule 2 development that:

“Only a very small proportion of Schedule 2 development will require an assessment. While it is not possible to formulate criteria or thresholds which will provide a universal test of whether or not an assessment is required, it is possible to offer a broad indication of the type or scale of development which is likely to require an assessment...To aid local planning authorities to determine whether a project is likely to have significant environmental effects, a set of indicative thresholds and criteria have been produced.”

The guidance further states:

“...it should not be presumed that developments above the indicative thresholds should always be subject to assessment, or those falling below these thresholds could never give rise to significant effects, especially where the development is in an environmentally sensitive location. Each development will need to be considered on its merits.”

An assessment as to whether the Proposed Development requires EIA is set out below:

- **Environmentally sensitive areas** – the Site does not lie within or close to any environmentally sensitive areas; for example, national or international designations. A Local Wildlife Site runs adjacent to the Site’s western boundary. There are no landscape designations in the immediate surrounding area. The Wash, which is internationally designated as a Ramsar site, a Special Protection Area (SPA) and a Special Area for Conservation (SCA) is located 13km to the southeast of the Site. The environmental sensitivity of the location is an important factor in determining whether EIA is required. In this case, the Site is within a location that is considered to be of relatively low environmental sensitivity and certainly not the type of location where the EIA Regs indicate that there would be the need for an EIA.
- **Land use and agricultural land quality** – the Site comprises land that is of good agricultural quality (Grade 2) according to the nationally available Provisional Agricultural Land Classification data. Whilst it is categorised as Best and Most Versatile (BMV), it is worth noting that the wider area comprises almost entirely of BMV land. Within 5km of the Site, the land is Grade 1 or Grade 2 and within BBC itself, the majority is Grade 1 with only small areas of land of Grade 2 land where the Site is located. The majority of the Site would be planted with a combination of grassland/meadow, which would enable grazing (sheep). This would include land between and underneath panels thereby allowing a form of agricultural use to continue. This scenario would allow agriculture and renewable energy generation to be facilitated simultaneously. The proposed solar farm would not have a significant adverse impact on land use and any loss of BMV agricultural land would be outweighed by the urgent need for the development to meet local and national targets for renewable energy generation its beneficial contribution towards alleviating the current climate change emergency that has been declared in the Borough. Furthermore, at the end of the Proposed Development’s lifespan, the panels and other infrastructure would be removed and the land restored to its original condition. It follows that there would be no permanent loss of agricultural land as a result of the Proposed Development.
- **Biodiversity** – the Site is not designated for its biodiversity value; rather, the Site predominantly comprises of intensively farmed agricultural land. It is proposed that the planting along the Site boundaries would be reinforced with native hedgerow species and trees, and appropriate standoffs would be maintained from any natural features within/outside the Site, including adjacent hedgerow habitats. For the avoidance of doubt, there are no proposals to remove trees or hedgerows. The Local Wildlife Site that borders the Site would be given detailed consideration, including in an Ecological Assessment submitted with any planning application; although, due to the nature of the Proposed Development and through the use of appropriate stand-offs, no adverse impacts are anticipated. The application proposal would also include a package of landscape, ecological and biodiversity benefits that could include the installation of

barn owl boxes, bird nesting boxes, bee hives, log piles, restoration of traditional field boundaries, and other hibernacula such as small buried rubble piles suitable for reptile species, amphibians and insect life. Land between and beneath the panels can be used for biodiversity enhancements and seasonal grazing. Any planning application would be supported by a Preliminary Ecological Appraisal (PEA) including a Phase 1 Habitat Survey, species surveys (as required) along with a management and mitigation strategy (as necessary):

- **Badger Survey:** To determine the presence/likely absence of badger setts within the Survey Site or land within 30m of the Survey Site Boundary.
- **Water Vole Survey:** To determine the presence /likely absence of water vole within the Survey Site (only if deemed appropriate following the PEA).
- **Great Crested Newt Surveys:** To determine the presence/likely absence of GCN within the Survey Site and offsite pond(s).

Landscape and visual – the Site is not subject to any locally, nationally or internationally important landscape designations. The Proposed Development would be designed to respect the character of the landscape and use the strong field pattern to integrate the scheme as far as practicable. All trees and hedgerows on the Site would be retained and additional planting provided, where necessary, to fill gaps in the existing boundary planting. Any planning application would also include a full Landscape and Visual Impact Assessment (LVIA).

In terms of landscape and visual impact (generally), at this stage it is considered that landscape and visual impacts can be adequately managed, particularly (i) as a result of the existing mature screening that exists around the Site and (ii) when considering that a comprehensive landscaping scheme would be provided to assimilate the Proposed Development into the landscape. The latter would include the provision of new hedgerows where there are none and the gapping up of existing. Given the flat topography and limited hedgerow planting in the locality it is recognised that the area to the east of the South Forty Foot Drain will experience a high zone of visual intrusion which declines with distance. Therefore, the LVIA report will advise that mitigation planting should take place around the boundaries of the Site in order to break up the visual mass and provide a natural screen.

- **Cultural heritage** – the Site is not identified as having any archaeological significance and does not contain any listed buildings, Scheduled Monuments or other designations/assets. There are heritage assets in the wider area however these are located a considerable distance from the Site. It is considered that the majority of these are unlikely to be impacted by the Proposed Development due to their distance and other prominent physical features in the landscape, however, any forthcoming planning application would include a landscaping scheme in order to mitigate, where necessary, any impact on setting of heritage assets and the wider landscape. The landscaping scheme would be informed and supported by a full LVIA and a Cultural Heritage Desk-Based Assessment (DBA). Like any rural site, there is also the potential for impacts on any unknown archaeological assets within the Site. The Cultural Heritage DBA would therefore include detailed consideration of this and, if necessary, further investigatory work could be secured (e.g. geophysical survey and/or trial trenching). It should be noted that solar farms are relatively low impact in terms of ground disturbance and it is possible to achieve mitigation by design, such as through the use of raised foundations and/or exclusion zones etc.
- **Noise** – the Proposed Development would be passive in operation and therefore would not generate any significant operational noise, other than that associated with occasional visits by maintenance/service vehicles. The noise associated with such activities would be negligible and less than that associated with farming activities in the area. There will be some temporary noise during the construction phase, which is anticipated to last approximately 24 weeks. This would include the following activities: vehicle movements along access tracks and haulage routes

associated with the delivery and removal of construction materials; equipment delivery; site and ground preparation activities; erection of panels using construction machinery; and material hauling. The construction activities may increase noise levels within the vicinity of the Site; however, it is considered that noise impacts during construction would be intermittent, localised and temporary in nature.

- **Air emissions** – the development would not result in any emissions to air during its operation other than those from vehicles associated with periodic maintenance/inspection visits to the Site. Emissions associated with the construction phase would relate to construction vehicles and it is considered would not be of a level to cause harm to the environment or residential amenity. It is considered that emissions would be more than offset by the benefits of generating renewable energy at the Site.
- **Waste** – no waste would be generated during the operation of the Proposed Development. Due to the methods of installation, limited if any waste would be generated during the construction phase.
- **Flood risk/drainage** – the Site is almost entirely located within Flood Zone 3 with small areas within Flood Zones 1 and 2 in the northern part of the Site. Infrastructure associated with solar farms is not easily defined by any of the available Vulnerability Classifications however it is widely recognised as ‘Essential Infrastructure’. Initial research indicates there are several solar farm planning applications that have been approved in Flood Zone 2 and 3 and which have been classified as essential infrastructure, for example the operational solar farm at Frith Bank in Frithville, Boston which is entirely within Flood Zone 3 As Essential Infrastructure, construction is permitted within flood zones 1 and 2, however an Exception Test is necessary for development within Flood Zones 3a and 3b. The Exception Test is applied if the proposed development passes the sequential test, when there are no reasonably available sites in Flood Zone 1 and in some cases Flood Zone 2 when the proposed development provides wider sustainability benefits to the community that outweigh flood risk, and that it will be safe for its lifetime, without increasing flood risk elsewhere and where possible reduce flood risk overall. The Proposed Development would provide a number of wider sustainability benefits to the community, which would be set out in detail in the planning application submission. In summary, these are:
 - a contribution to the need for renewable energy to assist in combating climate change and reducing carbon emissions, and an associated tangible contribution to legally binding targets to reduce carbon emissions and increase renewable energy consumption.
 - Combating climate change through renewable energy has the benefit of actually reducing flood risk;
 - a tangible contribution towards increasing domestic energy security and providing economic benefits arising from construction; and
 - a comprehensive landscape scheme and biodiversity enhancements.

The planning application will be accompanied with a flood risk assessment and drainage strategy outlining how the Proposed Development would remain operational and safe for users in times of flood, result in no net loss of floodplain storage, and not impede water flows and not increase flood risk elsewhere.

- **Traffic** – traffic associated with the Proposed Development would be largely limited to the temporary construction phase, during which appropriate and proportionate management measures would be implemented. Traffic during operation would be limited to periodic maintenance/inspection. The planning application would however be accompanied by a Transport Statement.

- **Complex and potentially hazardous environmental effects** – the Proposed Development is not of a nature, being for the generation of renewable energy, that presents any complex or potentially hazardous environmental effects.
- **Cumulative effects** – see the comments relating to landscape and visual above. The cumulative effects of the Proposed Development with the adjacent wind farm are not considered likely to be significant but would be taken into account in the relevant planning application documents. An initial search of satellite data and the Council's planning register and aerial imagery did not identify further known – developed, approved or proposed – solar farms within 3 km of the Site. It is therefore considered that the Proposed Development would not result in significant cumulative effects, such that EIA is required.

In view of the characteristics of the Proposed Development, the relatively low environmental sensitivity of the location and the limited potential for impacts, it is not considered that the proposed solar farm would result in significant environmental effects that require an EIA to be undertaken.

SUMMARY AND CONCLUSIONS

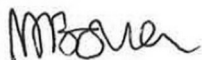
The Proposed Development involves the generation of renewable energy. The Proposed Development would make a positive contribution towards reducing carbon emissions and also contribute to supporting the local community and economy.

The Site is not environmentally sensitive nor subject to any local, national or international environmental designations. It would not involve complex or potentially hazardous environmental effects.

The development does not therefore in our view represent EIA development.

We very much look forward to hearing from you.

Yours sincerely,



Nick Bowen MRTPI

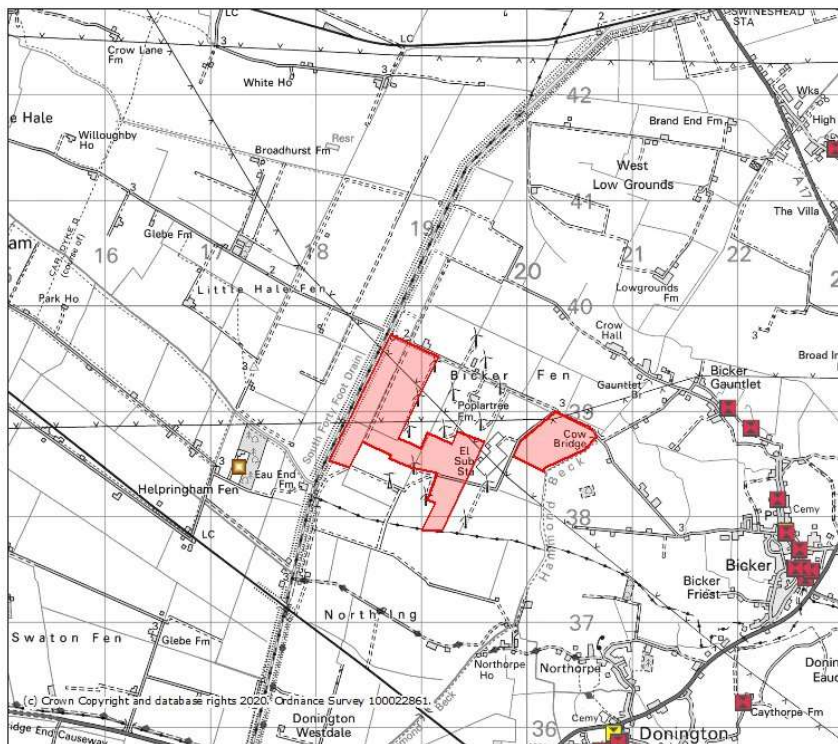
Senior Associate

DWD

Nick.Bowen@dwdllp.com

020 7489 1175

Encs: Site Location Plan
Magic Map and Proposals Map Extracts



Legend

Scheduled Monuments (England) - points

World Heritage Sites (England)

Buffer Zone

World Heritage Site

Listed Buildings (England)

I

II

II*

Registered Battlefields (England)

Registered Parks and Gardens (England)

Projection = OSGB36

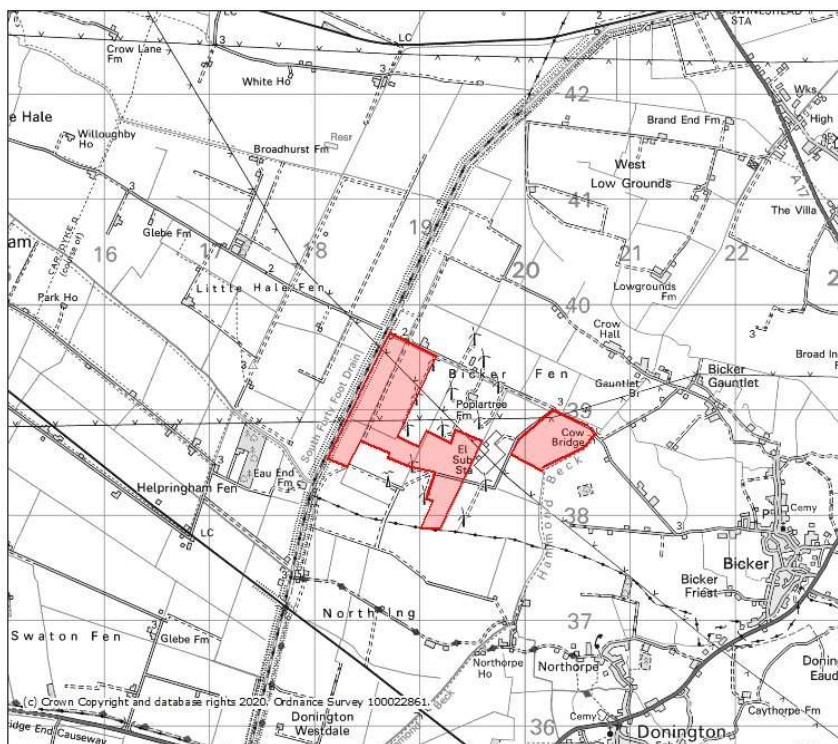
xmin = 511900

ymin = 335900

xmax = 526200

ymax = 342800

Map produced by MAGIC on 16 December, 2020. Copyright resides with the data suppliers and the map must not be reproduced without their permission. Some information in MAGIC is a snapshot of the information that is being maintained or continually updated by the originating organisation. Please refer to the metadata for details as information may be illustrative or representative rather than definitive at this stage.



Legend

National Nature Reserves (England)

Ramsar Sites (England)

Sites of Special Scientific Interest Units (England)

Favourable Condition

Unfavourable Recovering

Unfavourable no change

Unfavourable Declining

Part Destroyed

Destroyed

Not Assessed

Special Areas of Conservation (England)

Special Protection Areas (England)

Biosphere Reserves (England)

Projection = OSGB36

xmin = 511900

ymin = 335900

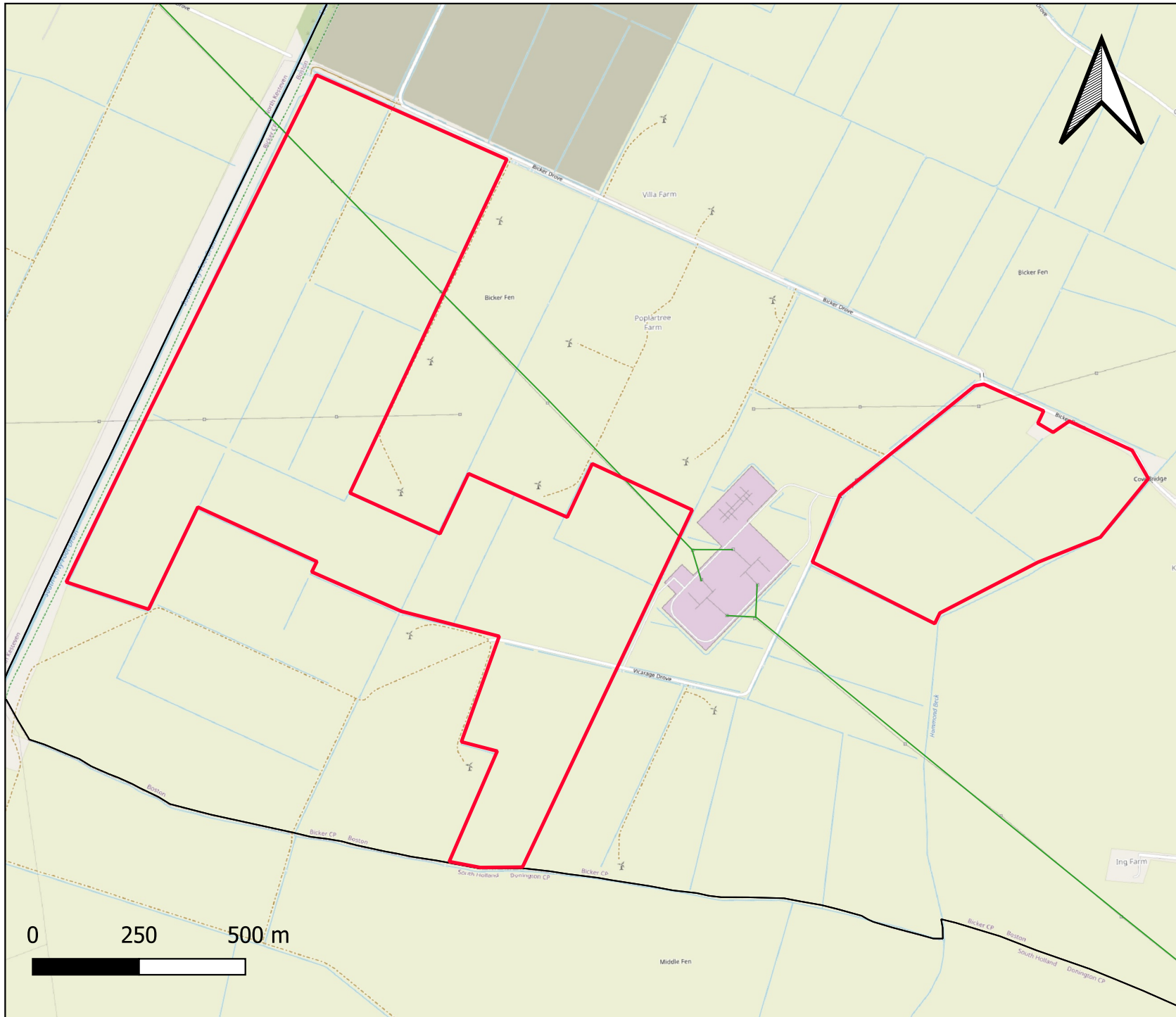
xmax = 526200

ymax = 342800

Map produced by MAGIC on 16 December, 2020. Copyright resides with the data suppliers and the map must not be reproduced without their permission. Some information in MAGIC is a snapshot of the information that is being maintained or continually updated by the originating organisation. Please refer to the metadata for details as information may be illustrative or representative rather than definitive at this stage.




Local Wildlife Site.....Policy 28

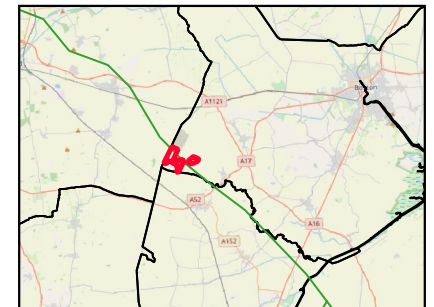


Vicarage Drove Solar Park
Bicker
Lincolnshire, England
PE20 3BF

Site location plan

Legend

 Site boundary



© Crown Copyright and
database rights 2020. Ordnance
Survey License Number
100048957.



Renewable Connections Developments Ltd.
141-145 Curtain Road, 3rd Floor, London,
EC2A 3BX.