

Our ref: 20/00006/ODC  
Your ref: EN010118-LSF  
Ask for: Mr Tim Havers  
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Date: 3<sup>rd</sup> December 2020

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Ms Katherine King  
Senior EIA Advisor  
Major Casework Directorate  
Temple Key House  
2 The Square  
Bristol  
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Dear Ms King,

**PINS REF NO:** EN010118-LSF (Longfield Solar Farm)

**DESCRIPTION:** Planning Act 2008 (as amended) and the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 - Scoping Opinion Consultation

**PROPOSAL:** Application by Longfield Solar Energy Farm Ltd for an Order granting Development Consent for the Longfield Solar Farm

I write in response to the statutory consultation received by Braintree District Council on 6<sup>th</sup> November 2020 in relation to the Environmental Impact Assessment Scoping Report (SR) concerning the above development proposal.

Although a significant part of this proposal would be located within Braintree District, it would be classed as a Nationally Significant Infrastructure Project and would therefore require a Development Consent Order to be determined by the Planning Inspectorate on behalf of the Secretary of State.

This letter therefore constitutes Braintree District Council's response to the Environmental Impact Assessment Scoping Report consultation issued by the Planning Inspectorate.

## **Scoping Report**

### Regulatory Requirements and Assessment Methodologies

Braintree District Council consider that the SR has met the regulatory requirements set out in Part 4, Section 15(2) of the EIA Regulations which state that a scoping request must include *"a plan sufficient to identify the land; a brief description of the nature and purpose of the development and of its possible effects on the environment; and such other information or representations as the person making the request may wish to provide or make"*. The SR provides proportionate detail on the methodologies to be employed for each topic.

One of the benefits of scoping is the opportunity it presents to agree the detailed assessment methods prior to submission of the application. The more information provided, the more useful the response will be.

The Applicant should ensure the details of the proposed methods underpinning each EIA topic are agreed prior to submission of the ES with the relevant consultees, which would include for example, agreeing baseline survey locations and study areas, agreeing viewpoint locations etc. This should form part of the on-going consultation into the EIA.

### **Scoping – Environmental Topics Scoped into the EIA**

The SR sets out the following topics as being scoped into the EIA:

- Climate Change
- Cultural Heritage
- Ecology
- Flood Risk, Drainage and Surface Water
- Landscape and Visual Amenity
- Noise and Vibration
- Socio-Economics and Land Use
- Transport and Access

In addition, the following topics are also included but are not considered to require stand alone chapters with a single chapter proposed to cover all of them and technical appendices relating to each to be submitted:

- Air Quality
- Land Quality
- Glint and Glare
- Ground Conditions
- Human Health
- Major Accidents or Disasters
- Telecommunications
- Television Reception and Utilities
- Waste

Braintree District Council considers that the topics identified for inclusion within the EIA are appropriate. The following general comments are however made.

#### Cultural Heritage

There are a high number of Designated Heritage Assets, both Listed Buildings and a Registered Park/Garden (Terling Place) located in the immediate vicinity of the site. Some of these would be surrounded or almost surrounded by the proposed developable area whilst other would be in very close proximity to it. At this stage it is unclear how severe the proposal's impact would be upon these Designated Heritage Assets, although it seems likely at face value that the impact upon their setting would, at least in some cases be significantly affected.

Of particular concern is the proposal's impact upon the Grade 1 listed Ringers Farm. Very careful consideration should be given to minimising the proposal's impact upon the above listed buildings and in particular upon Ringers Farm.

There is also a Protected Lane ((Noakes Lane) designated as such under the Council's Adopted Local Plan) which crosses the site to the north-west of Ringers Wood. The impact of the proposal upon the setting of this Protected Lane is also of concern.

The site contains a relatively high number of public rights of way. At this stage it is unclear how these would be affected during both the construction and operational phase of the

proposal and more information is required in this regard. It is anticipated that the Parish Council will be likely to be particularly interested in this matter as will the Ramblers Association.

### Ecology

The general site area encompasses a cluster of Local Wildlife sites (which are also Ancient Woodlands as discussed further below). The developable area is shown to surround two of these Wildlife Sites completely and to run in close proximity to the remainder. The issue of lighting is raised in more detail below. The Council is also concerned with regard to the size of proposed stand-off areas and buffer zones to these Wildlife Sites and how functional these zones would be.

The River Ter (SSSI) is also adjacent to the site. This flows to the Essex Coast, acting as a Vector by which impacts upon the protected Natura 2000 Essex coastal sites may be impacted. The Council's Adopted Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS) SPD is relevant insofar as it identifies the importance of ensuring sufficient recreational space (including footpaths and other public rights of way) remain available in the southern part of the District, to help alleviate recreational pressure on protected coastal sites.

### Landscape and Visual Amenity

There are a number of ancient woodlands located within the site boundary which the applicant has identified and is aware of. The proposal is at an early stage and there is not yet sufficient detail to identify what the detailed relationship between the proposal and these woodlands would be. However, it is noted that the developable area is shown to be in close proximity to these woodlands, and in fact surrounds two of them on all sides. The safeguarding of these woodlands is critical, both in terms of the operational phase of the proposed development and also in terms of the construction phase. At present it is unclear whether there would be sufficient stand-off from these woodlands in order for this safeguarding to be properly achieved.

The SR states that either underground cables or overhead lines would be used to connect to the existing grid. These two options are quite different in terms of their visual impact and their physical impact upon the land. At present there is little information provided on these options with the SR stating that overhead lines may constitute an NSIP. Further detailed information is required in relation to the consideration of these options.

The SR also identifies a number of baseline documents upon which the LVIA would be based. This list should also include the Braintree District Settlement Fringes Landscape Character Assessment 2015 which sits alongside but is more finely grained than the 2006 study.

### Land Use

The site is very large and the majority of the land upon which the site is located is best and most versatile agricultural land. The proposal has the advantage of being temporary (albeit over an estimated period of 40 years). The EIA should provide detail on how the land and soil quality would be protected during the construction and operational phases and restored to its formal agricultural use at the end of the schemes operational life, to ensure that such land was not permanently lost.

There are also several areas of contaminated land within the site which are identified on the Council's records. Due consideration will need to be given to how development on or adjacent to such land would be managed.

### **Scoping – Environmental Topics Scoped out of the EIA**

The SR sets out the following elements of identified technical topics as being scoped out of the EIA:

- **Climate Change** – In-combination impacts of temperature, sea level rise, precipitation change and changes in wind patterns are proposed to be scoped out of the in-combination climate impact assessment. Sea level rise is proposed to be scoped out of the climate change resilience review.
- **Landscape and Visual Amenity** – Lighting assessment and impact upon Deadham Vale AONB.
- **Noise and Vibration** – Ground-borne vibration from the construction, operation and decommissioning of the Scheme and operational noise effects associated with the Grid Connection.
- **Socio-Economics and Land Use** - Effects on Mineral Safeguarding Areas, Waste Consultation Areas and Transport Safeguarding Areas.
- **Transport and Access** - Operational vehicle movements due to low numbers of vehicles, hazardous loads and assessments for the decommissioning phase due to uncertainties in relation to future traffic flows and transport infrastructure.

The SR also identifies the following elements of other environmental topics as being scoped out of the EIA:

- **Air Quality** - Effect of scheme operation and operational traffic on air quality is proposed to be scoped out.
- **Ground Conditions** - Maintenance activities during the operational phase will be managed through an Operational Environmental Management Plan and are proposed to be scoped out of the assessment.
- **Human Health** - EMFs are proposed to be scoped out.
- **Major Accidents and Disasters** – It is proposed to scope out from the ES the assessment of major accidents or disasters which are not already being considered where it becomes clear that there is no real risk or serious possibility of such events interacting with the scheme.

In general terms Braintree District Council considers that the elements of technical and other environmental topics identified as being scoped out are appropriate although the following points of concern are raised.

### Lighting

A Lighting Assessment is identified as being scoped out because ‘any lighting during the construction phase would be temporary and any lighting during operation will be on temporarily’. It is not clear at this stage exactly what lighting would be required during the operational phase, nor how long it would need to remain on for. In addition, the Construction Phase is estimated at 24 to 36 months which is not insignificant.

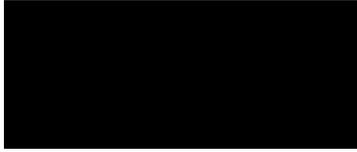
The site is in a very rural location and contains a number of wooded areas, trees and established hedgelines. The Council are concerned firstly that the visual impact of lighting in such a rural area during the operational phase (even if only on temporarily) needs to be fully assessed. Secondly, the Ecological impact, particularly in relation to bat roosting and commuting corridors also needs to be fully assessed and temporary construction lighting and/or lighting required during the operational phase has the clear potential to have a detrimental impact in this regard if not assessed fully and managed correctly.

### **Conclusion**

Braintree District Council consider that in general terms the SR meets the statutory requirements for scoping set out in Section 15 (2) of the EIA Regulations. The scope of the EIA is also considered to be adequate with the exception of the specific concerns raised above in relation to lighting. A number of other matters (such as specific heritage and ecology impact concerns) have also been raised above as areas where particularly detailed consideration is required due to the site’s specific sensitivities.

This consultation response is made with regard to the SR in the context provided by the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended) and does not prejudice the Braintree District Council's consideration of the other planning matters relating to the development of this site.

Yours sincerely,



Mr Tim Havers MRTPI  
Principal Planner

For

Mr Christopher Paggi  
Planning Development Manager