

The Local Authority's Response to the Scoping Request

The following information reflects the views of the Local Planning Authority and its statutory consultees regarding the information contained within each chapter / sub heading of the submitted Scoping Report dated August 2021:

Proposals:

Proposed Planning Application for a renewable energy development involving the construction, operation, maintenance and decommissioning of a ground mounted solar farm with a capacity of up to 49.9 Megawatts (MW) and a battery based electricity storage facility of around 50 MW for a temporary period of 40 years.

Introduction

This document forms Horsham District Councils (HDC's) formal Scoping Opinion to the Environment Impact Assessment (EIA) Scoping Report submitted by Pegasus Group on the 25/08/2021 on behalf of Bolney Green Limited on land at Huddlestone Farm, Horsham Road Steyning.

To prepare this Scoping Opinion, HDC consulted all relevant Statutory Consultees, including WSCC Highways / PROW / and Minerals and Waste Departments; Highways England; the Environment Agency; Natural England, and Historic England. In addition this Council has consulted other departments within Horsham District Council and WSCC. Responses were received from Landscape; Conservation; WSCC Highways; WSCC PROW. The comments from these organisations have been included in this report.

Classification of the Proposed Development and requirement for an Environmental Impact Assessment

The development falls within Part 3 (a) of Schedule 2 to the EIA Regulations 2017 as it relates to 'industrial installations for the production of electricity, steam and hot water' and exceeds 0.5ha threshold set under the Regulations. This means the proposal constitutes Schedule 2 development subject to the selection criteria as identified in Schedule 3 of the Regulations.

Horsham District Council (HDC) provided a Screening Opinion on the 19/07/2021 confirming that having regard to the selection criteria in Schedule 3 of the EIA Regulations, the proposal is considered to have the potential for significant effects on the environment and so requires an Environmental Impact Assessment.

The EIA Regulations allow for a developer to ask the local planning authority for their formal opinion (a 'Scoping Opinion') regarding the information to be supplied in the Environmental Statement (ES). This provides clarity as to what the local planning authority considers the main effects of the development are likely to be, and accordingly, the main topics on which the ES should focus.

Environmental Aspects

In summary, HDC is in broad agreement with the methodologies outlined in the scoping report to be broadly appropriate for the relevant areas of interest. It should however be highlighted that the Council's formal EIA scoping opinion can change at any time during the EIA should additional receptors and potential impacts be identified as further project details emerge. This letter should also not be taken to imply any acceptance of the planning merits of the scheme and simply sets out the Council's Scoping Opinion as it currently exists.

Given the scale of the proposed solar farm and substation and its potentially significant visual impact on the immediate surroundings of where it is sited, careful consideration should be given to its location.

The Council wishes to highlight the following key comments:-

Development Plan

Our current Local Plan is called the Horsham District Planning Framework 2015 – 2031 (HDPF). The HDPF is the overarching planning document for Horsham District excluding the South Downs National Park. The HDPF sets out the planning strategy for the years up to 2031 to deliver the social, economic and environmental needs of the whole district, as well as looking beyond the district's boundaries. It identifies six priority themes for the Council:

https://www.horsham.gov.uk/_data/assets/pdf_file/0016/60190/Horsham-District-PlanningFramework-2015.pdf

The following plan policies from the HDPF are relevant to the Proposed Development:

Policy 1 Sustainable Development
Policy 24 Strategic Policy: Environmental Protection
Policy 25 Strategic Policy: District Character and the Natural Environment
Policy 26 Strategic Policy: Countryside Protection
Policy 30 Protected Landscapes
Policy 31 Green Infrastructure and Biodiversity
Policy 32 Strategic Policy: The Quality of New Development
Policy 33 Development Principles
Policy 34 Cultural and Heritage Assets
Policy 35 Strategic Policy: Climate Change
Policy 36 Appropriate Energy Use
Policy 37 Sustainable Construction
Policy 38 Strategic Policy: Flooding
Policy 39 Strategic Policy: Infrastructure Provision
Policy 40 Sustainable Transport

The Draft Steyning Neighbourhood Plan 2019-2031 and has passed through Examination and is awaiting Referendum and such carries significant weight.

Relevant policies include the following:

SDNP1 Green infrastructure and Biodiversity
SDNP2 Responsible Environmental Design
SDNP3 Contribution to Character
SDNP4 Improving our Facilities
SDNP5 New Community Infrastructure
SDNP6 Local Green Space

Consideration should also be made / given to other relevant local policy and Supplementary Planning

Documents, such as:

- HDC Landscape Character Assessment, 2003
- HDC Landscape Capacity Study, 2014
- West Sussex Waste Local Plan, 2015
- West Sussex Joint Minerals Local Plan, 2018

Chapter 1 Introduction

Schedule 4 of the Town & Country Planning (Environmental Impact Assessment) Regulations 2017, sets out the necessary information to assess impacts on the natural environment to be included in an ES, specifically:

- A description of the development – including physical characteristics and the full land use requirements of the site during construction and operational phases.
- Expected residues and emissions (water, air and soil pollution, noise, vibration, light, heat, radiation, etc.) resulting from the operation of the proposed development.
- An assessment of alternatives and clear reasoning as to why the preferred option has been chosen.
- A description of the aspects of the environment likely to be significantly affected by the development, including, in particular, population, fauna, flora, soil, water, air, climatic factors, material assets, including the architectural and archaeological heritage, landscape and the interrelationship between the above factors.
- A description of the likely significant effects of the development on the environment – this should cover direct effects but also any indirect, secondary, cumulative, short, medium and long term, permanent and temporary, positive and negative effects. Effects should relate to the existence of the development, the use of natural resources and the emissions from pollutants. This should also include a description of the forecasting methods to predict the likely effects on the environment.
- A description of the measures envisaged to prevent, reduce and where possible offset any significant adverse effects on the environment.
- A non-technical summary of the information.
- An indication of any difficulties (technical deficiencies or lack of know-how) encountered by the applicant in compiling the required information. It will be important for any assessment to consider the potential cumulative effects of this proposal including all supporting infrastructure, with other similar proposals and a thorough assessment of the ‘in combination’ effects of the proposed development with any existing developments and current applications. A full consideration of the implications of the whole scheme should be included in the ES. All supporting infrastructure should be included within the assessment.

Generally it is considered that the Scoping Report submitted to Horsham District Council is comprehensive and covers the main issues associated with the proposed development at Huddlestone Farm. A number of detailed comments have however been made in relation to most sections of the document, and these are set out on a topic-by-topic basis in the paragraphs below:

Chapter 2 Application Site

The description of the application site should make clear that the site lies outside of any defined built up area boundaries and is within the countryside.

Reference is made to the following within the Scoping Report (*in italics*) and HDC general comments follow:

Para 2.12: Development proposals

‘Possible use of shipping containers for purposes of containment of battery storage:’ Such containment facilities would not be supported in this rural area given the likely adverse visual impact arising from their presence. Consideration should be given to alternative containment solutions.

'Security fencing around the enclosed substation and switchgear compound and Deer fencing and gates to enclose the site.' Full details should be provided at application stage for further consideration of the amenity and visual impacts on the surrounding rural area arising from its use.

'Security and Monitoring CCTV / Infra-red cameras on fence posts along the internal perimeter of the site': Full details should be provided at application stage for further consideration of the amenity and visual impacts on the surrounding rural area arising from its use.

'Site access from public highway': Full details should be provided at application stage for further consideration of the Highway and Pedestrian Safety matters and of the visual impacts on the surrounding rural area arising from its use.

'Compacted internal crushed stone tracks to allow vehicular access between fields': Full details should be provided at application stage of the quantity and type of materials used and where it is sourced from to allow for further consideration of the visual impacts on the surrounding rural area and nearby occupants arising from its use.

Para 2.13 Construction:

HDC note that a Construction Environment Management Plan will be submitted with any application and will need to include appropriate amenity and highway safety mitigation measures.

Para 2.15 Operation:

Full details should be provided at application stage for further consideration of anticipated traffic generation, vehicle types and frequency. HDC note that a LEMP will be submitted with any application setting out how the land would be managed throughout the operational phase of the development (40 years).

Para 2.16 – 2.18 Decommissioning:

'A decommissioning plan would be prepared prior to decommissioning commencing:

Where possible and when electrical items have an ongoing life span they will be removed from site in whole units and re-used in current form. Where units do not have an ongoing life cycle they will be placed into a suitable recycling skip or container and then removed from site to a suitable waste recycling centre

After a 40 year period the Proposal would be decommissioned with all electricity generating equipment and built structures associated with the development removed from the Site and the land returned to agricultural use'.

HDC considers that a draft decommissioning plan should be included within any application to provide some certainty that the decommissioning measures and waste recycling measures and site safety measures have been fully considered and are in place.

Chapter 3 Scope of The Environmental Impact Assessment

General Comments

The following sets out the Council's views as to what main/significant areas will need to be considered within any forthcoming ES. It does not prevent the Council from further requests for information at a later stage under Regulation 22 of the EIA Regulations, if deemed necessary.

Para 3.1 – 3.3

HDC note and agree the content of this chapter and will address any relevant issues below. The following topic areas identified within table 3.1 are subject to scoping and include areas relating to:

Accidents and Emergencies.
Climate Change
Human Health
Waste

An additional topic that requires further information should address how the proposed development demonstrates Water Neutrality in order to meet concerns raised by the Environment Agency and Natural England concerning the impacts of site integrity through the reduction in water levels and potential water quality impacts that are leading to deterioration of habitat at designations including Amberley Wild brooks SSSI, Pulborough Brooks SSSI that are part of the Arun Valley SPA, Arun Valley SAC and the Arun Valley Ramsar Site. It has been advised by Natural England that Horsham District Council (along with Crawley BC and Chichester District Councils), that development in the Sussex North part of the Gatwick sub region must not add to this adverse effect.

HDC agrees that other topics within table 3.1 as listed below do not form part of this scoping assessment but will require full supporting information with appropriate assessments, surveys, and statements submitted at application stage to assess the impacts of the development on the areas listed below:

Agricultural Land (this should include the proposed maintenance and maintenance schedule)
Air Quality (this should include Air Quality Cost Calculator considerations)
<https://www.gov.uk/government/publications/assess-the-impact-of-air-quality/air-quality-appraisal-damage-cost-guidance>
Cultural Heritage and Archaeology
Ecology
Hydrology, Ground Conditions and Contamination
Noise and Vibration
Water Neutrality

Para 3.4

Other issues considered appropriate for assessment in this Environmental Statement include

Landscape and Visual
Major Accident and Emergency
Climate Change
Waste Arising's (during construction)

Landscape and Visual

As part of the Landscape Character Assessment work, it is agreed that the following should be taken into consideration:

The content and level of information provided within Chapter 3 (approach to the LVIA), Appendix E (LVIA Methodology), Appendix F & G (ZTV) and Appendix H (LVIA Viewpoints) are generally considered satisfactory, however, there are a few observations, which must be covered by the assessment:

- Desk study to include Historic Landscape Characterisation to understand the historic time-depth of the area
- Photomontages prepared for key viewpoints with number and locations to be agreed with HDC in accordance with best practice.
- The proposed viewpoints are appropriate, however based on the submitted ZTV I would like a few more locations to be assessed as marked on the plan below in purple



Identify any change to the Horsham District Landscape Character Areas (in the HDC landscape character assessment) and also examine the impact of development on distinctive local character areas within and immediately surrounding the development site.

The impact on specific landscape features should also be assessed e.g. field and boundary trees, hedges, woodlands, ponds and watercourses and other historic landscape features which contribute to the landscape e.g. hedgerow/woodland banks, old country lanes, drove routes, old railway lines.

The ES should include assessments of visual effects on the surrounding area and landscape together with any physical effects on the development, such as changes in topography. Changes in characteristic views e.g. to the South Downs or to local landmarks may need to be considered.

Photomontages should be prepared for key viewpoints of the development-again locations to be agreed with HDC. Any particularly tall elements of the development are likely to need to be shown on cross sections to understand their impact.

The landscape and visual assessment should take account of the 'worst case scenario' in terms of winter views and also the effects of any mitigation planting in year 1 of the development and after 15 years of establishment.

It is advised in Chapter 3 that the following work stages are in the process of being undertaken:

Para 3.7 – Methodology

It is advised in paragraph 3.7 that the site will be assessed against the methodology within the Guidelines for Landscape and Visual Impact Assessment (Landscape Institute and Institute of Environmental Management Assessment 2013 and that the assessment will be proportionate to the effects of the development, focusing on likely significant issues only.

The site falls outside of any nationally designated areas and new guidance has been published on assessing landscape value, LI Technical Guidance Note 02/21 Assessing landscape value outside national designations (LI TGN 02/21) should be referred to as the site falls outside of any Nationally designated areas.

In addition to the guidance identified above, the Assessment should also refer to the West Sussex Landscape Character Areas, the Landscape Strategy and the Land Management Guidance, together with the West Sussex Historic Landscape Characterisation studies. The EIA should also refer to the Horsham District Landscape Character Assessment, 2014.

Some assessment of the impacts on existing landscapes has been identified within para 3.9.

Para 3.10 notes that the proposed development would alter the character of the site and would have an indirect effect on the surrounding landscape character.

Para 3.14 -16 Study Area and Scope

Note the comments made above regarding the Landscape Character Assessment work and Study Area

Par 3.17 -3.19 Assessment Viewpoints

Note the comments made above regarding the Landscape Character Assessment work and Study Area

Para 3.22 – 3.23 Supporting Materials

The site falls outside of any nationally designated areas and new guidance has been published on assessing landscape value, LI Technical Guidance Note 02/21 Assessing landscape value outside national designations (LI TGN 02/21) should be referred to as the site falls outside of any Nationally designated areas.

Major Accidents and Emergency

Para 3.24 -3.28 Risk of Major accidents and / or disasters

HDC note the comments within this chapter and is satisfied with the assessment methodology detailed within the Scoping Report.

In relation to pollution prevention, the Environment Agency have made the following comments:

Whilst the proposed development is in the early stages, we would advise that pollution prevention measures are considered throughout the process. All precautions must be taken to avoid discharges and spills to the ground both during and after construction. For advice on pollution prevention measures, the Applicant should refer to our guidance 'PPG 1 – general guide to the prevention of pollution' which can be found on the GOV.UK website using the following link:

<https://www.gov.uk/government/publications/basic-good-environmental-practices-ppg1-preventpollution>

Climate change

Para 3.29 – 3.30 Climate Change.

Reference should be made here for the requirement of this potential strategic site to be carbon neutral. Draft policies on climate change policy under the Local Plan Review outline HDC's approach. In the event this site is allocated for development in the Local Plan Review the site will be required to demonstrate the delivery of carbon neutrality or negativity within the development, including demonstrating a fabric first approach to the construction of built development, and maximum use of onsite renewable energy technologies.

The details of the proposal should refer to and address the climate change policies (Chapter 10, Policies 35-38) within the Horsham District Planning Framework, in addition to other relevant climate change policy, such as the West Sussex Flood Risk Management Strategy (2013), and the Air Quality and Emissions Mitigation Guidance for Sussex (2019).

The England Biodiversity Strategy published by Defra establishes principles for the consideration of biodiversity and the effects of climate change. The ES should reflect these principles and identify how the development's effects on the natural environment will be influenced by climate change, and how ecological networks will be maintained. The NPPF requires that the planning system should contribute to the enhancement of the natural environment 'by establishing coherent ecological networks that are more resilient to current and future pressures' (NPPF Para 179), which should be demonstrated through the ES.

In relation to pollution prevention, in the early stages of the development, it is advised that pollution prevention measures are considered throughout the process. All precautions must be taken to avoid discharges and spills to the ground both during and after construction. For advice on pollution prevention measures, the Applicant should refer to our guidance 'PPG 1 – general guide to the prevention of pollution' which can be found on the GOV.UK website using the following link:

<https://www.gov.uk/government/publications/basic-good-environmental-practices-ppg1-preventpollution>

Waste Arising's

Para 3.31 – 3.34 Waste

Article 1(d) of Schedule 4 of the EIA Regulations requires for an Environmental Statement to consider the quantities and types of waste to be produced during the construction and operational phases. The potential for waste during construction will be described in the Environmental Statement.

The predicted quantities of waste arising from the site proposals are set out within the Scoping Report. It is advised that these details and the proposed method to remove waste from the site should be provided within the Construction Environmental Method Statement.

Chapter 4 Proposed Structure of the Environment Statement

Para 4.2 - 4.7 Proposed Structure – Comments noted and no further comments

Para 4.8 EIA Flexibility – Comments noted and no further comments

Para 4.9 - 4.11 Mitigation – Comments noted and no further comments

Para 4.12 - 4.13 Alternatives – Comments noted and no further comments

Para 4.14 Structure of the Technical Chapter - Comments noted and no further comments

Para 4.15 -4.21 Cumulative Scope - Comments noted and no further comments

Para 4.22 Temporal Scope - Comments noted and no further comments

Para 4.23 – 4.24 Summary - Comments noted and no further comments

Chapter 5 Statutory and Other Consultees

The internal and external consultation responses received by HDC to date are appended to this report. Any additional comments received will be forwarded separately.

Conclusion

I confirm that this letter forms Horsham District Council's consultation response before adoption of the Scoping Opinion. This is to inform the applicant of information that Horsham District Council considers should be provided within the Environmental Statement.