

Our Ref: 3732-01/NR

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North Hertfordshire District Council
Regulatory Directorate - Planning
PO Box 10613
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Dear Sir / Madam

PROPOSED SOLAR FARM MEASURING 35.5 HECTARES WITH ASSOCIATED BATTERY STORAGE AND ANCILLARY INFRASTRUCTURE – LOCATED ON LAND TO THE SOUTH OF WYMONDLEY SUBSTATION AND SOUTH OF SPERBERRY HILL, ST IPPOLYTS, HERTFORDSHIRE

TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017 - REGULATION 6 – REQUEST FOR A SCREENING OPINION

We are writing on behalf of our client, Brockwell Storage and Solar Limited (BSSL / the Applicant), to request a formal Screening Opinion under Regulation 6 (1) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) in relation to the proposed development of a 25MW solar farm and 12.5MW battery storage facility on land south of Sperberry Hill, Wymondley, North Hertfordshire (the Site). The proposed development includes a grid connection / cabling to the nearby National Grid Wymondley Substation. The location of the Site and the aforementioned grid connection is illustrated on **Figure 1**.

The Council will be aware that a planning application (ref: 22/00709/FP) for a proposal with the same description of development, and located on exactly the same site, was refused by North Hertfordshire District Council (NHDC) on 22nd November 2023, for two reasons relating to Green Belt policy and harm to the character and appearance of the surrounding area. We do not dwell on the merits of that decision other than to note that the Officer Report acknowledged the decision to refuse was: “... *very finely balanced* ...”.

This previous application, hereafter referred to as the ‘2023 Scheme’, was made by RNA Energy Ltd. That company has subsequently been acquired by Brockwell Energy Limited and now exists as BSSL.

BSSL has now elected to submit a revised planning application for the 2023 Scheme, with some specific design changes. For ease of understanding, we refer to this as the ‘Resubmission Scheme’.

As described above, the purpose of this letter is to obtain NHDC’s formal EIA Screening Opinion for the Resubmission Scheme.

In this regard, it is clearly material that the 2023 Scheme was subject to the same EIA Screening process (ref: 21/02628/SO). That Screening Request is attached as **Appendix A** to this letter and NHDC's Screening Opinion, in the form of a Screening Matrix and Officer Screening Report, is attached as **Appendix B**. That process resulted in negative Screening i.e. the 2023 Scheme was found **not** to be EIA development.

Notwithstanding the outcome of this previous Screening process, as a new planning application is now proposed for development falling within Schedule 2 of the EIA Regulations, specifically under Section 3(a) 'Industrial Installations for the Production of Electricity' on a site exceeding the threshold of 0.5 of a hectare; EIA Screening is again mandatory.

In order to best assist and hopefully simplify the process, the Applicant relies on the description of the application site, its context and the description of development, including its nature and purpose, as previously submitted and as contained as Appendix A to this letter. Alongside this, we provide below, a brief description of the Resubmission Scheme highlighting the design changes and also aspects of the proposal which have not changed. We hope this allows the Council to readily determine whether the design changes provide any basis for altering their previous Screening Opinion.

The Resubmission Scheme is described as follows:

- i. The Application Site is identical to that for the 2023 Scheme and remains at 35.5 hectares.
- ii. It is proposed that the description of development is identical to that for the 2023 Scheme.
- iii. The proposal includes the same scheme components as the 2023 Scheme, including solar panels, 8 no. battery storage units; string inverters; a DNO substation; a switchroom; a control room; a grid connection / cabling to the nearby National Grid Wymondley Substation; internal stone tracks; 2 No. improved existing access points off Little Almshoe Lane, and an access point from Stevenage Road; fencing; CCTV cameras; and a combination of woodland and hedgerow planting. The 2023 Scheme also had 5 no. transformer stations, this is now reduced to 4 no. transformer stations for the Resubmission Scheme.
- iv. For the 2023 Scheme, the individual solar panels had a power rating of 640 watts. Since the formulation of that application panel technology has continued to advance, and for the Resubmission Scheme it is proposed to install panels with a rating of 700 watts (noting a limited number of suppliers now offer an even greater power rating). The panel size, mountings, spacing and distance above ground level at the front (lower) and back (higher) edges would all be the same as the 2023 Scheme. However, with the greater power rating per panel, the Resubmission Scheme would deliver exactly the same 25MW output to the point of connection as the 2023 Scheme, but with an overall reduction in the area of solar panels of just over 8.5%. In short, the overall area of solar panels now proposed in the Resubmission Scheme is circa 8.5% less than the 2023 Scheme.
- v. The current proposed layout for the Resubmission Scheme is shown on **Figure 2**. For comparative purposes and ease of reference, we also attach the layout for the 2023 Scheme as **Figure 3**. The principal design changes are as follows:

- a. The area of solar panels (and all associated infrastructure) in the south eastern corner of the 2023 Scheme, lying south east of the Hertfordshire Way have been removed. In doing so the Hertfordshire Way would no longer pass through the solar farm but simply run alongside its southernmost boundary. As a consequence, views south from this section of the footpath would remain open and unchanged from the present. This design change is judged to materially reduce the effects of the proposal on users of this section of the public right of way.
- b. The scheme has been altered in a number of regards around the southern and western boundaries of the curtilage of the Redcoats Farm complex. These design changes are as follows:
 - The bund proposed to the south of the curtilage boundary in the 2023 Scheme has now been removed with alternative mitigation proposed. It is noted that the independent landscape review commissioned by NHDC in relation to the 2023 Scheme undertaken by The Landscape Partnership (the TLP Review) commented on the bund having an unnatural form.
 - The solar panels (and associated fencing) have now been moved some considerable distance away from the south of the property curtilage (to between 41m and 58m at the eastern and western ends of the southern boundary respectively).
 - Alongside the northern edge of the panels in this location will be a timber stock fence and a new hedge. Thus, where views are attainable from the southern edge of the curtilage, the current experience of the ground falling away, and openness of the views will be retained. The timber fence will provide an initial, appropriate style of boundary feature and within a few years the new hedge would become a fully effective screening feature.
 - The solar panels (and associated fencing) have also been moved further away from the western curtilage of the Redcoats Farm complex and a new block of woodland planting is proposed in this location. This new woodland block is again consistent with recommendations made in the TLP Review (see their para 5.5.2 b.).
- c. An area of solar panels has also been removed from the north-western corner of the scheme and a further area of new woodland planting proposed in this location. This again follows the TLP Review recommendation that such planting would soften views from residential properties to the edge of St Ippolyts.
- d. The area of new woodland planting proposed in the 2023 Scheme was circa 2,600m². With the addition of the aforementioned new areas of woodland planting this figure will increase. The precise level of increase has yet to be determined but will be included in the resubmission application. The length of new hedgerow planting in the 2023 Scheme (new and gapping up existing) was circa 2,600m. It is likely that this figure will slightly decrease associated with the aforementioned design changes alongside the Hertfordshire Way. In short, there would be no hedge on the southern side of the footpath and no hedge encompassing the area south of the footpath which previously contained solar panels.

Based on the foregoing, the Resubmission Scheme comprises a reduction in built development when compared to the 2023 Scheme, and specifically reduces the effects of the development on identified

sensitive receptors, all whilst maintaining precisely the same renewable energy benefits. Thus, the Applicant believes it is demonstrably the case that the Resubmission Scheme **does not constitute EIA development**. However, clearly we request the Council's formal determination on this matter.

Notwithstanding the above, the planning submission will be accompanied by a series of assessments setting out the details of the proposed scheme. These will encompass all of the types of documents / assessments submitted in support of the 2023 Scheme and comprise the following:

- Planning and Design & Access Statement;
- Planning Application Drawings;
- Landscape and Visual Impact Assessment;
- Ecological Assessment;
- Heritage Impact Assessment;
- Archaeological Geophysical Survey;
- Flood Risk Assessment and Surface Drainage Strategy;
- Noise Assessment;
- Glint and Glare Assessment;
- Agricultural Land Assessment; and
- Transport Statement.

We trust that the contents of this letter along with its Appendices and the attached plans are sufficient to aid you in adopting a Screening Opinion. We look forward to receiving your response within the statutory three-week period. In the meantime, please do not hesitate to contact us should you have any queries.

Yours sincerely



Nick Roberts

Technical Director on behalf of Axis

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Enclosed:

Figure 1: Site Location Plan

Figure 2: Resubmission Scheme – Current Proposed Layout

Figure 3: 2023 Scheme Layout

Appendix A: EIA Screening Request for the 2023 Scheme

Appendix B: NHDC's EIA Screening Opinion for the 2023 Scheme