

EIA Screening Opinion Request

Site Name	Iver Solar Site
Site Address	Iver Water Treatment Works, Court Lane, Iver, SL0 9HL
Applicant	Affinity Water Limited (AWL)
Agent	Dalcour Maclaren
Date of Issue	February 2023

1.1 Introduction

- 1.1.1 Dalcour Maclaren (DM) has been instructed by Affinity Water Limited (AWL) to seek an EIA Screening Opinion Request (SOR) from Buckinghamshire Council (BC) for a proposed solar array on operational land at Iver Water Treatment Works.
- 1.1.2 The information provided in this request satisfies the requirements outlined in Regulation 6 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, hereafter referred to as the 'EIA Regs'.
- 1.1.3 This request is supported by a Site Location Plan and an Indicative Site Layout Plan of the proposed array.

1.2 Affinity Water Limited

- 1.2.1 Under the Water Industry Act 1991, AWL as a statutory water undertaker has a duty to:

“Develop and maintain an efficient and economic supply of water within its area and to ensure that all such arrangements have been made –

a) For providing supplies of water to premises in that area and for making such supplies available to persons who demand them; and

b) For maintaining, improving and extending the water undertaker’s water mains and other pipes are necessary for securing that the undertaker is and continues to meet its obligations under this part”

‘Where its supply system is used for the purpose of supplying water to any premises for domestic or food production purposes –

a) To ensure that any water so supplied is wholesome at the time of supply’



- 1.2.2 As a water undertaker, AWL must, under the above act, provide a wholesome supply of water and maintain the water supply system to ensure it continues to meet its obligations.
- 1.2.3 As part of this statutory responsibility to provide supplies of water, AWL must ensure that the wider environment is protected by undertaking this activity in a sustainable manner.
- 1.2.4 The proposed solar array will provide AWL an alternative source of energy to facilitate the water infrastructure on this site and ensure that they can provide an efficient and economic supply of water to the area in a sustainable way.
- 1.2.5 Furthermore, the solar energy efficiency programme forms part of AWL's wider Renewables and Energy Efficiency Programme which has the long-term aim of becoming operationally net zero by 2030 in terms of scope 1 and 2 emissions and wholly net zero by 2050.

1.3 Site Location and Characteristics

- 1.3.1 The land on which the solar array is proposed (hereafter referred to as 'the Site') measures an area of approximately 1.75ha. The Site is located approximately 1km south east of Iver (postcode: SLO 9HL; National Grid Reference: TQ 04300 80100).
- 1.3.2 The Site is bounded by:
- The M25 immediately to the west
 - An industrial estate to the north
 - To the south of the site there is a railway line
 - Thorney Weir with its fishing lakes and green spaces to the west
- 1.3.3 The Site forms part of Iver Water Treatment Works. In addition to the water treatment work plant on site there are also several industrial buildings located across the Site and areas of road, hardstanding, and amenity grassland with scattered trees.
- 1.3.4 The Site is not located within a sensitive area (as defined by the EIA Regs) such as an Area of Outstanding Natural Beauty (AONB), Site of Special Scientific Interest (SSSI), National Park (NP) or Conservation Area (CA) etc.

The Site is located within Flood Zone 1. In terms of planning considerations, the Site is located within London Area Green Belt.

1.4 Relevant Planning History & Operational Land Status

- 1.4.1 AWL acquired the site in 1975, the Site has since been in continuous use for water treatment purposed since this date.
- 1.4.2 Further to this there have been multiple applications made on the Site in relation to the installation of infrastructure associated with the water treatment process and the boundaries of these applications include the area in which the solar arrays are proposed. This consequently allows the Site to be classed as Operational Land under Section 263 and 264 of the Town and Country Planning Act 1990.



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2 Description of Proposed Development

2.1 The Proposed Development

2.1.1 The proposed development consists of the installation of a total of approximately 1.75ha of solar panels, of which:

- c. 0.14ha is roof-mounted; and
- c. 1.61ha is ground mounted and ground ballasted solar panels.

2.2 Construction Methodology

2.2.1 The construction works are likely to consist of:

- Minimal ground preparation
- Construction of construction compound and fencing
- Construction of foundations for ancillary infrastructure and installation of substation/inverter
- Underground of cabling for grid connection
- Piling for installation of solar array frame and installation of solar panels

2.2.2 Construction of the proposed development is programmed to commence as soon as appropriate consents are in place. It is envisaged that the construction period will be 9 months.

3 The EIA Regulations

3.1 Request for a Screening Opinion

3.1.1 A formal screening opinion is being sought from BC to confirm that the proposed development comprises ‘non-EIA development’ as defined within the EIA Regs and therefore does not require an Environmental Statement. The EIA Regs are applied to certain types of development that may have significant effects on the environment. Different development types are categorised in the EIA Regs as Schedule 1 or Schedule 2 developments; dependent on a number of factors including the nature of the proposal, their location and scale, used to determine whether they are likely to have significant environmental effects.

3.2 Indicative EIA Screening Threshold

3.2.1 EIA development is defined with the Regulations as development which is either:

“(a) Schedule 1 development; or

(b) Schedule 2 development likely to have significant effects on the environment by virtue of factors such as its nature, size or location”

3.2.2 Schedule 1 development requires EIA in any event as they are highly likely to have a significant environmental impact. This proposed solar development is not listed under Schedule 1.

3.2.3 Schedule 2 development constitutes proposals that must be screened by the relevant planning authority to determine if significant effects are likely and ultimately if it is deemed EIA development or not. Development of this type is defined within the EIA Regs as *“development, other than exempt development, of a description mentioned in column 1 of the table in Schedule 2 where –*

a) Any part of that development is to be carried out in a sensitive area; or

b) Any applicable threshold or criterion in the corresponding part of column 2 of that table is respectively exceeded or met in relation to that development.”

3.2.4 Schedule 2 development does not automatically require EIA. An EIA is only required for Schedule 2 development if it is ‘screened in’; on the grounds that it is likely to have significant effects on the environment due to factors

such as size, nature, location and duration. If significant effects are not likely to arise as a result of the development, then the development must be 'screened out' and is therefore not an EIA development.

- 3.2.5 Solar arrays are not explicitly listed within Schedule 2 of the EIA Regs, however it is considered that the proposed development would fall under Schedule 2 Class 3(A) which refers to:

“Industrial installations for the production of electricity, steam and hot water”

- 3.2.6 The Site is not located within land defined as a 'sensitive area' within Regulation 2(1) of the EIA Regs. As the proposed development is not sited within a sensitive area, the applicable thresholds and criteria need to be examined. The applicable thresholds for Class 3(A) defined above are *“an area in excess of 0.5ha”*. As the proposal exceeds the 0.5ha threshold the development can be argued to constitute Schedule 2 development. However, it remains that it is for the relevant planning authority to determine in their opinion if the proposal is likely to have significant environmental effects.

- 3.2.7 In addition to the thresholds stated in Column 2, guidance notes available for screening thresholds provide further indicative criteria and key issues to consider when determining if the proposal is indeed EIA development. The guidance notes state indicative criteria and threshold for Class 3(A) of Schedule 2:

“Thermal output of more than 50MW. Small stations using novel forms of generation should be considered carefully”

- 3.2.8 And key issues to consider for the same Part:

“Level of emissions to air, arrangements for the transport of fuel and any visual impact”

- 3.2.9 During operation the proposed development will not generate emissions to the air or require fuel.

- 3.2.10 In terms of visual impact the Site is located in a built up industrial area where there is already a significant amount of infrastructure on the Site, and adjoining. The Site is well screened from any sensitive receptors and it should not have any further impacts on any potential receptors nearby.

- 3.2.11 In summary, the project would be considered as Schedule 2 development under Class 3(A). The area of works exceeds 0.5ha, however importantly the indicative threshold of 50MW would not be exceeded. As such, other environmental considerations need to be considered such as the level of emissions to air, arrangements for the transport of fuel and visual impact must be assessed as to whether this development constitutes 'EIA development' or not. To aid review of the proposed development against screening criteria, we have also considered the development against Schedule 3 of the EIA Regs.



4 Considerations of the Potential Impacts

4.1.1 Schedule 3 of the EIA Regs set out the criteria for screening Schedule 2 development. This schedule is split into criteria covering the characteristics of development, the location and environmental sensitivity, and the type and characteristic of potential impact.

4.2 Environmental Considerations

4.2.1 The following sections consider the proposed development against elements of environmental considerations and assess the likely significant effects. For ease, the following sections are ordered according to the screening checklist provided by the Planning Inspectorate.

4.3 Natural Resources

4.3.1 The Site is located within a Mineral Safeguarding Area for Clay, Silt, Sand and Gravel. There is already significant infrastructure on the Site and consequently, the proposals will not further impact the availability of the minerals in this area. The proposed development is not expected to use significant natural resources. It is considered the development will be built using relatively abundant and renewable natural resources where possible during construction. Other than the position to provide open expanse for capturing solar resource, during operation the development is not expected to use any other natural resources.

4.3.2 Further the driver for the development, the ability to generate electricity for water treatment by using renewable sources is a sustainable method of using natural resources and is underpinned by local and national planning policy.

4.4 Waste

4.4.1 Construction is not expected to generate significant solid wastes. Any surplus material and wastes generated by the proposed scheme will be dealt with in accordance with the waste hierarchy. Where waste materials cannot be avoided, re-used or recycled then waste will be removed from site in a licensed manner and sent off-site for disposal to landfill. Any material removed from Site will be governed under the transfer of waste regulations. There would be no operational solid waste produced.

4.5 Pollution and Nuisances

- 4.5.1 The Site is located within the Hillingdon Air Quality Management Area (AQMA), for Nitrogen Dioxide. During the temporary construction period, dust could be generated, additional emissions could be associated with the proposed development; including construction vehicles travelling to and from the Site. Any dust generated will be managed in accordance with standard best practice and in line with local highway authority requirements and restrictions.
- 4.5.2 Construction will not require extensive use of noxious, toxic or hazardous chemical or substances. Any potentially hazardous substances used during construction will be closely managed on site, with all operators following standard COSHH regulations, health and safety guidelines and trained in spill control measures. As such, the installation of the solar array is not expected to release pollutants or any hazardous/ toxic/ noxious substances to the air.
- 4.5.3 There is a potential for some noise effects associated with the construction of the development. This however will be managed in accordance with best practice measures, timings agreed with the LPA and will be temporary in nature, therefore are not anticipated to generate significant adverse effects.
- 4.5.4 No electromagnetic radiation, heat or energy releases are expected with the proposed development.

4.6 Population and Human Health

- 4.6.1 Given the nature of the development, largely requiring minimal human interaction with the installed equipment, there are no additional risks of accidents associated with the operation of the solar array. During construction, every care will be taken to avoid any accidents, and risks will be assessed and avoided where possible. There is a small risk that accidents may occur during construction and operation however, measures in accordance with appropriate Health and Safety legislation will be implemented and best practice measures will be taken to minimize the risk of accidents. Skilled construction workers and operational contractors will form an appropriately skilled workforce who will undertake the works, thereby minimising the likelihood of any accidents.
- 4.6.2 The closest residential property is 258m south west of the proposed development. This property is located on the other side of M25 motorway and railway line to the south of the Site. During the construction phase, the

works are not anticipated to result in any significant risks to human health. As referred to above, during operation, with appropriate control systems in place, the solar array is very unlikely to result in any major accidents and no potential effects on population or human health are anticipated.

4.7 Water Resources

4.7.1 The Site is located entirely in Flood Zone 1. Flood Zone 1 is defined as land that has less than a 1 in 1000 annual probability of flooding. Therefore, the Site is deemed to be at a very low risk of fluvial flooding. Across the Site there is both a low risk of surface water and a very low risk. Surface water runoff from the proposed development will be incorporated into the existing site drainage regime. Any exceedance flows will follow any existing flow paths. It will be ensured that the proposed development does not increase flood risk to any third parties.

4.8 Biodiversity

- 4.8.1 A Preliminary Ecological Appraisal (PEA) of the Site was undertaken in January 2022. As part of this report a data search was requested from Buckinghamshire and Milton Keynes Environmental Records Centre (BMERC) for 2km.
- 4.8.2 This appraisal identifies the Site itself to comprise of a network of roads connecting several industrial buildings. The habitats on Site were deemed to have a low intrinsic ecological value comprising of regularly mowed amenity grassland and scattered trees.
- 4.8.3 The buildings and trees on Site were inspected externally for their bat roosting potential and no bat roosting features were found. The Site was found to provide very limited potential for foraging bats. In addition, the data search returned no EPS licenses with the search area. The scattered trees on Site do provide some opportunities for nesting common bird species. However, these will not be impacted by the works.
- 4.8.4 Great Crested Newts (GCN) and common amphibians are considered absent from the Site. The data search also returned no GCN records, however, there are several large ponds within the vicinity. The habitats on Site are composed of very shortly kept amenity grassland, which is suboptimal for amphibians. Additionally, the fencing on the boundaries would stop any amphibians from entering the habitats present.

- 4.8.5 The data search carried out did return records for reptiles in the vicinity. The habitats on Site are unsuitable for reptiles and therefore it is unlikely they are present on this Site.
- 4.8.6 No habitats suitable for dormouse, otter or water vole were present on the Site and therefore, these species are considered absent. The presence of the fencing would exclude any other mammals from entering. It is possible that burrowing mammals such as, mole and rabbit are able to visit Site on occasion.
- 4.8.7 The installation of solar panels on the Site is considered to have minimal to no impact on any ecology that may be present on the Site as the development is taking place on operational land that has already been disturbed in the process of being developed.
- 4.8.8 Due to the limited species expected to be found on Site it can be concluded that the installation of solar panels will have little impact on ecology as there was minimal recorded on this Site.

4.9 Landscape and Visual

- 4.9.1 The Site is not situated within any statutory landscape designations such as an AONB or National Park. It is however, located within the London Area Green Belt. The installation of solar panels on this land will have no detrimental effects to the openness of the Green Belt given the existing infrastructure already present on Site and the low density of the solar array proposed.
- 4.9.2 The Site is immediately adjacent to the M25, and a busy railway line immediately to the south. The surrounding landscape is predominately low-lying. The surrounding area comprises of mixed use; including suburban, industrial and green open spaces, with fishing ponds. There are also other roads within proximity to the Site.
- 4.9.3 There are no Public Rights of Way (PRoW) located within the Site. However, there is a public footpath that runs parallel to Colne Brook and meets the south-east boundary of the Site. However, the installation of the solar array will not have significant impacts on the views across the Site due to the existing infrastructure present.

4.10 Cultural Heritage and Archaeology

- 4.10.1 A desk-based review of archaeological and heritage impacts has been undertaken which has incorporated information held within the Buckinghamshire Historic Environment Record (BHER).
- 4.10.2 The Site is not located within or immediately adjacent to any statutory or non-statutory heritage or archaeological designations. Within 1km of the Site there are several listed buildings. The nearest one being the Grade II Listed Iver Court Farmhouse which is located 60m north of the Site. In addition, there is also a Scheduled Monument 410m south west of the Site; named *'Two concentric ditches showing as crop marks at Thorney'*.
- 4.10.3 The review of BHER established that at the Site there was evidence of four 11th century fisheries and one 16th century fishery. In addition, there was also evidence of a World War Two anti-aircraft battery SM1 on the Water Treatment Works Site.
- 4.10.4 The proposed development will have no significant impacts on these as there is a large amount of infrastructure already contained within the operational land and therefore, the ground has already been disturbed. The likelihood of the solar panels causing an impact is deemed minimal.

4.11 Transport and Access

- 4.11.1 The Site is currently accessed from Court Lane, this road is shared with the industrial estate to the north of the Site.
- 4.11.2 Site construction works are expected to take approximately 9 months to complete. Any effects associated with construction traffic and deliveries will be temporary in nature and will be minimised as required through the implementation of good construction practices. Following completion of construction, the development will only require infrequent access by a small van for maintenance purposes.
- 4.11.3 It is unlikely that the construction or operational phase of the solar array will have significant impacts on any routes or traffic movements within the local area.

4.12 Land Use

- 4.12.1 The Site is currently utilised as an operational Water Treatment Works site by AWL, which consists of several industrial buildings and amenity grassland. The development of a solar array in this location will make efficient use of already developed land.

4.13 Land Stability and Climate

- 4.13.1 The Site and its surroundings are not known to be susceptible to earthquakes, subsidence, landslides, erosion or extreme weather conditions. The climate of the location is similar to the wider Buckinghamshire region.
- 4.13.2 The nature of the development as a renewable energy has a beneficial impact in relation to climate change.

4.14 Cumulative Effects

- 4.14.1 There do not appear to be any other developments in the area that would cause any adverse cumulative impacts (e.g. traffic).



5 Conclusions

- 5.1.1 This screening request outlines why the development is deemed to be non-EIA development. The development can be considered to fall under Schedule 2 of the EIA Regulations under Class 3A. This is due to the proposed development exceeding the 0.5ha threshold. A screening opinion request is required from the relevant authority to confirm whether the development is deemed to be non-EIA development. The proposal is not deemed to have significant effects on the environment by virtue of its characteristics or location.
- 5.1.2 This formal screening request has been made to BC, on behalf of AWL, for the proposed installation of a solar array across approximately 1.75ha of land at Iver Water Treatment Works.
- 5.1.3 The information included within this report and supporting plans are deemed to satisfy the requirements as outlined in Regulation 6 of those Regulations.
- 5.1.4 Planning Practice Guidance suggests that EIA should only apply to projects which are likely to have significant effects on the environment. This report demonstrates that the proposals will not result in any significant effects on the environment. Therefore, whilst the proposals constitute a Schedule 3 development, it is considered that it does not constitute EIA development.
- 5.1.5 Consequently, it is requested that the determining planning authority respond formally with the opinion that the proposal is non-EIA development.