



**North Warwickshire
Borough Council**

**Jeff Brown BA Dip TP MRTPI
Head of Development Control Service**

The Council House
South Street
Atherstone
Warwickshire
CV9 1DE

Mary Mescall
Barton Willmore
7 Soho Square
London
W1D 3QB

Switchboard : (01827) 715341
Fax : (01827) 719225
E Mail :
Website : www.northwarks.gov.uk
This matter is being dealt with by
:
Direct Dial : (01827)
Your ref : 34573/A5/WIA Screening
Our ref :

Date : 3rd January 2023

Dear Mary

**Screening Opinion Request – Environmental Impact Assessment Regulations 2017
Land a Nailcote Farm, Fillongley**

I refer to your letter of 22 December being a request for a Screening Opinion under Regulation 6 of the above Regulations, in respect of a proposed Solar Farm in Fillongley. I can confirm that I have sufficient information in the documentation attached to that letter to make such an Opinion.

I agree with you that the proposed development does not fall within Schedule One of the Regulations, but that it does fall under Category 10 of the Second Schedule by virtue of the area of the proposal being greater than the threshold outlined in that Schedule for “industrial installations for the production of electricity”. As such, I have to consider whether this proposal is likely to have significant environmental impacts by virtue of its size, nature and location. I am guided in this assessment by Schedule 3 of the Regulations as well as National Planning Practice Guidance.

In respect of the characteristics of the development, then this proposal would cover a large area of land – some 60 hectares. This is a significant area within a rural Local Planning Authority such as North Warwickshire. It is considered that due the nature of the proposed works there would be no material use of natural resources either on or below the ground during its construction or operation. Similarly there would be no production of waste during its operational period. There too would be likely to be limited prospects for pollution and the creation of nuisance given the static nature of the development and that it does not create or give rise to noise or emissions that might affect air quality. The risk of a major accident occurring as a direct result of its use is considered to be limited and the risk to human health through its operation is similarly limited. In conclusion therefore, the only matter arising from the characteristics of the development, that might give rise to significant environmental effects is its size.

In respect of the location of the development, then it is considered that the most important impacts would be on the openness of the Green Belt in which its located and its landscape and visual impacts. It is however acknowledged that the significance of these impacts may be mitigated by virtue of the topography of the site; the retention of hedgerow and boundary trees as well as the relatively low height above ground level of the overall development. The site is not in a densely populated area, but there are adjoining public highways and public footpaths which make the site visible in the public domain. It is acknowledged that there are no national

or locally designated heritage assets or designations on or close to the site; no such landscape designations or those reflecting bio-diversity and ecological interests. However the site is located on good quality agricultural land and the site is upstream from Fillongley where there is a known and significant flooding issue within the village. As a consequence there may be significant environmental impacts arising from this proposal – the loss of best and most versatile land, together with its potential impact on known down-stream flooding incidents.

In respect of the types and characteristics of potential impacts then it is considered that due to the nature of the proposed development that these are limited to those identified above, with no unusual, intense, frequent or complex matters arising. There are no other similar proposals nearby, but attention is drawn to similar developments approved at Arley and Corley north of the M6 motorway as well as a second proposal in Astley still awaiting determination.

In conclusion, it is considered that when all of these matters are assessed together, there are unlikely to be significant environmental impacts arising from this development, but that any such impacts are more than likely to be local in scope and nature. As a consequence it is my view that the proposal would not amount to EIA development requiring the submission of an Environmental Statement with any planning application. This can be taken to be the Council's Screening Opinion for the purposes of Regulation 6(6) of the 2017 Regulations.

I do however draw attention to the need to address the potential local impacts in any forthcoming application. This should particularly focus on the impact of the loss of openness of the Green Belt; the landscape and visual impact as well as the loss of agricultural land and the potential to worsen a known fluvial flooding problem in Fillongley.

I would be happy to discuss these issues in more detail should you wish to do so.



Yours faithfully

Jeff Brown
Head of Development Control