

# Planning and Development

David Peckford Assistant Director - Planning and Development



## Cherwell

DISTRICT COUNCIL  
NORTH OXFORDSHIRE

Jacques Carboni  
57 Hilton Street  
Manchester  
M1 2EJ

Bodicote House  
Bodicote  
Banbury  
Oxfordshire  
OX15 4AA

[www.cherwell.gov.uk](http://www.cherwell.gov.uk)

---

Please ask for: **Rebekah Morgan**  
Email: **[rebekah.morgan@cherwell-dc.gov.uk](mailto:rebekah.morgan@cherwell-dc.gov.uk)**

Direct Dial: **01295 227937**  
Your Ref: **N/A**

---

18th August 2022

Dear Sir/ Madam

### TOWN AND COUNTRY PLANNING ACT 1990

**Application No.:** 22/02289/SO

**Applicant's Name:** JBM

**Proposal:** Request for an EIA Screening Opinion in respect of a planning application for a 44 MW Solar PV Development

**Location:** Land At Pool Farm  
Mill Lane  
Stratton Audley

**Parish(es):** Stratton Audley

I write with regard to the above screening opinion request, received on 29 July 2022, which represents a formal request for a Screening Opinion under Regulation 6 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 as to whether the proposal set out in your submission requires an Environmental Impact Assessment (EIA). This letter constitutes a Screening Opinion by the Local Planning Authority of the proposed development under Regulation 6 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

### Summary of Determination

The Local Planning Authority considers that the proposal is an 'Energy Industry' development falling within Schedule 2, Section 3(a) of the Regulations, where the area of development exceeds 0.5 hectares which is the applicable threshold for the purpose of classifying the development as Schedule 2 Development. The site is not within a 'sensitive area'.

For the development to be considered EIA development, it would be likely to have significant effects on the environment by virtue of factors such as the developments nature, size or location. The Local Planning Authority considers that this proposal is unlikely to have significant environmental effects for the

purposes of the EIA Regulations and that the proposal **is not** EIA Development. An Environmental Statement is not therefore required to be submitted for the reasons set out.

### **Reasons for Determination**

In determining whether the proposals are likely to constitute EIA development, regard has been had to the criteria set out in Schedule 3 of the EIA Regulations 2017. Government guidance relating to EIA as set out in the Planning Practice Guidance (PPG) is also material and has been taken into account.

In this case, the proposed development seeks a 44MW Solar PV development with a site area of 57.6 hectares and located in the open countryside. An assessment of the site's planning constraints has been undertaken. The site is located to the northeast of Stratton Audley. The land is characterised as flat open agricultural land and is surrounded by agricultural land.

The site is generally well contained and some way distant from other nearby uses especially sensitive receptors such as residential dwellings. There are however some ecological receptors within proximity, the land is close to existing and established vegetation and the land is potentially contaminated. The characteristics of the proposed development and of the potential impact are set out in your screening request. Whilst some notable species have been recorded within the local vicinity, the sites themselves are not covered by any national or international designations or assets that relate to biodiversity, landscape, cultural heritage or other protected designations. There is an area of Woodland to the northeast identified as ancient woodland in the Cherwell Local Plan and Stratton Audley SSSI is within 2km of the site; due to the nature of the proposal, neither of these should be significantly adversely affected by the proposal.

The site is relatively flat and given the above-ground nature of the proposed development, its relative lack of height as well as being of a temporary nature and not producing significant emissions, it is unlikely that a proposed solar farm in this location, would give rise to environmental effects such that those impacts must be assessed via an EIA. It is expected that suitable assessments relating to the impacts of the development would still be submitted with the planning application and that this process would be sufficient to consider the design and impacts of the development. The proposal is therefore not considered to be EIA development and no EIA is required to be submitted. There may be some requirement for mitigation measures to be secured via the imposition of conditions on any planning application once detailed assessments are considered. This may include schemes for landscaping to reduce landscape and visual impacts, measures to protect and enhance biodiversity and to require a construction management plan amongst other requirements that will be assessed in full at the planning application stage.

This opinion has been made by an appropriately authorised officer at the Local Planning Authority. In accordance with the 2017 Regulations, a copy of this screening opinion has been placed on the Planning Register.

If you have any questions or queries regarding the above advice, please contact the Case Officer using the details provided above.

Yours faithfully



David Peckford  
**Assistant Director – Planning and Development**

**Checked by: Caroline Ford – Team Leader Major Projects**