

Our ref: JT/LD11099/001

Date: 16 December 2024

Your ref:

Planning Department
Knowsley Metropolitan Borough Council
PO Box 26
Archway Road
Huyton
L36 9FB

Dear Sir or Madam,

Request for Screening Opinion: Proposed Installation of a 49.9MW Solar Farm and Associated Infrastructure at land at New Cut Farm, Cut Lane, Kirkby, Liverpool, L33 3AH.

Wardell Armstrong LLP (part of SLR) has been instructed by IBE Kirkby Limited (the Applicant) to request a Screening Opinion under Regulation 6 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (hereafter referred to as the 'EIA Regulations') from Knowsley Metropolitan Borough Council (KMBC).

This request is in regard to the proposed installation of a 49.9MW solar farm and associated infrastructure at land at New Cut Farm, Cut Lane, Kirkby, Liverpool, L33 3AH. In accordance with Regulation 6(2), this request includes the following information:

- A plan sufficient to identify the land;
- A description of development;
- A description of the aspects of the environment likely to be significantly affected by the development;
- To the extent of the information available, a description of any likely significant effects of the proposed development on the environment; and
- Other information, such as measures envisaged to avoid or prevent what might otherwise have been a significant adverse effects on the environment.

Having considered the characteristics and location of the proposed development, as well as the types and characteristics of the potential impacts, it is considered that the proposed solar farm **does not** constitute EIA development. Please see below an assessment of the proposed development against the relevant criteria included in Schedule 1, 2 and 3 of the EIA Regulations.





Proposed Development

The proposed development comprises a 49.9 MW Solar PV facility with associated infrastructure and includes the following:

- Solar Panels;
- Inverters;
- Substations, including both District Network Operator and Client substations;
- Transformer;
- Workshop and welfare containers, and additional storage;
- Access tracks;
- Fencing and other security measures including CCTV; and
- Landscaping and Biodiversity enhancements
- Indicative Cable Route to point of connection

The facility would ultimately be an un-manned facility with only maintenance visits by a small number of site workers occurring monthly for routine maintenance checks including panel cleaning to ensure maximum energy output.

The indicative cable route proposed as part of the development is shown on drawing 'Site Location with Indicative Cable Route'. This extends from the west of the site access, travelling along Cut Lane and Molly's Lane towards the substation at L33 7TT.

Development Need

Renewable energy sources in the UK have reached a record 51.6% share of national generation as of Q2 2024, with solar PV contributing 1.4 GW of the total 2.1 GW installed capacity in the UK since Q2 2023¹. The UK government has set an ambitious target to achieve 70 GW of solar power by 2035², requiring land uptake to be more than tripled, though grid capacity and connections hinder progress. Now one of the cheapest energy sources in many regions, solar will play a crucial role in developing the renewable energy makeup and transitioning to a net-zero future, as outlined in several government strategies, including the National Policy Statement for Energy (EN-1).

EIA Legislation and Thresholds

The proposed development has been marked against the criteria set out in the EIA Regulations. This process is outlined below:

¹ Department for Energy Security and Net Zero. Energy Trends. Available at: [Energy Trends: UK renewables - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/energy-trends) (Last accessed 25/09/2024)

² House of Commons Library – Research Briefing. Available at: [CBP-7434.pdf \(parliament.uk\)](https://www.parliament.uk/research-briefings/cbp-7434) (Last accessed 25/09/2024)



Schedule 1 and 2 – Applicable Thresholds			Yes	No
1	Is it Schedule 1 development?	The proposed development is not described by any Schedule 1 development criteria.		✓
2	Is it Schedule 2 development?	The proposed development is considered to fall within category 2(a) Energy Industry, as described as <i>“Industrial installations for the production of electricity, steam and hot water (unless included in Schedule 1)”</i> .	✓	
3	Does the development exceed the applicable threshold?	The threshold criteria for development under category 3(a) is for the development where the area exceeds 0.5 hectares. It is proposed that the development would be significantly greater than the 0.5 hectare threshold set out in category 3(a). It is considered that category 3(a) applies to the site.	✓	
4	Is the development located in, or partly in, a ‘sensitive area’?	The site is not located in, or partly in a ‘sensitive area’, as defined in regulation 2(1) of the EIA Regulations.		✓
5	Is a screening opinion required?	The proposed development exceeds the threshold criteria of category 3(a) of Schedule 2 of the EIA Regulations 2017, given it is proposed to exceed the threshold for development of 0.5 hectares. The development is, therefore, 'Schedule 2 development' and should be screened by the local planning authority. On this basis, the proposed development is required to be assessed under Schedule 3, which sets out the selection criteria for whether or not it constitutes an EIA development.	✓	

The indicative thresholds for Schedule 2 category 3(a) are provided as part of the Planning Practice Guidance, as shown below, under column three. The indicative criteria set out state that any development within category 3(a) with a *“Thermal output of more than 50 MW. Small stations using novel forms of generation should be considered carefully”*.

3. ENERGY INDUSTRY			
(a) Industrial installations for the production of electricity, steam and hot water (unless included in Schedule 1);	The area of the development exceeds 0.5 hectare.	Thermal output of more than 50 MW. Small stations using novel forms of generation should be considered carefully.	Level of emissions to air, arrangements for the transport of fuel and any visual impact.

In this case, it is not considered that the proposed development would fall within the indicative threshold given the form of renewable energy generation is not subject to any thermal output, nor is solar PV renewable energy generation considered novel at any stage of its production.

Column four illustrates the issues that most likely need to be considered for different development types. However, there will be other issues which will be specific to the individualities of the environmental receptor. The key issues are considered in detail as part of the site description and environmental baseline, below.

Site Description



The total site area is approximately 64 hectares divided across two connecting land parcels. The site mainly comprises agricultural fields used for arable farming, although the presence of a wind turbine and associated brownfield land breaks this up at the centre of the site.

Overall, the site is relatively flat beyond the area of woodland to the north and features minimal variation in topography. The land parcel to the north of Cut Lane ranges from circa. 50m AOD in the fields to between circa. 55m to 60m AOD within the woodland. The land parcel to the south of Cut Lane steeply ranges in elevation from circa. 50m to 60m AOD in places.

The location of the site presents an opportunity for site access through a network of roads, including Cut Lane which intersects the two land parcels. New Cut Lane also provides site access, running parallel to the eastern site boundary.



Figure 1: Site Location (Source: Google Earth)

Environmental Baseline

Ecology and Arboriculture



There appears to be two sites of local designation located within the site related to policy LP-CS8 in the Knowsley Local Plan Core Strategy. There are no other international, national, regional and local ecological designations within the site. Within a 2km radius of the site, there appears to be two designations. One of which is Acornfield Plantation Local Nature Reserve, and the other is Local Wildlife Site designated within the neighbouring St Helens Borough Council Local Plan. The site also has potential to be impacted by Special Protection Areas Mersey Estuary, Martin Mere, Ribble and Alt estuaries and/or Mersey and North Wirral Foreshore, which all lie within an approximate 20km radius of the proposed site. This is due to the known historic presence of Pink Footed Geese in the vicinity of the site. Wintering Bird Surveys are underway to assess this.

There are no areas of ancient woodland within or surrounding the site. There is no known presence of any Tree Preservation Orders (TPOs) on site. The nature of development means it is not expected any TPOs will be impacted or disturbed within the wider area because of the proposed development. The nature of the northern site boundary means that there is a section of 'Deciduous Woodland' priority habitat on site. The potential for any veteran status trees would be identified through a BS5837:2012 Tree Survey.

A Preliminary Ecological Appraisal (PEA survey) was undertaken on site on 23rd October 2024 which allowed an understanding of site conditions. The PEA survey showed that some habitat types observed were arable fields, hedgerows, field margins, patches of woodland/scrub and waterbodies of various types and scales. Survey results also revealed that there are a few structures on site that may require further surveying, and the site itself would also be subject to additional surveys based on such results. These findings are detailed in an accompanying PEA.

It is also acknowledged that an assessment of Biodiversity Net Gain (BNG) would be required to support an application.

The proposed development would not have any significant likely effects on the natural environment's ecological and arboricultural network.

Ground Conditions

The site is located within the Coal Mining Reporting Area 'LANCS', as well as being located within a Surface Coal Resource Area, Coal Outcrop Area and a Development High Risk Area. To the north, the site is underlain by peat which extends southwards to the centre of the site. The southern part of the site is underlain by both Shirdley Hill Sand Formation (Sand) and Till, Devensian (Diamicton). The bedrock geology of the site mainly comprises Pennine Lower Coal Measures Formation (Mudstone), although there are several other bedrock geology types



identified on site, including Chester Formation (Sandstone), Rossendale Formation (Mudstone), and Woodhead Hill Rock (Mudstone).

The site has largely remained in agricultural use throughout history. Potential sources of contamination include on-site infilled historical sand pits and ponds and demolished farm structures. Present day potential sources of contamination are largely associated with the industrial area to the west, which comprises Kirkby and Knowsley Industrial Estates as well as Brintonwood Trading Estate, located approximately 890m west. An assessment of ground conditions and Coal Mining Risk Assessment would be undertaken to support an application and inform foundation design.

The proposed development would not have any likely significant effects on the ground conditions of the site.

Heritage

The site is not located within any above ground heritage designations; however, within a 2km radius there is one Scheduled Monument, one Grade II* Listed Building, several Grade II Listed Buildings and one Grade II Registered Park and Garden. The closest of which is the Grade II Registered Park and Garden 'Knowsley Park' (360m south) and Mossborough Hall moated site Scheduled Monument (900m north east).

Given the location of the nearby identified Listed Buildings, and strong presence of screening to the north of the site combined with the potential for significant embedded mitigation measures such as proposed ecological and environmental enhancements targeted at areas where screening on site is deemed necessary, significant adverse impact on the Listed Buildings is not anticipated. In terms of the impact of the proposed development on the nearby Grade II Registered Park and Garden, the nature of land use between the site and Park and Garden means that there appears to be sufficient visual screening. It is also noted that the proposed development would have no further visual or other impact on the Park and Garden given the nature of built development already located within its boundaries. A Desk Based Heritage Assessment would be undertaken to support an application.

The proposed development is not considered likely to give rise to any significant effects on the setting, location or value of any above ground heritage assets.

Archaeology

The site holds a high potential for the presence of archaeological remains. From publicly available databases of non-designated heritage assets, there have been several archaeological features and finds recorded within the site boundary.



A Preliminary Archaeological Appraisal with deployment of geophysical survey techniques would be carried out as part of the consenting process to determine the archaeological potential of the site. Further intrusive investigation and mitigation would be undertaken as necessary.

The potential impact to below ground archaeological assets (if present) can be mitigated with an appropriate Archaeological Assessment (where necessary).

Landscape

The site is located outside any identified development boundaries and is recognised to be located within the countryside. The site is not constrained by any specific landscape designations such as a National Landscape, but it is located within the Merseyside and Greater Manchester Green Belt.

The site comprises of two land parcels connected by the application boundary towards the south of the site. The north and south of the site feature site boundaries delineated by woodland, although vegetation throughout the rest of the site varies at the site boundaries. There are very few internal site boundaries present on site, with differentiations made through crop variation and internal field tracks. The site is just outside of the main conurbation, close to the Knowsley Industrial Estate. The land use immediately surrounding the site is generally agricultural in nature. A transmission tower intersects the site from the east and moves across the lower part of the site in a north east to south west direction. The centre of the site features a c. 102m wind turbine, with the planning reference 14/00748/FUL.

Views into and from the site from the ground appear intermittent given the favourable topography of the site considered against the available on-site screening. Extended views from the north and south appear limited, whereas current vegetation does not appear sufficient to fully limit views from the east and west. However, given the presence of vegetation there is significant opportunity to enhance areas of the site that are identified as vulnerable to potentially sensitive receptors, including where residential properties are located. Through good design and site boundary retention, views onto the Proposed Development, as well as views onto adjacent land are likely to be limited or eradicated. This is supported by the temporary nature of the site, where the proposed development would not impose any irreversible changes to the wider landscape, including identified heritage assets. Any impacts would be identified in a Landscape and Visual Impact Assessment (LVIA), with recommendations taken and implemented accordingly. Further to an LVIA, a Glint and Glare assessment would be undertaken to support an application.

The Proposed Development would not have any significant likely effects on the wider Landscape that could not be dealt with through the normal consenting process.



Amenity

In terms of potentially sensitive receptors, there are no Public Rights of Way or identified Access Land identified within the site. However, there are a number of Public Rights of Way adjacent to and surroundings the site. Footpath KB/15/1 is located adjacent to the eastern boundary going from north to south until extending eastward to adjoin Footpath KB/16/1, following Cut Lane to the east. To the west of the site, there are two intersecting Public Rights of Way, including Footpath KB/19/1 which aligns with Perimeter Road, as well as bridleway KB/18/2, intersecting KB/19/1 at its most eastern point. Notably, there are several potentially sensitive properties within the surrounding area, including New Cut Farm which is located adjacent to the eastern boundary, as well as agricultural residential properties in the wider area including Coach Road Farm, 400m east and Moss Cottage and New Road Farm, 220m south.

There are no recreational, educational or health related facilities within an immediate proximity of the site. The only publicly open facilities appear to be located at the industrial area, which is approximately 900m west of the site. This is buffered by existing agricultural land and a collection of external field boundaries. Views would be made more limited through a suite of ecological and landscaping mitigation techniques, including native species planting.

Where it is identified that visuals from potentially sensitive receptors can be made, additional screening will be proposed where appropriate to ensure that any potential views to and from the site are limited or eradicated completely. This is supported by the flat topography of the area, naturally limiting views. Design elements will be conscious not to create any corridor effect along any Public Right of Way, while maintaining a strategy to limit views and enhance the openness and tranquillity of the surrounding area.

The Proposed Development would not have any significant likely effects on the local amenity surround the site.

Soils

Natural England's regional Agricultural Land Classification (ALC) Maps (East Region) indicate that the site is within an area of Grade 2 (Very Good). According to the Likelihood of Best and Most Versatile (BMV) Agricultural Land Map (East Region), there is a high likelihood of BMV land present on site (>60%). Data for any Post-1988 ALC surveys is available for most of the site, which confirms that the site comprises Grade 2 (Very Good) and Grade 3a (Good to Moderate) quality agricultural land. At this stage, no soil surveys have been conducted on the proposed site.

Soil interference will be minimal, and any soil stripped will be stored on site in appropriate conditions so that it can be returned during the restoration phase of development. An Outline



Soil Management Plan will be produced to protect the soil resource on-site and ensure its suitability for re-use.

Knowing there is potential for Grade 3a, the Proposed Development would seek to avoid disturbance of higher Grade BMV land where possible. Following an Agricultural Land Classification Survey, development design will seek to utilise land with lower grades where possible. Given the site has potential to be of high quality BMV land, the Proposed Development would seek to encourage long term food security by resting land under agricultural intensification, and returning it to its former use upon restoration.

The proposed development is temporary with minimal ground intrusions and is not likely to give rise to significant permanent effects on the soils located on site.

Transport

The surrounding road network is relatively rural in nature. The A580, connecting Liverpool and Manchester, is approximately 220m south of the site. Cut Lane, part of the rural road network, appears narrow in places whilst New Cut Lane is predominantly a farm access track.

It is proposed that the site would be accessed via Cut Lane and would be confirmed in a Transport Assessment with visibility splays produced as required. Construction traffic and routing of vehicles for delivery of equipment and installation would be managed through a Construction Traffic Management Plan (CTMP). At peak hours the A580 has potential to suffer from congestion in places throughout its route, although no other areas of the immediate public highway are known to be susceptible to congestion. The operational phase of the Proposed Development would generate a low number of vehicle movements as the site is likely to be visited periodically (approximately once per month) to ensure that operations are being conducted in line with the parameters set out in the application, and that all equipment is in good working order.

Details for the construction phase are likely to be similar for the phase of decommissioning, where HGVs will collect the equipment on site and follow suitable next steps regarding waste disposal, including recycling. Again, the traffic associated with decommissioning would be managed in a suitable manner akin to the construction phase.

The Proposed Development would not have any likely significant effects on the transportation network.

Air Quality

The nearest automatic air quality monitoring station to the site is at St Helens Linkway, approximately 6.1km east of the site. Referring to the latest pollution map [accessed on 08/10/2024] the pollution level was low.



The site is also located in a largely rural area where air quality is mainly influenced by agricultural processes and road traffic emission from the nearby A580 and the further local road network. The site also has potential to be impacted by the neighbouring industrial area that hosts a number of commercial trading operations that have associated several associated HGV movements.

As mentioned above, the predicted vehicular movements are low due to the operating nature of a solar farm. As part of the application, if the vehicular movements are of an amount which triggers an air quality assessment, mitigation will be proposed where necessary, however, it is not anticipated that the vehicular movements associated with the Proposed Development would exceed the limits as prescribed by the industry guidance for full modelling and therefore not considered likely to have a significant impact on the environment.

During the construction of the Proposed Development there is the potential for air quality impacts as a result of fugitive dust emissions from construction and track-out activities. It is considered that the use of good practice control measures, through the provision of a Construction Environmental Management Plan (CEMP) would provide suitable mitigation and reduce potential impacts to an acceptable level. This is something the LPA would usually require for every site and something a developer would ordinarily expect to undertake, it is not deemed that impacts from this process could be considered as more than localised even if they weren't carried out using good practice.

Given the above, exposure of future users and the environment to poor air quality is considered unlikely and no significant environmental effects are anticipated. Further, the proposed development aims to provide renewable energy to support the National Grid and decarbonise the electricity supply (through the reduction and removal of emissions produced from fossil fuel power stations) to meet the goal of achieving net zero. Therefore, in the long term the proposed development could be considered to have a positive effect on the wider environment.

Noise

It is anticipated that there will be an increase in noise during both the construction and operational phases of the Proposed Development and therefore, the potential to impact upon sensitive receptors.

During Construction: There are potential Noise Sensitive Receptors (NSR) in the immediate vicinity of the Site with the nearest residential properties located upon the eastern site boundary, as well as further agricultural properties within the immediate proximity, with the closest being 220m south. Any noise produced during the construction phase would be temporary and can be appropriately managed with a CEMP which would provide best



practices (i.e. no idling), suitable mitigation and reduce potential effects to an acceptable level.

During Operation: Given the Proposed Development will include noise emitting infrastructure, the impact of these noise sources will be assessed through a Noise Impact Assessment and mitigated appropriately, predominately through design.

Given the nature of the site and proximity to receptors, is not anticipated that there would be likely significant environmental effects associated with noise at the site and any effects on the environment would be localised.

Waste

During construction, surplus or waste materials arise from either the materials imported to site or from those generated on site. A detailed CEMP and/or a Site Waste Management Plan (SWMP) can be implemented to outline management procedures, best practices and any applicable legislation. The contractor will provide on-site instruction of appropriate separation, handling, recycling, reuse and return methods to be used by all parties at all appropriate stages of the project.

Due to the nature of the Proposed Development, there will be little to no operational waste produced. Any elements of waste management that may give rise to impacts on ground and surface water will be considered and appropriate mitigation and pollution prevention implemented such as concrete bunding around transformers.

As such, it is considered that it is not likely significant environmental effects in relation to waste would occur.

Water Resources

The entire site is located within Flood Zone 1 and is associated with a low probability of flooding. In terms of flood risk from surface water, only the centre of the site is associated with any particular risk, with it being assessed at Medium to High. Based on information provided to properties within immediate proximity, it appears there is an unlikely risk of flooding from groundwater or reservoirs.

The nature of development requires minimal ground intrusions for the insertion of panels and minimal ground level features. The arrays would also be installed with rain gaps to improve panel drainage, with the areas under the panels remaining permeable and soft landscaped allowing rainfall to continue to be absorbed into the ground. As the site is over 1 hectare in size, a Flood Risk Assessment and Drainage Strategy will be undertaken to support the application and inform development design.



The proposed solar farm would not be at risk of flood damage as the development would be sited above the flood level extent for climate change and would not contribute to flooding elsewhere. Therefore, it is anticipated that there would be not likely significant effect on water resources.

Major Hazards and Accidents

Owing to the relatively minor nature of the works required to construct, operate and decommission the proposed development, and adherence to relevant health and safety requirements and CEMP, it is unlikely that a major accident or disaster would arise. Any impacts from climate change would be limited to storm events, but the solar farm and all its components would be designed and sensitively positioned within the site to ensure system resilience.

There appears to be three Control of Major Accident Hazards (COMAH) establishments within 5km of the nearest postcode L33 3AH (postcode of New Cut Farm, located adjacent to the eastern site boundary). This includes the closest being within the Liverpool Establishment (Upper Tier) approximately 1.13km to the west of the site.

According to the Zetica Unexploded Bomb Risk Map, the site is located within a low risk area for encountering unexploded ordnance (UXO).

Given the scale of development, and health and safety measures above, it is anticipated that there would be no likely significant effect.

Planning History and Cumulative Impacts

The site has a known planning history that shows that planning permission has been knowingly granted on the site twice during the time periods online records cover. The first granted application was for the retention of area of land as clay pigeon shooting club (74/11312/HIST). The second application is for the aforementioned wind turbine with an overall height to blade tip of 102 metres and a maximum installed capacity of 500KW (14/00748/FUL). Planning application 14/00748/FUL is the only application pertinent to the site.

It does not appear that there are any similar developments to the one proposed within the site's immediate proximity. While it is acknowledged that the Proposed Development has potential for intra and inter cumulative impacts on the environment, the nature of development is considerate of the surrounding area and any potentially sensitive receptors that may be impacted. Through striving for good site design, considerate site selection and utmost respect for the existing natural environment, the intra-cumulative impacts of the Proposed Development are made non-significant, and some cases, will enhance and progress the environment and local, national and international targets.



EIA Summary

While it is acknowledged that there is scope for potential non-significant impacts on the environment as a result of the proposed development given the size, scale, nature and green belt location, it is believed that the overall environmental impacts are indeed non-significant.

This assumption is based on the solar farm presenting significant opportunities to enhance the landscape of the wider area through a suite of ecological planting bringing impacts lasting long beyond the proposed development. Any proposed planting would be assisted by recommendations made throughout a range of ecological surveys to ensure enhancements are appropriate. It is also acknowledged that the proposed development would have to present very special circumstances given its situation within the green belt.

Overall, it is determined that any potential adverse of the proposed development can be addressed appropriately to ensure only a suite of enhancements are brought forward.

Request for EIA Screening Opinion

In summary, whilst the Proposed Development falls within Schedule 2 of the EIA regulations, as outlined above, it is considered that the proposed solar farm **does not** constitute EIA development, as defined in the EIA Regulations, on the basis that the Proposed Development is not likely to result in significant effects on the environment.

At this stage, it is considered that the extent of any likely impacts would be able to be appropriately mitigated with reasonable certainty due to the practicality of the measures, reducing any environmental impacts.

We trust that this request provides the necessary detail, as required under Regulation 6 of the EIA Regulations, for KMBC to adopt a screening opinion in regard to the Proposed Development.

If you need any further information, please do not hesitate to contact me.

Yours faithfully

for Wardell Armstrong LLP (part of SLR)

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