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Dear Sir or Madam

## **PROPOSED SOLAR FARM AT BLETCHLEY LANDFILL SITE, BLETCHLEY ROAD, MILTON KEYNES**

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

#### **Introduction**

We write on behalf of Infinis Solar Developments Ltd (the 'Applicant') to request a formal Screening Opinion under Regulation 6 of The Town and Country Planning (Environmental Impact Assessment) (England) Regulations 2017 (hereafter referred to as 'the Regulations'). The request is in relation to the proposed development of a renewable energy generating station comprising ground-mounted photovoltaic solar arrays, battery energy storage system (BESS) together with ancillary infrastructure, internal access tracks, security measures, and landscaping enhancements (the 'Proposed Development') at Bletchley Landfill Site, Bletchley Road, Milton Keynes (the 'Site'). The location of the Site is shown on Figure 1 and the extent of the Proposed Development in relation to the Site is shown on Figure 2.

This correspondence seeks confirmation from Milton Keynes Council as to whether it considers the Proposed Development, outlined within this letter, constitutes Environmental Impact Assessment (EIA) development, as defined within the Regulations.

In order to assist you in adopting a Screening Opinion, the subsequent sections of this correspondence provide relevant details on the Proposed Development.

#### **The Site and its Surroundings**

The Bletchley Landfill Site comprises approximately 116ha of land including the operational landfill, main reception area, ancillary waste facilities and access road, and is located to the south of Milton Keynes. The area of the landfill anticipated for development is approximately 23.7 hectares. The Site is predominantly bound by rows of mature trees.

To the south and southeast of the landfill site, a large area at Newton Leys benefits from planning permission for residential development, with associated retail development, community facilities,

landscaping, and public open space. Newton Leys has largely been built with most dwellings now present. Planning permission was granted in March 2022 for the erection of 113 residential dwellings on land known as Phase 7B of Newton Leys. The Phase 7B area is located to the northwest of the Newton Leys development and to the southeast of the Proposed Development. The residential properties in Phase 7B will be the closest properties to the Proposed Development.

To the north of the Proposed Development, beyond the northern flank of the landfill are sports pitches and a sports and social club, agricultural land, and a cemetery. The railway line is further to the north and beyond this is the urban area of Bletchley. The nearest residential properties to the northern boundary of the Site are located along Whiteley Crescent, approximately 275m to the north.

To the east of the Proposed Development there are restored and operational areas of the landfill. To the east of the landfill site is the Blue Lagoon, a Local Nature Reserve located on a former brickworks site. The West Coast Railway Line runs on an embankment which separates the Reserve from residential areas further to the east. The village of Newton Longville is located south-west of the landfill site. Infinis produces electricity from captured landfill and mineral methane.

The Applicant currently produces renewable electricity from captured landfill methane (CLM), operating a network of gas infrastructure on part of the restored Landfill Site. Wells and surface laid pipes collect the CLM and deliver it to generators that convert it to electricity for export to the District Network Operator (DNO) grid. The Proposed Development would not interfere with the CLM or landfill restoration (e.g., waste capping measures) and operation would continue as normal.

There are two access points into the Site. Infinis access their compound from the west, off Bletchley Road, and the landfill operators access is to the east off Guernsey Road.

The proposed location for the solar park is illustrated on Figure 1. The solar array will be located on areas of the Site where landfilling has been completed and the capping works undertaken. The areas have either been restored or are currently under restoration.

The Site is not subject to any designated ecological, heritage or landscape constraints. The Site is located within the SSSI Impact Risk Zones for both the Poker's Pond Meadow SSSI, approximately 4km to the south of the Site, and the Howe Park Wood SSSI, approximately 3km to the northwest. However, the Proposed Development is not categorised as development that would amount to potential impacts within the Impact Risk Zones.

There are several listed buildings within the vicinity of the Site. The nearest of which is the Grade II '128 Buckingham Road' building, approximately 590m to the north, and this is in proximity to another 9 listed buildings. There is also a cluster of approximately 20 listed buildings to the north of the eastern part of the Site and another 23 listed buildings located in Newton Longville, to the southwest.

The Site is within Flood Risk Zone 1 and therefore at very low risk to flooding from surface water, rivers, and seas. There are however very small areas of the Site at medium risk to flooding from surface water, the watercourse that runs along the northern boundary of the Site is also at medium risk to flooding from rivers.

## **Planning History**

The Landfill Site has an extensive planning history associated with its use for extraction and waste disposal. Clay extraction and brickmaking is believed to have commenced at the Site during the early part of the last century, with planning permissions for clay extraction and restoration granted in the 1940's and 1950's.

Numerous permissions were granted in the 1970's for the deposit of waste materials. Planning permission granted in 2002 allowed landfilling to continue until February 2022.

Landfill operations are now carried out under extant permission reference APP/Y0435/W/21/3271410 (LPA reference: 20/00678/FULMMA), granted on appeal in December 2021. This allows landfilling to continue until February 2037 with restoration by February 2039.

## The Proposed Development

The Proposed Development would comprise a solar energy park. The final design is subject to change but would consist of the following key elements:

- i. Solar photovoltaic (PV) panels mounted on galvanised metal framework and associated cabling;
- ii. “String” Inverters in housing attached to the back of the mounting framework;
- iii. 1 No. DNO Substation, typically a prefabricated building up to 10 x 3.5 m x 2.5 m (L x W x H);
- iv. 1 No. General Storage Unit in prefabricated container typically 12.2 x 2.6 x 2.5 (L x W x H);
- v. External electrical equipment (e.g., transformers) associated with the DNO and Customer substation and switchgear compound.
- vi. Perimeter security fencing (deer fencing) up to 2.4 m high;
- vii. CCTV Security Cameras;
- viii. Access from the highway and internal access tracks; and
- ix. Landscaping and biodiversity enhancements.

The proposed site layout is shown on Figure 2.

The Proposed Development will have an export capacity of approximately 12 megawatts (MW) which would contribute to local and national net zero targets by increasing the amount of zero carbon renewable electricity generated and supplied to the local grid. The Proposed Development would consist of rows of solar panels known as arrays that are tilted 10-25 degrees. At their lower edge panels would be approximately 0.8 m from the ground and up to 3 m at the higher edge. Arrays would be oriented east-west, with panel facades facing south to maximise solar gain through the day and with gaps of approximately 2-6 m between rows to avoid shade impacts and enable maintenance. Array positioning responds to existing features such as drains, hedgerows and CLM infrastructure with appropriate buffer distances as required.

Access would be proposed via the existing Infinis access to the west from Bletchley Road which also provides access to the leachate and landfill gas infrastructure. The majority of the Proposed Development lies within Milton Keynes authority area. The proposed access from the west and a smaller section of solar panels is located within Buckinghamshire Council’s authority area.

Panels are mounted on a galvanized steel framework that is either fixed into the ground or secured by ballasts to avoid penetration. Panels have a dark blue face with a matt metal frame. Their purpose is to absorb and not reflect light. Modern PVs benefit from anti-reflective coating to limit glint and glare associated with earlier versions of the technology.

Solar panels connect to inverters which convert direct current (DC) generated by PV into alternating current (AC) that can be exported. Cables in trenches or no-dig troughs connect inverters to the Customer Switchgear Unit, and then to the DNO Substation with a direct link to existing grid infrastructure. No new overhead lines are required for the generating station.

The Site would need to be secure to prevent criminal damage and for health and safety reasons. Security fencing c. 2.4m high would be installed around the perimeter. This will be ‘Deer Fencing’ with mammal gaps at ground level. No industrial metal palisade fencing is required. For DNO equipment security weld mesh fencing may be proposed around the substation. Fencing is either pile-driven or secured by no-dig on-ground concrete blocks.

The perimeter of the Site would be protected by a system of CCTV and/or infra-red cameras. Cameras would be inward facing on poles of up to approximately 3m at intervals along the fence line. CCTV would only monitor internally and not any land outside the Site.

Landscaping and ecological enhancements would be proposed to compliment the long-term restoration plan. This would be designed to minimise visual impacts and aim to deliver a Biodiversity Net Gain (BNG).

## **Environmental Impact Assessment (EIA) Considerations**

In accordance with the Regulations, the Local Planning Authority (the 'LPA') should determine whether the project is a type listed in Schedule 1 or Schedule 2. If the proposal falls within Schedule 1, an EIA is mandatory. If the proposal falls within Schedule 2, then it is for the LPA to consider whether it would be likely to have significant effects on the environment.

### **Schedule 1**

The Proposed Development does not meet the requirements within one of the descriptions under Schedule 1 of the Regulations. Therefore, the Proposed Development is not Schedule 1 development.

### **Schedule 2**

Schedule 2 of the EIA Regulations includes a table that sets out various categories of development that may require EIA. The table includes applicable thresholds and criteria, which if exceeded, mean that the development forms Schedule 2 development. Schedule 2 development is required to be screened against the criteria set out in Schedule 3 to determine if the development is likely to give rise to significant effects on the environment. If the Proposed Development is deemed likely to give rise to significant effects by virtue of its location, characteristics or potential impacts, EIA may be required.

In the context of Schedule 2, the Proposed Development falls within the description of development specified under Category 3 'Energy industry' and more specifically (a) 'Industrial installations for the production of electricity, steam and hot water'. The applicable thresholds and criteria for this type of development is that the area of the development exceeds 0.5 hectares. At 23.7 hectares the Proposed Development exceeds the Schedule 2 threshold and is considered to fall within Category 3a of Schedule 2 of the EIA regulations.

In addition, reference is made to government EIA guidance in respect of indicative thresholds and criteria for Schedule 2 developments<sup>1</sup>. This provides the following details for a proposal falling within Category 3a:

- i. Indicative criteria and threshold - thermal output of more than 50MW. Small stations using novel forms of generation should be considered carefully; and
- ii. Key issues to consider - level of emissions to air, arrangements for the transport of fuel and any visual impact.

The Proposed Development falls below the specified 50MW threshold, noting thermal rather than electrical is referenced. Emissions to air, traffic impacts and visual impacts are not likely to be significant. These matters are considered further in subsequent sections of this letter.

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<sup>1</sup> [eia-thresholds-table.pdf \(publishing.service.gov.uk\)](#)

### Schedule 3

Notwithstanding the above, in reaching a definitive view on the requirement for EIA, the selection criteria for screening Schedule 2 development contained within Schedule 3 of the Regulations should be considered. These include:

- i. Characteristics of development;
- ii. Location of development; and
- iii. Types and characteristics of the potential impact.

Each subject area has multiple sub-headings (effectively criteria) which, whilst extensive, have been set out below, together with a brief commentary as to how the Applicant believes the project measures against the relevant individual headings. In addition, consideration is given to the information required to complete the EIA Regulations Screening Matrix<sup>2</sup>.

#### *Characteristics of Development*

*The size and design of the development* – the overall landfill site comprises an area of circa 116ha and the Proposed Development covers an area of 23.7ha. The Proposed Development would be designed carefully to achieve an optimum balance of minimising effects while maximising the benefits derived from renewable energy generation.

*The cumulation with other existing development and / or approved development* – upon completion, the aforementioned Phase 7B of the Newton Leys development will be the closest residential properties to the Site, approximately 150m to the southeast. It is not considered that this development in combination with the Proposed Development would give rise to significant environmental effects. We are not aware of other developments in the local area which may in combination with the Proposed Development give rise to significant environmental effects.

*The use of natural resources, in particular land, soil, water and biodiversity* – the Proposed Development would not lead to any change to the topography of the Site and earthworks would be limited to soil stripping for track construction and formation of foundations for inverters, transformers, and other related infrastructure. Stripped soils would be retained on the Site and be cultivated into the areas below solar panels. Each string of panels would be mounted on a rack comprising metal poles anchored to the ground via concrete footings of shallow piles. These types of activities result in minimal ground disturbance and are unlikely to result in any significant environmental effects.

The project would not result in the significant use of natural resources, with no resources of special importance to land, soil, water, or biodiversity being affected. The Proposed Development would facilitate the generation of renewable energy, and this would conserve natural resources that would otherwise be used to generate power. Whilst the solar panels, frames and ancillary equipment would use natural resources during construction this would not be in significant quantities that could have wider significant environmental impacts.

The Proposed Development is to be situated on a former landfill site, meaning it presents no threat to the best and most versatile agricultural land, and minimal impact to the area's natural resources overall.

*The production of waste* – the project would not generate waste during construction or operation. As such, significant effects would not occur.

*Pollution and nuisances* – the Proposed Development would not result in any emissions to air, with the exception of vehicle emissions associated with the construction / decommissioning phases and the potential for dust during these periods. These potentially polluting activities would occur for a

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<sup>2</sup> [TCPA EIA Screening Matrix 2017 Regs Nov 2021.pdf \(publishing.service.gov.uk\)](#)



limited period and potential for dust can be mitigated by standard construction management techniques. As such, significant effects are not considered likely. There would be limited noise and light pollution associated with the construction period, and these would be localised and mitigated by standard construction management techniques (secured and delivered via a Construction Environmental Management Plan (CEMP)). Vehicle movements during the operational phase would be very limited. The Proposed Development will be designed to ensure there is no risk to the landfill cap or other environmental controls in place at the landfill site. The Proposed Development would not result in increased risk of contamination and would not result in significant pollution and nuisances.

*The risk of major accidents and / or disasters relevant to the Proposed Development, including those caused by climate change, in accordance with scientific knowledge* – the Site would be operated to the highest health and safety standards in order that the risk of accidents is minimised. The development of renewable energy projects is essential for addressing climate change and delivering the Government's target of net zero by 2050. As such, there would be beneficial climate / sustainability impacts associated with the Proposed Development.

#### *Location of Development*

*The existing and approved land use* – the Site is not allocated within the Local Development Plan for any land uses. The Proposed Development Site forms part of an existing landfill site; the approved landfill restoration scheme comprises open mosaic, open species rich grassland and hedgerow habitats. A new wetland habitat is also proposed as well as improved linkages with the nearby Blue Lagoon Nature Reserve.

*The relative abundance, availability, quality, and regenerative capacity of natural resources including soil, land, water, and biodiversity) in the area and its underground* – The Proposed Development Site is a landfill site which remains operational in some areas and is in the process of being restored, and the project would not result in the loss of any rare or threatened natural resources.

*The absorption capacity of the natural environment* - paying particular attention to the following areas, none of which would be affected: (i) wetlands, riparian areas, river mouths; (ii) coastal zones and the marine environment (Flood Zone 1); (iii) mountains and forest areas; (iv) nature reserves and parks; (v) European sites and other areas classified or protected under national legislation; (vi) areas in which there has already been a failure to meet the environmental quality standards laid down in legislation and relevant to the project, or in which it is considered there is such failure; (vii) densely populated areas; and (viii) landscapes and sites of historical, cultural or archaeological significance.

#### *Types and Characteristics of the Potential Impact*

*The magnitude and spatial extent of the impact (for example geographical area and size of the population likely to be affected)* – the impact of the project would not be significant in magnitude and its spatial extent is of a local scale.

*The nature of the impact* – the nature of the impacts is well understood as it is a common and well understood form of development and the nature of each impact is discussed below.

*The transboundary nature of the impact* – no transboundary impacts would occur.

*The intensity and complexity of the impact* – none of the impacts considered would be intense or complicated.

*The probability of the impact* – the probability of an impact occurring is factored into our analysis below of whether effects will be significant.

*The expected onset, duration, frequency, and reversibility of the impact* – any construction impacts would be limited to a defined period. Operational impacts would begin when the site is commissioned and last for the duration of operations. They would be fully reversible (other than access tracks and hardstanding remaining in situ) when operations cease, and the site is decommissioned.

*The cumulation of the impact with the impact of other existing and / or approved development* – it is not considered that there would be any material cumulative impact with other existing / approved development.

In terms of information required to complete the EIA Regulations Screening Matrix<sup>3</sup>, matters that have not been addressed above are set out below.

*Biodiversity (Species and Habitats)*: the Site is remote from Special Areas of Conservation (SACs), Special Protection Areas (SPAs), Ramsar Sites, National Nature Reserves (NNRs) and Sites of Special Scientific Interest (SSSI). There would be no discharges to air or water from the solar farm that could have a negative effect on the surrounding environment. The approved restoration scheme comprises open mosaic habitat, species rich grassland and hedgerow habitats. The areas underneath the solar panels would be managed to ensure the habitat condition is maintained. Overall, it is considered that the Proposed Development would not have any significant effects on biodiversity and that there would be net biodiversity gains as a result of managing the areas under and around the solar panels for habitat benefits.

*Human Health*: As set out above, effects as a result of emissions that could affect human health would be limited to vehicle movements during the temporary construction and decommissioning phases. During these phases traffic controls would be put in place along with appropriate signage and management to ensure that there would be no conflict between construction traffic and pedestrians or cyclists. Construction activities could be controlled by a Construction Environmental Management Plan (CEMP) to ensure that risks to the public and environment are managed effectively. As such there is no unacceptable risk to human health and no significant effects would occur.

*Water Resources*: the Site is not within an area at risk of flooding and the landfill has an existing surface water management system. Whilst the solar panels would introduce large areas of impermeable material, each panel is mounted above the ground surface and would drain to the land immediately below the support structure and rainwater would permeate into the underlying restoration soils and surface water management system as per the existing situation. Permeable aggregate will be used for the access tracks.

Surface water from any impermeable areas would be managed by a suitable sustainable drainage system scheme that would ensure overall runoff rates from the site would not increase. This would ensure that there would be no increased risk of flooding as a result of the Proposed Development. A SuDS drainage strategy, following SuDS guidance, will be submitted. Excavations and foundations would be shallow so that there would be no loss of integrity of the landfill cap, which underlies the restoration soils, and therefore no risk of release of contaminants that could impact water resources. No significant effects would occur.

*Landscape and Visual*: the Site and the surrounding area is not subject to any statutory or non-statutory landscape designations however, the Brickhills Area of Attractive Landscape (AAL) is a local designation located approximately 910m east of the landfill. The undulating nature of the landform and the presence of often locally significant vegetation cover restricts the degree to which views towards the landfill are available from the rural area. The Site is bound by tree planting which would break-up the visibility of the Proposed Development and the entire solar farm would not be seen in its entirety. It is considered that the visibility of the Proposed Development would not be extensive from the wider landscape. Furthermore, additional planting would be incorporated within the solar farm layout and

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<sup>3</sup> [TCPA EIA Screening Matrix 2017 Regs Nov 2021.pdf \(publishing.service.gov.uk\)](#)

existing hedgerows would be managed to maximise screening. In this context the Proposed Development would not give rise to significant landscape and visual effects that would trigger the need for EIA.

*Cultural Heritage / Archaeology:* The closest listed building is located at Bletchley Road, Newton Longville, approximately 810m southwest of the Site and is a Grade II building. There are also listed buildings located to the north, in Bletchley; however, there will be no visibility of the Proposed Development from those buildings. At this stage it is considered that the degree of change within the surrounding landscape would not materially affect the heritage significance of the nearby listed buildings. No significant effects would occur.

*Access and Transportation:* Milton Keynes City Council's mapping system indicates that there are two Public Rights of Way (PRoW) within the vicinity of the Site. Bletchley Footpath 27 runs along part of the landfill's northern boundary and Bletchley Footpath 28 runs along the landfill's eastern boundary. Buckinghamshire Council's Mapping also indicates a footpath NLO/3/1 runs to the south west of the Site. These PRoW would not be affected by construction vehicles accessing the Site. Construction and maintenance traffic would utilise the existing Infinis access to the west of the Site off Bletchley Road. This would involve a small amount of construction traffic routing through a part of the residential areas Newton Longville and Bletchley however, vehicle movements associated with the construction of the solar park will be short term and negligible. The trunk road network linkages mean a Construction Traffic Management Plan (CTMP) can provide different routing options to minimise impact on this local network.

Whilst there would be traffic generated throughout the construction phase, once the infrastructure is in place there would be only limited visits for maintenance purposes. It is assumed, that deliveries would only take place between the hours of 07:30 to 18:00 weekdays (avoiding peak traffic times), 07:30 to 13:00 Saturdays and no deliveries on Sunday's and Bank Holidays. No significant effects would occur.

*Glint and Glare:* Modern PV benefits from anti-reflective coating to limit the glint and glare associated with earlier versions of the technology. Although the application will be accompanied by a glint and glare assessment, significant effects are not anticipated.

*Noise:* Given the low level of noise generated from the Proposed Development, the ability to attenuate noise, if required, and the distance to noise sensitive receptors it is considered that no significant noise effects would occur.

*Cumulative Effects:* It is not considered that there would be any material cumulative impact with other existing, approved, or proposed development.

## **Screening Request**

This letter provides a brief description of the Proposed Development and the likelihood of significant effects on the environment in line with the requirements of Regulation 6(2) and Schedule 3 of the EIA Regulations. Whilst the Proposed Development is Schedule 2 Development, screening against Schedule 3 of the EIA Regulations, and the related guidance in the Planning Practice Guidance, clearly demonstrates that with appropriate standard mitigation in place, the Proposed Development is not likely to result in significant environmental effects. As such, the Proposed Development does not constitute 'EIA development'.

We trust that the contents of this letter along with the attached figures 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 me should you have any queries. We look forward to your views on the intended scope of the future planning application.



Yours sincerely



Siân Hayle

**Associate on behalf of Axis**