

3332543 - Land west of Berrington, Shrewsbury

Shropshire Council- Supplementary Statement

Appeal Statement/Statement of Case
Land to the west of Berrington, Shrewsbury, Shropshire SY5 6HA

Additional Grounds for Refusal in respect of skylark

30th January 2024

Under Refusal Reason 3, please add the following:

1. The EclA under section 2.4 states:

On the 18th of January 2022 Natural England responded to the EIA Screening Consultation (reference 380253) from Ecoenergy International Ltd. Natural England's advice was as follows "based on the materials supplied with the consultation, there is potential likely significant effects to statutorily designated sites and further assessment is required"(emphasis added). Further consideration on whether an Environmental Impact Assessment is required was recommended by Natural England.

There doesn't appear to be any evidence of how the applicant addressed this.

2. The EclA under section 6.3, states:

There are no other developments within the area which could have cumulative impacts in associated with the proposed development. In addition, no negative residual effects have been identified as a result of the proposed development.

There does not appear to be any evidence of the cumulative impact assessment being undertaken i.e a list of sites/developments considered: other solar farms/potentially disturbing developments to skylark in the locality, developments with planning consent but not built out yet etc, or how these were assessed to arrive at this conclusion.

3. Skylark is a priority species and Species of Principal Importance under Section 41 of the Natural Environment and Rural Communities Act 2006. The Council will provide evidence to demonstrate that the proposed development is not in accordance with para 185 b of the National Planning Policy Framework, 2023.

4. The Council will provide details as to why the ecology baseline established for skylark on the development site and mitigation land is not considered robust (for example, skylark baseline survey findings are absent for the mitigation land), the evaluation of the importance of skylark in the local area is not sufficient and resultingly, the suitability of the mitigation land has not been fully evaluated and its likelihood of success as a mitigation measure in doubt.

5. The Council will provide details as to why Part 3 of Policy DP26 and DP12 of the emerging local plan has not been fully met, with respect to the presence of a priority species and how alternative options of onsite design to avoid mitigation and compensation has been demonstrated, and which alternative compensation options were assessed.