



3/18 Eagle Wing  
Temple Quay House  
2 The Square  
Bristol, BS1 6PN

Direct Line: 0303 444 5057  
Customer Services: 0303 444 5000  
e-mail: [linda.rossiter@pins.gsi.gov.uk](mailto:linda.rossiter@pins.gsi.gov.uk)

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Tim Funnell  
East Staffordshire Borough Council  
The Maltsters  
Wetmore Road  
Burton Upon Trent  
DE14 1LS

Your Ref: P/2011/01243/JPM  
Our Ref: APP/B3410/A/13/2189989  
Date: 27 March 2013

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Dear Mr Funnell

**TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT)  
REGULATIONS 2011 (SI 2011/1824)  
APPEAL BY ST MODWEN  
SITE AT LAND SOUTH OF LICHFIELD ROAD, BRANSTON, BURTON-UPON-  
TRENT**

I refer to the above appeal. The Secretary of State has considered the application in accordance with Regulation 12(1) of the above Regulations. I note your Council issued a formal screening opinion on 13 May 2011 under the 1999 Regulations however as the application was submitted on 1 November 2011 it falls to be considered under the 2011 Regulations.

The development proposed, namely outline planning application for a mixed use development scheme comprising demolition of existing buildings and structures, up to 660 dwellings (Use Class C3 Residential), up to 71,533 sq. metres (770,000 sq. ft) of employment floor space (Use Classes B2 General Industry and B8 Storage and Distribution), a local centre providing up to 600 sq. metres (6,459 sq. ft) of floor space (Use Classes A1 Shops, A2 Financial and Professional Services, A3 Restaurants and Cafes, A4 Drinking Establishments and A5 Hot Food Takeaway) together with associated access from Main Street and the A38 including link road, car parking, servicing, landscaping, public realm works and works to the highway, public open space, sports and recreation facilities, structural landscaping, re-profiling of the River Trent and Tatenhill Brook and provision of drainage ponds and flood alleviation works, with all matters reserved except means of access, falls within the description at paragraph 10 b of Schedule 2 to the above Regulations, and exceeds the threshold in column 2 of the table in that Schedule, but in the opinion of the Secretary of State, having taken into account the criteria in Schedule 3 to the above Regulations, would not be likely to have a significant effect on the environment by virtue of factors such as its nature, size or location for the following reasons.



The site is not located within a designated sensitive area or likely to impact upon a sensitive area of national or international importance. It is unlikely to raise any unusually complex and potentially hazardous environmental effects.

Any potential impacts, including on wildlife are unlikely to be significant and any potential effects would be controlled or remediated through established and recognised planning measures or procedures. Taking account of the nature, scale and location of the proposal, the previous use of the main site and environmental information submitted, the proposal is unlikely to give rise to significant environmental effects.

Accordingly, in exercise of the powers conferred on the Secretary of State by Regulations 12(1) and 6(4) of the above Regulations, the Secretary of State hereby directs that this development is not EIA development.

Under regulation 23(1) of the above Regulations, you must take steps to secure that this screening direction is placed on the part of the Planning Register which relates to the application in question. I would be grateful if you could do so to ensure that the Secretary of State's view is publicly available.

A copy of this letter is being sent to the appellant.

Yours sincerely

Linda Rossiter (Mrs)  
Environmental Services

(Signed with the authority of the Secretary of State)