

25th October 2012

Bellway

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Planner Enforcement
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Bellway Homes
East Midlands
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Meridian East Business Park
Braunstone
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P/12/01393

Dear Jim,

Land off Shobnall Road, Burton Upon Trent – Request for Screening Opinion

We write to request the Council's formal Screening Opinion under Regulation 5 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 as to whether a proposed residential development of the site off Shobnall Road, Burton Upon Trent would require an Environmental Impact Assessment.

Bellway Homes East Midlands Ltd are in the process of purchasing the site which benefits from the granting of outline planning permission in March 2009 (ref: OU/03624/069/JPM) and subsequent extension of time to submit Reserved Matters in June 2012 (ref: P/2012/0029/JPM)

The site was granted outline permission to:

Develop 2.9 hectares of land for residential development including details of means of access'

There was not a requirement for an EIA stemming from the outline planning application and it is our intention to submit a Reserved Matters application for residential development comprising approximately 87no. dwellings. I enclose a site location plan for identification of purposes. The proposals to date have been informed by pre-application meetings with Council Officers.

We have considered the site and its context, the nature and scale of the development proposed, and the likely impacts of the proposals in relation to the 2011 EIA Regulations. It is our view that the proposed development is not 'EIA Development' in its own right for the purposes of the Regulations.

Development there is no explicit reference to residential developments, although it is noteworthy that the Regulations refer to 'urban development projects' against which the description of the proposal needs to be assessed.

Given that Circular 02/1999 is no longer in force, the issue of whether or not an Environmental Impact Assessment is required is contained exclusively in the Regulations. Schedule 3 sets out the selection criteria for screening Schedule 2 development. In terms of the location of the development, it requires consideration of the area's sensitivity to have regard to:-



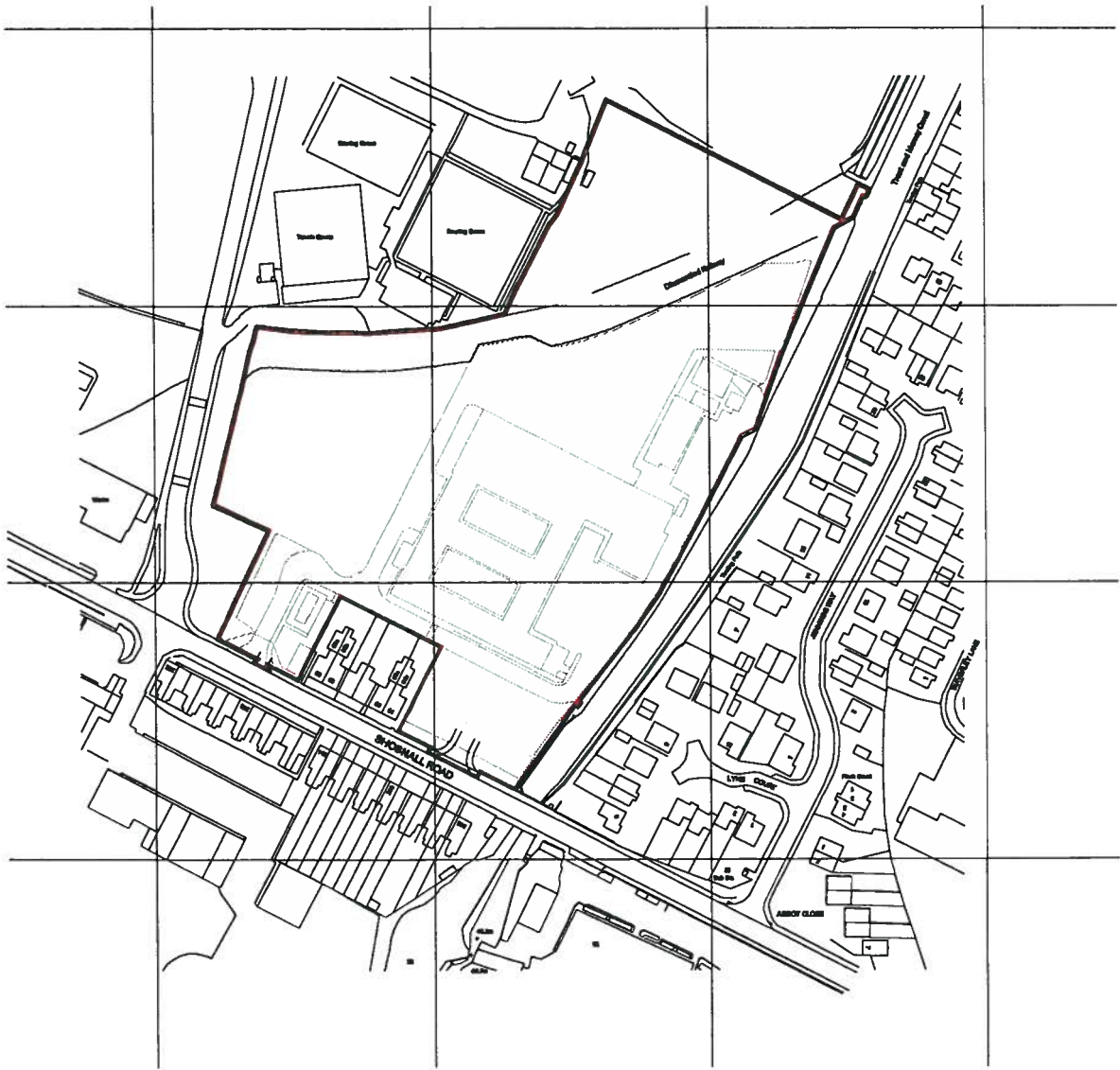
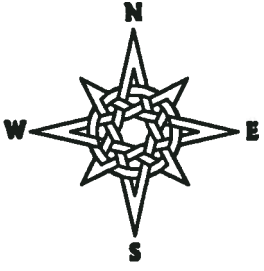
- (a) *the existing land use;*
- (b) *the relative abundance, quality and regenerative capacity of natural resources in the area;*
- (c) *the absorption capacity of the natural environment, paying particular attention to the following areas—*
 - (i) *wetlands;*
 - (ii) *coastal zones;*
 - (iii) *mountain and forest areas;*
 - (iv) *nature reserves and parks;*
 - (v) *areas designated by Member States pursuant to Council Directive 2009/147/EC on the conservation of wild birds and Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora;*
 - (vi) *areas in which the environmental quality standards laid down in EU legislation have already been exceeded;*
 - (vii) *densely populated areas;*
 - (viii) *landscapes of historical, cultural or archaeological significance.*

To this end, it is our opinion that the modest environmental impact arising from **this development would not warrant an Environmental Impact Assessment** and much of that impact is likely to be beneficial. The planning application will be accompanied by a suite of documents listed above that will fully consider the impact of the development upon the environment and demonstrate the scheme's compliance with all relevant aspects of planning policy.

In light of the above, we would be grateful for the Council's formal consideration of whether the proposed redevelopment would constitute development that requires an Environmental Impact Assessment.

I consider that sufficient information has been provided to enable your formal consideration of this matter although under Regulation 5(3), if you consider insufficient information has been submitted, please do not hesitate to contact me and I will furnish you with any additional material deemed necessary.

Yours sincerely



Shobnall Road Burton on Trent