



Department for  
Communities and  
Local Government

[REDACTED]  
Herringswell Parish Council

By email only:

herringswellpc@yahoo.co.uk

**Please ask for:** Karen Rose  
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**Our ref:** NPCU/EIASCR/P1615/73776  
**Date:** 15 May 2014

Dear [REDACTED]

**Town and Country Planning (Environmental Impact Assessment) Regulations 2011: Screening Direction, Land east of Red Lodge; land south of St Christopher's Primary School; Land south of village centre and land south east of Herringswell.**

I refer to your request dated 24 April, made pursuant to Regulation 4(8) of the Town and Country Planning (Environmental Impact Assessment)(England and Wales) Regulations 2011 (S.I. 2011/1824) ("the 2011 Regulations"), for the Secretary of State's screening direction on the matter of whether or not the development proposed is 'EIA development' within the meaning of the 2011 Regulations.

The development proposed, namely construction of up to 268 dwellings, new public open space, drainage ditches, associated access, landscaping, infrastructure and ancillary works on land east of Red Lodge and the construction of up to 225 sqm class A1 retail floor space on land forming part of Phase 4a Kings Warren. Construction of 106 dwellings, new public open space, associated access, landscaping, infrastructure and ancillary works falls within the description at paragraph 10 (b) infrastructure projects – Urban Developments of Schedule 2 to the 2011 Regulations. Therefore, the Secretary of State considers the proposal to be 'Schedule 2 development' within the meaning of the 2011 Regulations.

In the opinion of the Secretary of State having taken into account the selection criteria in Schedule 3 of the 2011 Regulations, the proposal would not likely to have significant effects.

The location of the proposed site has been considered against the advice given by Natural England in their letter to the LPA on the 7th February 2014. It is acknowledged that the site falls within a buffer zone of the SPA and SSSI sites. It is also noted that a Habitats Regulation Assessment has been completed by the applicant and that both Natural England and the LPA are satisfied with the findings. Natural England outline that the proposal is unlikely to have a significant effect on any European site.

In the advice from Natural England it is outlined that the proposal advances the line of built development at Red Lodge towards Breckland SPA. However, it is noted that the section of the SPA that may be subject to an increased avoidance effect by nesting stone curlew is immediately adjacent to the village of Herringswell and already subject to an influence from existing housing at Herringswell and Red Lodge, which is evidenced by the lack of nest records.

The advice from Natural England is considered that the proposal is unlikely to lead to significant environmental effects. The applicant's agent has confirmed that part of the site is within a Groundwater Protection zone, this includes the public open space and part of the residential development. However it is noted that the Environment Agency has no objections to the proposal. Although the effects of the development would be permanent with the loss of agricultural land, use of resources and traffic generated these impacts are not considered to be of a significant nature.

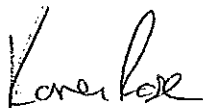
The Secretary of State considers that the proposal is not particularly complex and does not have hazardous effects it is therefore considered that an Environmental Statement is not required for the proposal and that the comprehensive advice already provided by Natural England and the Environment Agency regarding the impact of the proposal should enable Forest Heath District Council to determine the application.

Accordingly, in exercise of the powers conferred on him by regulation 6(4) of the 2011 Regulations the Secretary of State hereby directs that the proposed development described is not 'EIA development' within the meaning of the 2011 Regulations. Any permitted development rights which your client's proposal may enjoy under the Town and Country Planning (General Permitted Development) Order 1995 (SI 418) are therefore unaffected.

You will bear in mind that the Secretary of State's opinion on the likelihood of the development having significant environmental effects is reached only for the purposes of this direction.

I am sending a copy of this letter to Forest Heath District Council and the applicant's agent Eclipse Planning Services for their information.

Yours sincerely



**Karen Rose**  
**Planning Casework Manager**