



Department for
Communities and
Local Government

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Your ref: CAPL/234940/A3/WL
Our ref: NPCU/EIASCR/J3530/73270

Date: 11 March 2014

Dear Mr Lusty

Town and Country Planning (Environmental Impact Assessment) Regulations 2011

Request for a screening direction under Regulation 5(7)

Proposed housing development on land to the east of Bell Lane, Kesgrave

I refer to your request dated 9 January 2014, made pursuant to regulation 5(7) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 ("the 2011 Regulations") for the Secretary of State's screening direction on the matter of whether or not proposed development at the above site is "EIA Development" within the meaning of the 2011 Regulations. The Secretary of State has carefully considered the information provided in your request together with the views expressed by Natural England, who were consulted to help inform this screening direction.

The proposed development is 300 dwellings with associated access onto the highway and the provision of public open space on a 16.3 hectare site. Since the proposal exceeds the threshold in column 2 of the table in Schedule 2 (10b) to the 2011 Regulations, the Secretary of State considers the proposed development to be 'Schedule 2 development' within the meaning of the 2011 Regulations.

Furthermore, in the opinion of the Secretary of State having taken into account the selection criteria in Schedule 3 to the 2011 Regulations that development would be likely to have significant effects on the environment, because of its nature, size and location having regard to the following points.

The site lies to the west of a strategic growth area at Martlesham identified for 2,000 homes by the adopted Suffolk Coastal District Local Plan (July 2013). In its screening opinion, the Council explain that the Sustainability Appraisal (SA) and Appropriate Assessment (AA) accompanying the Local Plan identifies that this level of residential development in isolation and cumulatively with other housing developments in the area will result in a significant impact on Natura 2000 sites and that mitigation measures are required to make development acceptable. One of the concerns raised in the SA/AA is that the cumulative effect of new housing development in Ipswich will result in additional demand on visitor destinations, including increased recreational trips to designated areas, particularly the Deben Estuary (SPA, SSSI and Ramsar site).

The Council's screening opinion considers that it is necessary to apply a precautionary approach to development above that identified by the Local Plan and which has not been subject to SA and AA. In addition to the Local Plan allocation, the Council also refers to consented residential development at Black Tiles Martlesham, approved development at Trinity Park Showground and possible development at Longstrops (a planning application has not yet been submitted). It concludes overall that a significant environmental effect is likely by virtue of the cumulative impacts of the Bell Lane development with other residential development proposed in the local plan and by separate planning proposals on European sites of nature conservation.

The Secretary of State sought advice from Natural England to help inform this Direction. In its response, Natural England, in agreeing with the Council's opinion, noted that this is development over and above the Core Strategy allocations and that there are issues around recreational impact on designated sites arising from the development, both in its own right and in combination with other developments.

The Government launched Planning Practice Guidance on 6 March 2014 and the Secretary of State has given this consideration in preparing this screening direction. This Guidance replaces Circular 02/99 (Environmental Impact Assessment), which has now been cancelled.

The Planning Practice Guidance on Environmental Impact Assessment states (Paragraph: 032 Reference ID: 4-032-20140306) that an assessment is more likely to be required if the project affects the features for which the sensitive area was designated. However, it does not follow that every Schedule 2 development in (or affecting) these areas will automatically require an assessment. It will be necessary to judge whether the likely effects on the environment of that particular development will be significant in that particular location. The Guidance also advises that in certain cases local designations which are not included in the definition of 'sensitive areas', but which are nonetheless environmentally sensitive, may also be relevant in determining whether EIA is required.

The Secretary of State has carefully considered the environmental sensitivity of the receiving environment. He notes that the site is close to the Ipswich Heaths SSSI, which is recorded as being in 'unfavourable decline', and to a number of other sites designated for their nature conservation interest. Surveys of the site have identified

the presence of bats, reptiles and birds. Although the developer suggests that appropriate mitigation could be identified through the planning application process, on the basis of all evidence before him, the Secretary of State is not satisfied that the impact on wild fauna and flora can be clearly established at this stage and that a significant environmental effect cannot be ruled out. Additionally, the Secretary of State considers that there is the potential for the development to result in increased visitor pressure on 'sensitive areas' such as Deben Estuary. For these reasons, taking into account the sensitivity of the receiving environment and having regard to the advice from Natural England, the Secretary of State considers that there is a likelihood of there being a significant effect on the environment. He therefore considers that an environmental statement is necessary.

In reaching this decision, the Secretary of State also had regard to the advice in the Planning Practice Guidance on the possible cumulative effects with any existing or approved development (Paragraph: 024 Reference ID: 4-024-20140306). The Secretary of State has considered the cumulative impact of the proposed development and other proposed residential development in the area and the additional recreational trips to designated areas, particularly the Deben Estuary, that are likely to result. In accordance with the Planning Practice Guidance, the starting point for the Secretary of State will normally be to consider the cumulative effects of the project with any existing or approved development. However, he considers that it is reasonably foreseeable that new housing development proposals will come forward in the Marlesham area in line with the clear policy set out in the Local Plan. Having regard to this, the other housing development proposals in the area and the potential impacts on Natura 2000 sites, such as the Deben Estuary, the Secretary of State considers that there is a likelihood of the proposed development having a significant environmental effect virtue of the cumulative impact on 'sensitive areas'.

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 in your request and the documents submitted with it, is 'EIA development' within the meaning of the 2011 Regulations. This letter constitutes the statement required by regulation 4(7).

Any application for planning permission for this development must be accompanied by an Environmental Statement. Under regulation 2(1) of the 2011 Regulations, an Environmental Statement must contain, for the purpose of assessing the likely impact on the environment, the information specified in that regulation.

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 Suffolk Coastal District Council.

Yours sincerely


Dave Moseley
Senior Planning Casework Manager