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Under the Town and Country Planning  
(Environmental Impact Assessment) Regulations 2017:-

**SITE:** Asda Supermarket, Belmont Road, Hereford, Herefordshire, HR2 7JE

**REF:** 184658

**DATE:** 22<sup>nd</sup> August 2019

**DEVELOPMENT:** Application for removal condition 1 of planning permission DCCW2006/2199/F. To remove restriction on delivery times

Part II, Regulations 4 and 5: **SCREENING DETERMINATION**

**The Regulations – SI 2017/571  
National Planning Practice Guidance**

### **SCREENING OPINION**

The process of Environmental Impact Assessment in the context of town and country planning is governed by the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regs henceforth). The proposals falls within the parameters of Schedule 2 of the EIA Regs and adjoins a sensitive area given the development site is close to a European site namely the River Wye Special Area of Conservation (SAC) & Site of Special Scientific Interest (SSSI), both of which are designated sensitive areas as defined by the EIA Regulations. For the reasons below the proposal is not considered to necessitate the requirement for an Environmental Statement, given the statement previously submitted.

**An Environmental Statement will not be required.**

### **REASONS FOR THE OPINION**

The original application for the development of the supermarket was supplied with an Environmental Statement and so was considered to constitute EIA development as an Urban Development Project including more than 1 hectare of urban development of land which had not previously been intensively developed, and given the physical scale of the development, increase in traffic, emissions and noise; as per Schedule 2, 10 Infrastructure Projects, (b) of the EIA Regs.

As the application is made under Section 73 of the Town and Country Planning Act 1990 (as amended), it is variation and change to the original permission which was the subject of an Environmental Statement. Schedule 2, 13 Changes and Extension, (b) of the EIA Regs is relevant, as the proposal is a change to the development which satisfied the criteria of the EIA Regs and the development has already been executed. The change in this instance is to remove the condition restricting delivery times which was as follows:

1. The loading and unloading of service and delivery vehicles together with their arrival and departure from the site shall not take place outside the hours of 07:00 and 22:00 Monday to Saturday and 09:00 and 17:00 on Sundays.

Reason: To safeguard the amenities of the locality.

The removal of the condition will allow unrestricted deliveries to the supermarket, which also has consent to trade twenty-four hours per day. Clearly, this is a case of an existing 24 hour supermarket, adjoining a major trunk road in a city within an existing urbanised area. Whilst the site is considered to be close to a sensitive area, the change is not considered to impact the environment in a significant manner and a Habitat Regulations Appropriate Assessment (as agreed with Natural England) has confirmed there is not considered to be a 'likely significant effect' on the River Wye Special Area of Conservation.

In forming the view that this proposal does not represent EIA development due regard has been given to the characteristics of the development, the location of development and the types and characteristics of the potential impact as required by Schedule 3 of the EIA Regulations.

It is considered that the proposed change will not lead to other significant adverse effects, taking into account the effects on the development as a whole, due to the de minimis nature of the change in relation to the overall scale of the development. It is not considered likely that the removal of the condition as proposed will result in significant environmental effects and the information of the previous Environmental Statement is sufficient.

**The development does not fall within the development type listed in schedule 1. Whilst the type of development is listed in Schedule 2, 13 (b) it is well below the thresholds set out when considered against the list at Schedule 2, 10 (b) and the the Planning Practice Guidance.**



**Andrew Banks**  
**Development Manager**

**Date:** 23<sup>rd</sup> August 2019