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**BARTON
WILLMORE**

bartonwillmore.co.uk
7 Soho Square
London
W1D 3QB
T/ 0207 446 6888

Planning Department
Herefordshire Council
PO Box 230
Blueschool House
Blueschool Street
Hereford HR1 2ZB

FAO Andrew Banks

21721/A3/AI

BY SPECIAL DELIVERY

24th March 2014

Dear Sir / Madam,

**THE TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT)
REGULATIONS 2011**
LAND AT MILL STREET, LEOMINSTER
SCREENING OPINION REQUEST BY FRANK H DALE LTD

We act on behalf of Frank H Dale Ltd in relation to the above site.

Under separate cover we have today submitted an outline planning application (with all matters reserved except for access) for the development of land at Mill Street, Leominster. The application proposes the following development:

"Outline planning application for the part demolition of existing buildings and structures and development of the site to provide a retail store (Use Class A1), and associated works and improvements including access."

This scheme proposes the construction of a 3,545 sq m GEA retail store, together with associated works and improvements.

Please accept this letter as a request for a 'Screening Opinion' as to the need for an Environmental Impact Assessment (EIA) of the proposed development in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 ("the Regulations").

To comply with the requirements of the Regulations, this Screening Request is accompanied by the following:

1. Site Location Plan (Drawing Number: 11033A-100 Rev B) identifying the extent of the site boundary in red;
2. Illustrative Masterplan (Drawing Number: 11033A-104 Rev D) setting out how the site could be developed, subject to reserved matters approval; and
3. Scheme Summary based on the relevant selection criteria set out in Schedule 3 of the Regulations.



FS 29637

Registered in England
Number: 0C342692

Barton Willmore LLP
Registered Office:
Beansheaf Farmhouse
Bourne Close
Calcot
Reading RG31 7BW
F/ +44 (0)118 943 0001

Basis of Assessment

From our interpretation of the Regulations, we take the view that the proposed development falls within Schedule 2 insofar as it can be classified as an 'Urban Development Project' on a site exceeding 0.5ha.

The fundamental test when assessing the need for EIA is whether the proposal is likely to have 'significant effects' on the environment by virtue of the nature of the proposal and the location of the application site, as set out in the Planning Practice Guidance (PPG).

Neither the Regulations nor the PPG attempt to define 'significant effects' as each case must be dealt with on its own merits. The site / proposed development does however fall below the Indicative Screening Thresholds set out in the PPG Annex.

It should also be recognised that a Screening Opinion request was submitted in respect of the development of a wider site, including the application site and adjoining land, in February 2013. That scheme proposed a larger foodstore of 8,111 sq m GEA, PFS and residential development.

The Screening Opinion was issued by Herefordshire Council on 26th April 2013. It found that the development was not of more than local significance. The site was not in a sensitive area and potential effects could be addressed through appropriate technical reports, including transport, retail impact, contamination, flood risk, drainage and ecology.

Our Assessment

Against this background, we have undertaken the following assessment of the need or otherwise for an EIA of the proposed development based on the following:

- a) **Local Importance:** the proposed scheme will deliver a new retail building, together with associated works and improvements.

The proposal represents an important redevelopment of the site, assisting in the relocation and expansion of an important local business to a Site at Leominster Enterprise Park. The retail store is intended to serve Leominster and the surrounding area. Employees will primarily come from the immediate and surrounding area and the scheme can therefore be considered of no more than local importance.

- b) **Location:** none of the site falls within what can be described as an environmentally sensitive or vulnerable location, as defined in the Regulations as recognised in the previous Screening Opinion.

- c) **Potential Effects:** the proposed development does not have any unusually complex or potentially hazardous environmental effects. An Ecological Assessment, Transport Assessment, Flood Risk Assessment & Drainage Strategy, Desk Based Archaeology Assessment, Planning and Retail Statement (including retail impact assessment), Geo-Technical & Geo-Environmental Report, and Tree Survey / Arboricultural reports are included with the planning application and demonstrate that the development of the site for a retail store will not give rise to significant environmental effects.

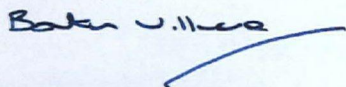
We therefore submit that the proposed scheme is not a development that is likely to require EIA.

Conclusion

A scheme that falls within Schedule 2 does not automatically mean that the proposal requires EIA. The test of the need for EIA is the significance of the effect of the development on the environment of its location. As we have summarised above, we do not consider that the nature, scale or location of the development is such that it is likely to give rise to significant environmental effects and therefore we consider that EIA is not required.

We trust the above and enclosed provides a full overview of the proposed scheme and would be grateful to receive your Council's formal Screening Opinion of the proposed development within the requisite timescale. In the meantime, please do not hesitate to contact either Alistair Ingram or Paul Newton at this office should you have any queries.

Yours faithfully,

A handwritten signature in blue ink, appearing to read 'Barton Willmore', with a long, sweeping horizontal stroke extending to the right.

BARTON WILLMORE

Encs.

**TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT)
REGULATIONS 2011**

LAND AT MILL STREET, LEOMINSTER

SCREENING OPINION REQUEST BY FRANK H DALE LTD

DESCRIPTION OF NATURE AND PURPOSE OF PROPOSED DEVELOPMENT

The following Statement on the nature and purpose of the proposed development has been prepared as part of a 'Screening Opinion' pursuant to the Town and Country Planning (Environmental Impact Assessment) Regulations 2011.

The Site

The subject site includes a previously developed site of 2.75 hectares consisting primarily of and existing factory and associated service yard, along with some areas of grassland / landscaping. The site is allocated in part for employment uses in the adopted Herefordshire Unitary Development Plan (2007).

The site is located north of Mill Street, west of the railway line and River Lugg.

Nature and Purpose of the Proposed Development

An outline planning application with all matters reserved, except for access, has been submitted for the redevelopment of the site to include the demolition of part of the existing factory and construction of a 3,545 sq m GEA Class A1 retail store and associated works, including access.

The proposal represents important economic development, to facilitate the relocation and expansion of Frank H Dale Ltd's factory operation to a Site at Leominster Enterprise (for which planning permission has been granted). Part of the existing factory and existing offices adjoin the application site and will be retained.

The retail store is intended to provide a retail offer to serve Leominster and the surrounding area. Along with the part retention of existing employment premises on adjoining land, any effects are considered to be local.

Whilst details of the proposed development comprising appearance, layout, scale and landscaping are reserved for future consideration, the proposed retail store can be designed to represent an appropriate response to the proposed development and location of the site, resulting in improvements to the appearance, environment and economy of the local area.

Likely Environmental Effects

The likely environmental effects of the proposal development would comprise: socio-economic matters (including job creation, economic impact on the Town Centre, retention of existing employment facilities); design; arboricultural; traffic and transportation; sustainability; ground conditions; ecology; heritage / archaeology and drainage / flood risk.

Information covering these issues is submitted as part of the planning application.

Barton Willmore
24th March 2014