

----- Original Message -----

Subject: Bass Sports & Social Club - EIA screening opinion  
Date: Tue, 8 Sep 2009 15:20:29 +0100  
From: Tony.Whitty@easthants.gov.uk  
To: andrewjoy@onetel.com  
CC: tony@tonysouter.com

Dear Councillor Joy.

I'm writing in connection with our conversation last Thursday, I have copied in Mr Souter as you requested. You raised the issue that you had been approached by a number of people concerned about the recent screening opinion that East Hampshire had issued with regard to possible retail development at the Bass Sports and Social Club. I had also read the rather misleading article in the Alton Herald.

Under the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations any developer is entitled to ask for an opinion as to whether their proposal falls under the regulations. I have to say that I am not aware in the recent past of any application that was deemed to fall within the scope of the regulations, it is not a common scenario. Contrary to that reported in the Alton Herald, a screening opinion was also issued on the Tesco Mill Lane application that also considered that the development there did not fall within the scope of the regulations. That did not, however, prevent environmental issues featuring within the reasons for refusal.

The purpose of the EIA Regulations is to examine the impact of any given development on the wider environment. It is usually applied to larger projects or those in nationally sensitive areas that may have far reaching consequences (usually beyond the boundaries of the Local Authority). In order to fall within the scope of these regulations a development must fall within either Schedule I or II to the same. In this instance the Local Authority considered that type of development proposed would fall within category 10 (b) of Schedule 2 of the Environmental Impact Assessment (EIA) regulations for urban development projects which exceed 0.5 ha. Once this is established the Local Planning Authority must then decide whether the proposal would have such significant environmental impacts that would warrant the submission of a full EIA, having regard to the selection criteria in Schedule 3 to the regulations. As the officer report indicates Annex A to Circular 02/99 (guidance on implementing the EIA regulations) states that;

Development proposed for sites which have not previously been intensively developed are more likely to require EIA if:

- \* the site area of the scheme is more than 5 hectares; or
- \* it would provide a total of more than 10,000 m2 of new commercial floorspace; or
- \* the development would have significant urbanising effects in a previously non, urbanised area (e.g. a new development of more than 1,000 dwellings).

The proposal met none of the above criteria and therefore the Local Authority quite rightly considered that the proposal was not EIA development within the meaning of the 1999 Regulations. This is not to say that all normal

environmental and nature conservation considerations do not apply, these would need to be addressed in any application that may be submitted. All normal planning considerations including whether the principle is acceptable, the impact on the town centre, the impact on amenities of neighbouring dwellings, highway implications, environmental and nature conservation considerations and sustainability (amongst others) would need to be assessed if an application were to come forward.

I am aware that we received a large number of representations to the screening opinion, the majority of the issues raised were not pertinent as to whether the proposal would fall under the definition of EIA development, but they would be concerns that would need to be considered in any planning application.

There is nothing in the recent decision on the screening opinion that would suggest acceptance of a planning application on this site, it is simply to establish whether any future proposal would fall within certain legislation or not.

I apologise for the lengthy nature of this explanation, but I hope that it clarifies matters.

Regards

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