

Mr. C. D Lowden  
SLR Consulting Limited  
Aspect House, Aspect Business Park  
Bennerley Road  
Nottingham  
NG6 8WR

*Postal Address: Staffordshire County Council  
Block A, Wedgwood Building  
Tipping Street  
Stafford  
ST16 2DH*

Telephone: (01785) 277297  
Email: [planning@staffordshire.gov.uk](mailto:planning@staffordshire.gov.uk)  
Web site: [www.staffordshire.gov.uk/planning](http://www.staffordshire.gov.uk/planning)

Please ask for: Alfia Cox

Our Ref: SCE.140/ES.12/29/504 M

14 January 2013

**SENT BY EMAIL**

Dear Mr Lowden,

**APPLICATION ES.12/29/504 M: PLANNING APPLICATION FOR THE IMPORTATION AND STOCKPILING OF DE-SULPHUR GYPSUM ON 0.95 HA AT FAULD MINE FOR USE IN THE PRODUCTION OF BLENDED GYPSUM PRODUCTS AT FAULD MINE, TUTBURY, BURTON ON TRENT**

**THE TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2011: REGULATION 7 - SCREENING OPINION**

I refer to your application dated 20 November 2012 and information subsequently received in connection with the above development.

In accordance with the above regulations the County Council is required to adopt a "Screening Opinion" to establish whether the submitted application should be accompanied by an Environmental Statement.

The County Council has considered the application as submitted and is of the opinion that the proposed development falls within the description provided within Schedule 2 paragraph 2(b) of the above regulations but in the opinion of the County Council, having taken into account the criteria in Schedule 3 to the above regulations and the indicative threshold criteria currently available in Circular 2/99 'EIA – A Guide to Procedures', the proposed development would not be likely to have significant effects on the environment by virtue of factors such as its nature, size or location. Further details are provided in the attached 'Screening Opinion Checklist'.



Under the powers contained in the 'Scheme of Delegation to Officers', this letter therefore confirms that the County Council is of the opinion that the proposed development **is not EIA development** and need not be accompanied by an Environmental Statement.

Yours sincerely,

Electronic Copy – Signature Removed

Alfia Cox  
Senior Planning Officer

Encl – Screening Opinion Checklist dated 17 December 2012

Screening Opinion Checklist Case Officer: Alfia Cox Date: 17 December 2012

PA No. ES.12/29/504 M		Site / Location: Fauld Mine, Tutbury, Burton on Trent			
Description of development: Planning application for the importation and stockpiling of de-sulphur gypsum on 0.95 ha at Fauld Mine for use in the production of blended gypsum products					
<b>PART 1 - Is a Screening Opinion Required?</b> (ref: <a href="#">EIA Regulations 2011</a> , <a href="#">Circular 2/99</a> and <a href="#">DETR EIA – Guide to procedures 2000</a> ) See also DCLG note to LPAs on EIA click <a href="#">here</a> and for DCLG guidance from June 2006 about reserved matters and variations of condition and EIA click <a href="#">here</a>				Yes	No
1	Development Description	Yes	✓		
2	Is it a Schedule 1 development?	No – The site is less than 1 ha (0.95ha)		✓	
3	Is it a Schedule 2 development? (Schedule 2, Col 1)	Yes – The development falls within category 2 (b)	✓		
4	4(a) Does the development fall within the absolute threshold/criteria? (Schedule 2, Col 2)	Yes  The threshold/criteria is “all development except the construction of buildings or other ancillary structures where the new floorspace does not exceed 1,000 square metres”.	✓		
	4(b) Is the proposal within/near to a ‘sensitive area’? (e.g. SSSI, NP, AONB, SAC, RAMSAR, Scheduled Monument)	No		✓	
		<ul style="list-style-type: none"> <li>If you have answered ‘Yes’ to the threshold/criteria <b>a screening opinion is required</b> – proceed to Part 2</li> <li>If you have answered ‘No’ to the threshold/criteria and the development <b>is</b> within/near a sensitive area <b>a screening opinion is required</b> – proceed to Part 2</li> <li>If you have answered ‘No’ to the threshold/criteria and the development <b>is not</b> within/near a sensitive area <b>a screening opinion is not required</b>.</li> </ul>			
5	Conclusion	Screening opinion required?	✓		

**PART 2 – Is an EIA Required? (ref: [Schedule 3 - EIA Regulations 2011](#), [Circular 2/99](#) and [DETR EIA – Guide to procedures 2000](#))**

EIA usually required for (i) major developments of more than local importance; (ii) development in particularly environmentally sensitive or vulnerable locations; (iii) developments with unusually complex and potentially hazardous environmental effects. This checklist should be used to determine whether significant effects are likely to arise from the development. **REMEMBER** – the Regs also apply to changes to EIA development and reserved matters / subsequent approvals

1	Indicative thresholds/criteria	Does the development fall within the indicative thresholds/criteria? (see Circular 02/99 and DETR EIA - links above)	<p>Annex A to Circular 2/99</p> <p>EIA is more likely to be required if the area would cover more than 15 hectares or involve the extraction of more than 30,000 tonnes of mineral per year.</p> <p>In this case, the proposals seek to handle de-sulphur gypsum (DSG) within a permitted mineral site which would be blended with gypsum. The storage area is less than 1ha and the proposal is not for extraction of the minerals on the site and therefore is not likely to require EIA</p>
2	Characteristic of the development:	Size of the development:	Development would be carried out within an area of the quarry already used for the processing of minerals. The storage area is under 1ha
		Cumulation with other developments	Importing, storage of DSG for use in the production of blended gypsum products on the existing mine site
		Use of natural resources	Yes – for blending with extracted mineral
		Production of waste	Not directly related to the proposal
		Pollution and nuisances	Potential for impacts from dust and transportation of DSG
		Risk of accidents	Low risk – risks possible with use of plant and equipment. Normal health and safety procedures would apply
3	Location of the development	Existing land use (include past, present and future (allocated land))	Gypsum mine

	(the environmental sensitivity of area likely to be affected):	Relative abundance, quality, regenerative capacity of natural resources	It is reasonable to expect that the operations would be removed when operations relating to mineral extraction cease allowing the site to be restored			
		Absorption capacity of natural environment (particularly wetlands, nature reserves/parks; SSSIs and international designations; areas where environmental quality standards have been exceeded; densely populated areas; landscapes of historical, cultural or archaeological significance).	None – The site is not in a ‘sensitive area’ as defined by the EIA Regulations nor is it in a densely populated area and there are no landscape designations or cultural heritage designations of particular significance within the site boundary or in the vicinity			
4	Characteristics of the potential impact	Extent of the impact (area and size of affected population)	The nearest property is located no the north about 250m away. Due to bunding, topography and intervening planting, impacts are unlikely and can be controlled.			
		The magnitude and complexity of the impact	The proposed operations are a low tech operation with a low impact. Potential impacts are from dust from stockpiles and transportation of DSG.			
		The probability of the impact	It is reasonable to expect that dust and transport effects can be predicted with a reasonable degree of accuracy and easily mitigated.			
		The duration, frequency and reversibility of the impact	This would be a temporary use of the land. It is reasonable to expect that the development could be easily removed when the permission for gypsum extraction expires, allowing the site to be restored with no adverse impacts on land quality			
5	Can the significant effects be addressed by proposed mitigation measures?	Are the mitigation measures: <ul style="list-style-type: none"> <li>• Modest in scope</li> <li>• Plainly and easily achievable</li> </ul>	All mitigation measures are modest in scope and easily achievable			
6	<b>Conclusion</b>	<b>ES required?</b>	<b>No</b>			

	<b>Signed and dated</b>	<b>Case Officer</b>	<b>Alfia Cox (17 December 2012)</b>	<b>Team Leader/Team Manager</b>	<b>Julie Castree-Denton (11 January 2013)</b>
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