

P/2011/01170

Received 04/10/11

Mr. T. Claxton
Aggregate Industries UK Ltd.
Greystones
Huncote Road
Croft
Leicestershire
LE9 3GT

Telephone: (01785) 277297
Facsimile: (01785) 211279
Email: mike.grundy@staffordshire.gov.uk
Web site: www.staffordshire.gov.uk/planning

Please ask for: Mike Grundy

SENT BY EMAIL

Our Ref: SCE.117/ES.11/13/524 MW

29 September 2011

Dear Mr Claxton,

APPLICATION ES.11/13/524 MW: TO VARY CONDITIONS 1, 2, 8, 9, 10, 32, 38, 39 & 42 OF PERMISSION REF ES.09/05/524 M TO ALTER THE SEQUENCE OF PHASED EXTRACTION AT UTTOXETER QUARRY

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

I refer to your application dated 12 August 2011 and information subsequently received on 23 September 2011 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 13(b) 'changes or extensions' to development in paragraph 2 'extractive industry' to 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

Mike Grundy
Planning, Policy & Development Control Team Manager

Encl – Screening Opinion Checklist dated 28 September 2011



PA/PAD No. ES.11/13/524 MW		Site / Location: : Uttoxeter Quarry.....		
Description of development: :.....				
PART 1 - Is a Screening Opinion Required? (ref: EIA Regulations 2011, Circular 2/99 and DETR EIA – Guide to procedures 2000) See also DCLG note to LPAs on EIA click here and for DCLG guidance from June 2006 about reserved matters and variations of condition and EIA click here			Yes	No
1	Development Description	Do you have enough information to define the size and type of development (a plan, description of type/nature/ purpose and possible effects)?** <ul style="list-style-type: none"> • Yes (proceed to step 2) • No - either take the precautionary principle and assume the worst case or, request more information confirming 3 week deadline not commence until received; **Note - Changes or extensions may also need an EIA! (Schedule 2, category 13)	YES	
2	Is it a Schedule 1 development?	<ul style="list-style-type: none"> • Yes/No (explain) YES – The development is category..... and a screening opinion is not required as an EIA mandatory! NO – If the development is not listed in Schedule 1 it may be listed in Schedule 2 (proceed to step 3) 		NO
3	Is it a Schedule 2 development? (Schedule 2, Col 1)	<ul style="list-style-type: none"> • Yes/No (explain) • YES - The development falls/could fall within category 13(b) changes to a Schedule 2 development, already permitted (category 2 – extractive industry – all development)... (proceed to step 4) • NO – If the development is not listed in Schedule 2 a screening opinion is not required and EIA not required! 	YES	
4	4(a) Does the development fall within the absolute threshold/criteria? (Schedule 2, Col 2)	Yes/No – (explain) The threshold/criteria is/are category 13(b) – column 2 Either— (i) The development as changed or extended may have significant adverse effects on the environment; or (ii) in relation to development of a description mentioned in column 1 of Sch.2 (i.e. category 2 – extractive industry), the thresholds and criteria in the corresponding part of column 2 of Sch 2 (i.e. all development) applied to the change or extension are met or exceeded <ul style="list-style-type: none"> • and in this case the proposal is/are...to vary the phasing of an existing permitted quarry . (proceed to step 4b) 	YES	
	4(b) Is the proposal within/near to a 'sensitive area'? (e.g. SSSI, NP, AONB, SAC, RAMSAR, Scheduled Monument)	<ul style="list-style-type: none"> • Yes/No – (explain) YES – The development falls within/near to the following designated site(s) Within or metres from Within or metres from..... (OR) 		NO

	<ul style="list-style-type: none"> • If you have answered 'Yes' to the threshold/criteria a screening opinion is required – proceed to Part 2 • If you have answered 'No' to the threshold/criteria and the development is within/near a sensitive area a screening opinion is required – proceed to Part 2 • If you have answered 'No' to the threshold/criteria and the development is not within/near a sensitive area a screening opinion is not required. 		
5 Conclusion	Screening opinion required?	YES	

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>The latest guidance contained in Circular 02/1999</p> <p>A7. The likelihood of significant effects will tend to depend on the scale and duration of the works, and the likely consequent impact of noise, dust, discharges to water and visual intrusion. All new open cast mines and underground mines will generally require EIA. For clay, sand and gravel workings, quarries and peat extraction sites, EIA is more likely to be required if they 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 quarry is already permitted and was subject to an ES (ref. ES.09/05/524 M dated 23/12/10). The proposals relate solely to changes to the phasing of part of the existing permitted mineral extraction operations.</p>									
		<table border="1"> <tr> <td>Size of the development:</td> <td>The proposals relate solely to changes to 2 phases of the existing quarrying operations</td> </tr> <tr> <td>Cumulation with other developments</td> <td>Having regard to the supplementary planning statement, it is not anticipated that there would be any additional implications from the proposed re-phasing</td> </tr> <tr> <td>Use of natural resources</td> <td>ditto</td> </tr> <tr> <td>Production of waste</td> <td>ditto</td> </tr> <tr> <td>Pollution and nuisances</td> <td>ditto</td> </tr> <tr> <td>Risk of accidents</td> <td>ditto</td> </tr> </table>	Size of the development:	The proposals relate solely to changes to 2 phases of the existing quarrying operations	Cumulation with other developments	Having regard to the supplementary planning statement, it is not anticipated that there would be any additional implications from the proposed re-phasing	Use of natural resources	ditto	Production of waste	ditto	Pollution and nuisances	ditto
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Use of natural resources	ditto											
Production of waste	ditto											
Pollution and nuisances	ditto											
Risk of accidents	ditto											
2	Characteristic of the development:											

3	Location of the development (the environmental sensitivity of area likely to be affected):	Existing land use (include past, present and future (allocated land))	ditto	
		Relative abundance, quality, regenerative capacity of natural resources	ditto	
		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).	ditto	
4	Characteristics of the potential impact	Extent of the impact (area and size of affected population)	ditto	
		The magnitude and complexity of the impact	ditto	
		The probability of the impact	ditto	
		The duration, frequency and reversibility of the impact	ditto	
5	Can the significant effects be addressed by proposed mitigation measures?	Are the mitigation measures: <ul style="list-style-type: none"> • Modest in scope • Plainly and easily achievable 	It is anticipated that the environmental effects can be controlled by planning conditions that are similar if not the same as the recently issued permission, subject to appropriate variations where necessary.	
6	Conclusion	ES required?	NO	
	Signed and dated	Case Officer Mike Grundy 28/9/11	Team Leader/Team Manager	Mike Grundy 28/9/11

Counter signed by Matt Griffin – DC Team Leader 28/9/11