

P21-1017 LOO1v1 SLR

24 April 2026

Mr Steffan Saunders
South Derbyshire District Council
Civic Offices
Civic Way
Swadlincote
DE11 0AH

Dear Steffan

RE: Request for EIA Screening Opinion Under Regulation 6 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017

Residential development for up to 500 dwellings at Land off Cadley Lane, Castle Gresley, Swadlincote

We write on behalf of our client Harworth Group PLC to formally request a Screening Opinion under Regulation 6 of the Town and Country Planning Environmental Impact Assessment (EIA) Regulations 2017 in relation to the above site at Land off Cadley Lane, Castle Gresley, Swadlincote.

As required under sub-paragraph 2 of Regulation 6, this request is accompanied by a plan sufficient to identify the land (Appendix A), a description of development, including physical characteristics and location, a description of the aspects of the environment likely to be affected, a description of any likely significant effects and any measures envisaged to avoid or prevent what might otherwise have been significant adverse effects on the environment.

Following this request, it is required under sub-paragraph 6 of Regulation 6 that the Council adopt a Screening Opinion within 3 weeks beginning with the date of receipt of this request is made and therefore we look forward to receiving your response within this timeframe and by 15th May 2026.

The Site

The site extends to approximately 33.45 hectares (Ha) and comprises four agricultural fields separated by hedgerows. The site is located adjacent to the existing edge of Castle Gresley and Swadlincote. It is bound to the East by Burton Road (A444), which connects the site to Castle Gresley and Swadlincote to the East and South, and Stanton and Coronation Park to the North at Cadley Hill Roundabout. To the East of the A444 is the suburban edge of the settlement, which

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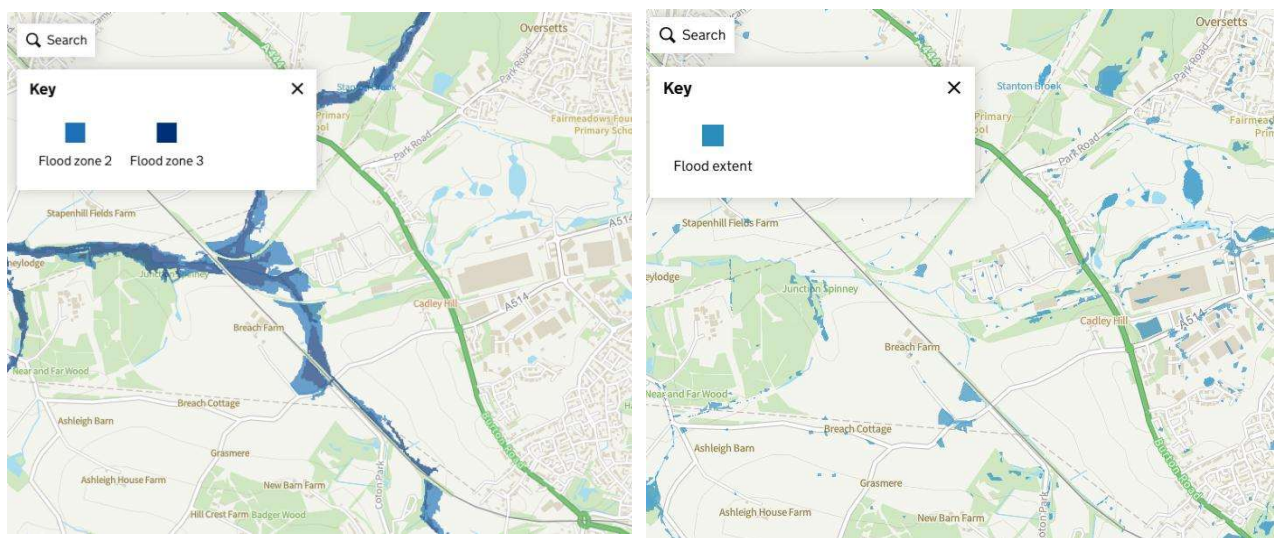
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includes residential dwellings and employment units including The Pallet Network, leading to the William Nadin Way. The site is bound to the North by woodland (and further Willshee's Recycling Centre), and to the West by the Ivanhoe railway line Planning permission reference CW9/1022/22 was granted on 4th August 2025 for a waste recovery facility and aggregate recovery facility on the recycling site. This permission has not been implemented. The Southern boundary extends into agricultural fields. In terms of topography, the land is broadly sloping downhill from the East to West, with some undulation throughout.

The Environment Agency flood mapping demonstrates that the Westernmost field parcels are within Flood Zone 2 and 3. The remainder of the site falls wholly within Flood Zone 1, the areas with the lowest probability of flooding. There is minimal risk within the site for surface water flooding (right map).



Development proposals

Extensive technical work has been undertaken to understand the site-specific opportunities and constraints, and to inform the evolutions of the proposals thus far. The proposals will comprise the following:

- Up to 500 dwellings (including a policy-compliant mix of market and affordable homes in a range of type, size, and tenure)
- Areas of open space including formal play areas, sports area, natural open green space, and
- A new vehicular access off Cadley Lane to connect the North and South parcels of the site
- Improved pedestrian and cycle connections

An outline planning application for residential development will be submitted in July 2026.



Planning History and Policy Context

There have been no previous planning applications on the site – nearby relevant applications are considered later in this letter.

This site is not allocated in the Part 1 or Part 2 Adopted Local Plan. The site has been duly promoted through the Local Plan process for the emerging Plan. Submissions include representations made to the following:

Local Plan Part 1 Review

- December 2024 Regulation 18 Consultation
- April 2025 Regulation 19 Consultation

Local Plan Part 2 Review

- October 2022 Regulation 18 Consultation
- December 2025 Regulation 18 Consultation

The site has also been submitted to two periods of 'Call for Sites' – once in May 2021, and again in April 2024. In the May 2021 submission, the site was given reference 195 – Land at Cadley Lane, Castle Gresley and was found to be potentially available, achievable, and suitable.

EIA Requirement

In determining whether the proposed development constitutes EIA development, consideration should be had to the following:

- If the proposed development is of a type listed in Schedule 1, or Schedule 2;
- If the site is located within a sensitive area;
- If any of the relevant thresholds and criteria set out in Schedule 2 are met; and
- If it would lead to likely significant effects on the environment.

EIA is mandatory for projects listed within Schedule 1 of the EIA Regulations. Schedule 1 developments are large scale projects for which significant effects would be expected and comprise developments such as power stations and new airports. The proposed development is therefore not a Schedule 1 project.



Schedule 2 development means development of a description mentioned in column 1 of the table in Schedule 2 of the EIA Regulations where:

- a) any part of that development is to be carried out in a sensitive area; or
- b) any applicable threshold or criterion in the corresponding part of column 2 of that table is respectively exceeded or met in relation to that development

If the development proposed is of a type listed in Schedule 2 then it may be classified as EIA development, if it is likely to have significant effects on the environment by virtue of factors such as its nature, size or location.

In respect of criterion (a), Sensitive Areas are defined in the EIA Regulations as Sites of Special Scientific Interest and European-designated Sites; National Parks, the Broads, and Areas of Outstanding Natural Beauty, (now known as National Landscapes); and World Heritage Sites and Scheduled Monuments. The site does not lie within any such designations.

In respect of criterion (b), the proposed development is of a type listed in Schedule 2 and falls in Class 10 'Infrastructure Projects', subsection b) Urban development projects. The EIA Regulations identify a series of thresholds for Schedule 2 projects to assist with establishing whether the potential for significant environmental effects exists such that an EIA would be required. The thresholds for urban development projects area as follows:

- i) includes more than 1 hectare of urban development which is not dwellinghouse development; or
- ii) the development includes more than 150 dwellings; or
- iii) the overall area of the development exceeds 5 hectares.

The development includes more than 150 dwellings, and the overall area of the development exceeds the 5ha threshold. Accordingly, this Screening Request has been prepared to determine whether the proposed development would be likely to result in significant environmental effects, which would trigger the need for EIA.

Schedule 3 – Selection Criteria for Screening Schedule 2 Development

Schedule 3 of the EIA Regulations sets out selection criteria which relate to specific matters; the characteristics of the development; the location of the development; and the characteristics of the potential impact. These factors are discussed in turn below.



Characteristics of Development

In terms of the size of the development and as stated above, the proposed development constitutes a Schedule 2 development under Class 10 'Infrastructure Project' Subsection (b) 'Urban Development Projects' as it exceeds two of the three thresholds – the development includes more than 150 dwellings (up to 500 dwellings), and the overall area of the development exceeds 5ha (approximately 33.45 ha).

To aid local planning authorities, a set of indicative thresholds and criteria have been produced and can be found in the Planning Practice Guidance (PPG) at Paragraph: 058 Reference ID: 4-058-20150326. For urban development projects on sites which have not been previously intensively developed (such as this site), the indicative criteria stipulated is:

- The site area of the scheme is more than 20 hectares; or
- It would provide a total of more than 10,000 sq. m of commercial floorspace; or;
- The development would have a significant urbanising effect in a previously non urbanised area (e.g. a new development of more than 1,000 dwellings).

Whilst the site is above the 20ha threshold, the proposed scheme is landscape led with a significant area of open space, with developable area limited to the Eastern field parcels off the A444. As a result, the density of this scheme is less than typically associated with a scheme that exceeds 20 ha. This development falls significantly below the indicative threshold of 1,000 dwellings.

The guidance also states the key issues that should be considered for urban development projects include the physical scale of such developments and potential increase in traffic, emissions and noise. Although matters relating to design will form part of any formal submission, the site is capable of accommodating a scale of development which is commensurate with the settlement of Swadlincote, part of the District's Urban Area. In addition, the site has the ability to provide road linkages and appropriate pedestrian and cycle connectivity to a wide range of retail, leisure and community facilities in Swadlincote.

Inevitably the proposed development will result in some increased levels of traffic given its residential nature, however, transport assessment work undertaken to date does not indicate a level of traffic that could not be appropriately mitigated. The scale of the proposed development will not have an unacceptable impact on highway safety and the residual cumulative impacts on the road network will not be severe.



During the construction phase, it is anticipated that a Construction Environmental Management Plan (CEMP) would set out appropriate measures in accordance with all relevant legislation to control operational traffic, prevent dust, noise effects and accidental spillages of contaminants during the construction of the proposed development. Surface water run-off and foul water drainage will be managed on-site during the construction and operational phases with appropriate sustainable drainage design as set out in a Flood Risk Assessment and Drainage Strategy which would accompany the outline planning application.

There is nothing to suggest that development would result in major accidents/disasters, or that it would give rise to significant risks to human health.

Schedule 3 (the Selection Criteria for Schedule 2 Development) notes that consideration should be given to "cumulation with other existing development and/or approved development". The following recent developments have been granted planning permission which are broadly in accordance with the adopted Local Plan. This includes:

Residential:

- DMPA/2023/0006– Outline application (matters of access to be considered now with matters of layout , scale, appearance and landscaping reserved for later consideration) for up to 150 dwellings, open space, landscaping and drainage infrastructure. Site D, Cadley Park. Granted 24/10/2025.
- DMPA/2025/0204 – Full application for the erection of residential dwellings (Use Class C3), a new vehicular access off Swadlincote Lane and pedestrian access off Swadlincote Lane and Bath Lane along with associated public open space and infrastructure. Land at Swadlincote Lane, Castle Gresley. Heard at committee in November 2025 – no decision issued.

Industrial:

- DMPA/2021/1686 – Demolition of existing buildings and clearance of site (except for existing offices and substation), erection of a pallet distribution centre (Use Class B8), with associated offices and welfare areas, forklift wash and storage areas, gatehouses, parking, landscaping and other associated works. Tetron Park, William Nadin Way. Granted 29/04/2022

The Willshee's Recycling Centre, located to the North of the site, was subject to a planning appeal, in which the Inspector decided to allow an appeal for an Energy Recovery Facility and Aggregates Recovery Facility.



Accordingly, the development to which this Screening Request relates, in isolation, or cumulatively, would not give rise to any significant effects such that the development would constitute EIA development.

Location of Development and Types and Characteristics of the Potential Impact

The site occupies a sustainable and appropriate location adjacent the Swadlincote Urban Area with good services, frequent buses, and a good network of footway and cycle paths.

This section considers relevant topics in turn, which have the potential to be affected by the proposed development.

Landscape and Visual Matters

The site itself is not subject to any national, local or other landscape designations such as National Landscapes or Special Landscape Area. However, the site is located within the National Forest. Policy INF8 of the Adopted Part 1 Local Plan establishes that sites over 1ha will be expected to incorporate tree planting and landscaping in accordance with National Forest guidelines. The design, layout, areas of open space, careful siting of built form and National Forest planting will assist in reducing landscape impacts.

Ecology

Preliminary ecological works, including survey work, has incorporated a review of the species on site. This includes surveying of Great Crested Newts, Badgers, Bats, and Birds. The proposed development will mitigate any potential species impacted through the design of the proposals.

The proposed development will need to meet the mandated 10% Biodiversity Net Gain requirement enacted by the Environment Act.

Accessibility and Surrounding Highways

The site benefits from existing walking and cycling connections into Swadlincote and therefore provides access to a wide range of services and facilities to meet the day-to-day needs of residents. The site is bound to the East by the A444 Burton Road, which connects the site to Stanton to the North, Castle Gresley to the South, and Swadlincote to the East. The Cadley House bus stop is located near to the proposed site entrance and provides bi-directional access to the Number 22 Diamond Bus service connecting Swadlincote and Burton on Trent.



Heritage

A collection of 'farmstead' buildings, located to the North of Cadley Lane, are considered to be a non-designated heritage asset (per the Willshee's ERF appeal). It is suggested that the proposed development would not result in harm to the significance of these non-designated heritage assets through changes to their setting or otherwise.

The nearest designated heritage asset is the Castle Gresley Motte and Bailey Castle (Listing 1011209), a scheduled monument. It is not considered that the proposed development would result in harm to the significance of this designated heritage asset, given the site is located, at its closest distance, over 1km to the North.

Flooding

As above, the Environment Agency Flood Map for Planning identifies that the parts of the site will be located within Flood Zone 2 and 3. The Concept Plan will ensure that open space will be located in these areas of the site at risk of flooding. Built development will be contained land designated in Flood Zone 1.

Ground Conditions

A Phase 1 Site Appraisal (desk study) to determine the geotechnical and geo-environmental setting of the site has been undertaken, alongside a Coal Mining Risk Assessment. The study identified that the risk of ground contamination is considered to be low and the risk from ground gas is considered to be low. The study concludes that the site is suitable for the proposed development, assuming compliance with all the recommendations contained within the report.

Noise and Air

The site does not fall within and is not located close to any Air Quality Management Areas or protected noise areas. Supporting assessments of localised noise, air quality, and odour will be undertaken to analyse and propose any potential mitigation of such sources.

Accompanying Documentation

Should the Local Planning Authority adopt an opinion that the development is not EIA development, a suite of reports/technical information will be provided as part of any planning submission, which demonstrate the acceptability of the site's development. Together, these will ensure that any environmental effects are minimised, addressed, and where necessary, mitigated. In any event, it is reasonably to conclude that such effects will fall below the threshold of being deemed 'significant'.



A comprehensive approach will be taken in relation to the design of the proposed development, specifically, the siting of built form, retention of key habitat/features where possible and the provision of open space; these, along with other integral and additional mitigation measures will seek to reduce impacts as far as possible.

Conclusion

Schedule 3 of the 2017 EIA Regulations provides selection criteria for screening Schedule 2 development based upon the characteristics of the development (Schedule 3(1)), the location of development (Schedule 3(2)) and the types and characteristics of the potential impact (Schedule 3(3)). However, having regard to each of the Schedule 3 criteria, the development, both in isolation, and cumulatively, would not give rise to any significant effects such that this development would constitute EIA development.

We trust this letter and enclosures provides all the information you require, however, should you have any queries, please do not hesitate to contact us. We look forward to receiving the Council's response to this Screening Request within the designated 3-week timeframe on receipt of this request, as stated in the EIA Regulations.

Yours sincerely,

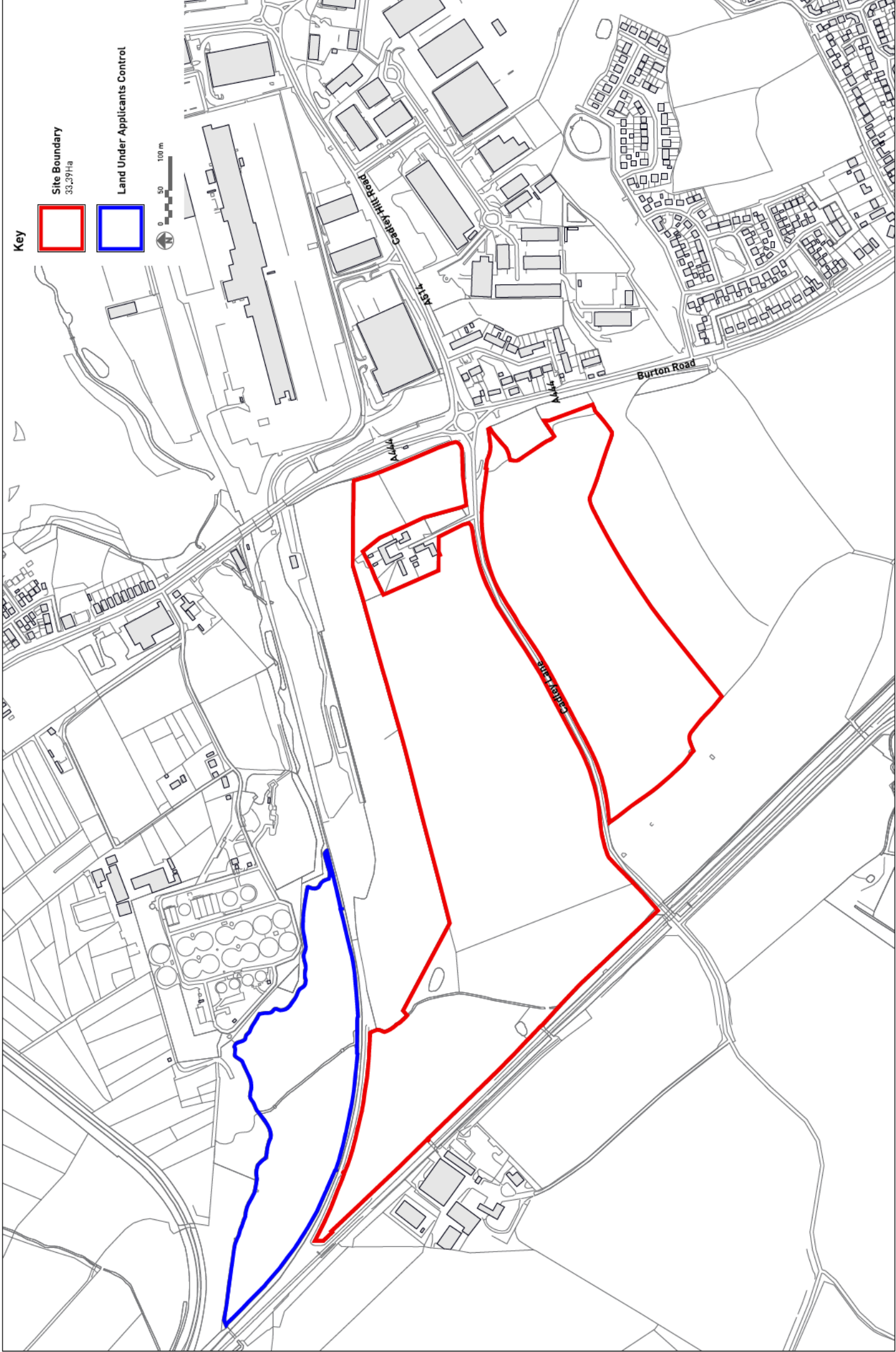
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Enc.

Appendix A – Site Location Plan



Key

Site Boundary
33,39Ha

Land Under Applicants Control