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TOWN AND COUNTRY PLANNING ACT 1990

Town & Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999

APPEALS BY HALLAM LAND MANAGEMENT LTD, RWE NPOWER, MILLER HOMES LTD, DAVID
WILSON HOMES LTD AND TAYLOR WOODROW DEVELOPMENTS LTD, EA CHAMBERLAIN AND
CENTRAL LAND HOLDINGS AND WARD HOMES

SITES AT LAND EAST OF ARLESTON LANE, SINFIN, STENSON FIELDS, DERBY,
DE24 3DA, TWYFORD ROAD, WILLINGTON, DE65 5DE, LAND TO THE SOUTH AND EAST OF
HOLLYBROOK WAY, PORTICO ROAD AND BOWBROOK CLOSE, HIGHFIELDS FARM, LAND
AT BOULTON MOOR, SHARDLOW ROAD, DERBY, AND LAND AT SENSON FIELDS FARM

APPEAL REFS: APP/C1055/A/06/2019434, APP/F1040/A/06/2019435,
APP/F1040/A/06/2027908, APP/F1040/A/06/2028732, APP/F1040/A/07/2035346,
and APP/F1040/A/07/2038653

SCHEDULE OF ENVIRONMENTAL INFORMATION

HIGHFIELDS FARM

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PART 1 INTRODUCTION

1.1 This Schedule of the environmental information available to the Secretary of State in relation to appeal Ref: APP/F1040/A/06/2028732 (“the Highfields Farm Appeal”) has been compiled by Pegasus Planning Group on behalf of David Wilson Homes, Miller Homes and Taylor Woodrow Homes (“the Appellants”).

1.2 The Town & Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 (“The Regulations”) provide that the Secretary of State shall not grant planning permission pursuant to an EIA application unless [she] has first taken into consideration “the environmental information”, and [she] shall state in [her] decision that [she] has done so¹.

1.3 An “EIA application” is an application for planning permission for “EIA development”. “The environmental information” is the “environmental statement”, including any further information, any representations made by any body required by the Regulations to be invited to make representations, and any representations duly made by any other person about the environmental effects of the development².

1.4 The “environmental statement” is a statement that includes such of the information referred to in Part I of Schedule 4³ as is reasonably required to assess the environmental effects of the development and which the applicant can, having regard in particular to current knowledge and methods of assessment, reasonably be required to compile, but

(b) that includes at least the information referred to in Part II of Schedule 4;

¹ Regulation 3(2)

² These definitions are found in Regulation 2(1)

³ Set out in full in Appendix 12

- 1.5 On 24 January 2006 South Derbyshire District Council (“the Council”) adopted an opinion pursuant to Regulation 5(4) of the Regulations (“Screening Opinion”) to the effect that the appeal proposal comprised an urban development project likely to give rise to significant environmental impact by virtue of its size, nature and location⁴. The appeal application therefore comprises “EIA development” by virtue of Regulation 4(2)(b) of the Regulations.
- 1.6 In response to a Scoping Report prepared by Pegasus Planning Group, the Council then adopted a Scoping Opinion pursuant to Regulation 10 of the Regulations in relation to the development now comprised in the appeal application on 8 March 2006⁵.
- 1.7 Pegasus Planning Group submitted the appeal application and environmental statement (“ES”) to the Council in June 2006⁶.
- 1.8 The environmental statement has been supplemented by additional information submitted by the Appellants⁷ in response to a request made on behalf of the Secretary of State on 24 November 2006⁸ pursuant to Regulation 19 of the Regulations.
- 1.9 On 1 November 2007 the Appellants wrote to the Planning Inspectorate following further discussion of the need for those conjoined appellants who had submitted an Environmental Impact Assessment to provide an addendum to their ES material in respect of the potential cumulative impact that might follow from the release of two or more sites. That correspondence invited the Inspector to request further information on the likely significant effects of

⁴ Appendix 2 - Copy Screening Opinion dated 3 February 2006

⁵ Appendix 3 – Copies of Scoping Report, consultation responses thereto and Scoping Opinion dated 8 March 2006

⁶ As to Index of the contents of the ES see Appendix 4 (and see also Library Documents HF/B(i) – HF/F)

⁷ As to Index of the contents of the Reg 19 information see Appendix 8 (and see also Library Documents HF2 and HF20 to 23)

permitting the proposed development in combination with one or more of the other appeal proposals.⁹

1.10 On 6 November 2007 the Planning Inspectorate wrote to the Appellants confirming the Secretary of State's request for further information on the likely significant cumulative effects of permitting the proposed development in combination with one or more of the other appeal proposals.¹⁰ Pursuant to that request the Appellants prepared an addendum to the ES and further information previously provided and advertised that information in accordance with the regulations on 21 December 2007.¹¹ The Inspector subsequently granted an extension to time for comments to be provided on the further information¹² and a further advertisement was placed on 11 January 2008.¹³

1.11 All statutory and other consultation responses received in relation to the Environmental Statement and Regulation 19 further information are set out in Appendices 6, 10 and 15 respectively.

1.12 For the Secretary of State's ease of reference, and at the Inspector's request, all of the Appellants at this Inquiry, together with the Council,

⁸ See Appendix 7

⁹ Appendix 11 - Copy correspondence to the Planning Inspectorate from Eversheds dated 1 November 2007

¹⁰ Appendix 12 - Copy correspondence to Eversheds from the Planning Inspectorate dated 6 November 2007

¹¹ Appendix 13 - Copy of the Press Notice advertising availability of further information in respect of likely cumulative effects published pursuant to Regulation 19(3) of the Regulations dated 21 December 2007

¹² Appendix 14 - Copy email correspondence from the Planning Inspectorate confirming an extension to the period for comments to be provided dated 8 January 2008.

¹³ Appendix 15 - Copy of the Press Notice advertising the extension to the period for comments to be provided on the further information in respect of likely cumulative effects published pursuant to Regulation 19(3) of the Regulations dated 11 January 2008

have agreed that the Schedule of the Environmental Information for each appeal site should be in a standardised form¹⁴.

¹⁴ Except for the Stenson Fields appeal site, in respect of which both the Council and the Secretary of State have issued a negative Screening Opinion/Direction, and for which, therefore, an Environmental Statement has not been required to be submitted.

PART 2

APPENDICES

INDEX

- Appendix 1** Copies of correspondence between the Appellants and the Council regarding the Environmental Statement
- Appendix 2** Copy Screening Opinion adopted by the Council on 24 January 2006.
- Appendix 3** Copies of Scoping Report, consultation responses thereto and Scoping Opinion adopted by the Council on 8 March 2006
- Appendix 4** Index of contents of the Environmental Statement submitted to the Council in June 2006.
- Appendix 5** Details of consultation replies received by the Council in response to the Environmental Statement
- Appendix 6** Copy of the Request for additional information issued by the Planning Inspectorate on behalf of the Secretary of State pursuant to Regulation 19 of the Regulations on 24 November 2006.
- Appendix 7** Index of contents of the further information submitted by the Appellant pursuant to the Regulation 19 Request in April 2007 (Draft) and May 2007.
- Appendix 8** Copy of Press Notice advertising availability of further information published pursuant to Regulation 19(3) of the Regulations

- Appendix 9** Copies of consultation replies received in response to the Request for additional information pursuant to Regulation 19 of the Regulations.
- Appendix 10** List of Consultees who have not submitted a response to the Environmental Statement and/or further information under Regulation 19 of the Regulations.
- Appendix 11** Copy correspondence to the Planning Inspectorate from Eversheds dated 1 November 2007.
- Appendix 12** Copy correspondence to Eversheds from the Planning Inspectorate dated 6 November 2007.
- Appendix 13** Copy of Press Notice advertising availability of further information in respect of likely cumulative effects published pursuant to Regulation 19(3) of the Regulations dated 21 December 2007.
- Appendix 14** Copy email correspondence from the Planning Inspectorate confirming an extension to the period for comments to be provided dated 8 January 2008.
- Appendix 15** Copy of the Press Notice advertising the extension to the period for comments to be provided on the further information in respect of likely cumulative effects published pursuant to Regulation 19(3) of the Regulations dated 11 January 2008
- Appendix 16** Copies of consultation replies received in response to the Secretary of State's request for further information pursuant to Regulation 19 of the Regulations dated 6 November 2007.
- Appendix 17** Schedule 4 of the Regulations