



The Planning Inspectorate

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Your Ref: 4/19/2140/001

Our Ref: APP/Z0923/W/22/3294623

Date: 15 September 2022

Sent by email:

Dear Sir/Madam

TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017 (SI 571/2017) ('THE EIA REGULATIONS')

Appeal by: Mr Andrew Butler

Site Address: Land North of Ennerdale Country House Hotel, Main Street, Cleator, Cumbria CA23 3DT

I refer to the above appeal. The Secretary of State has considered the application in accordance with Regulation 14 (1) of the above Regulations.

The development proposed, namely, outline application for residential development of 6 dwellings (with full details of access) & demolition of derelict barn falls within the description at 10(b) of Schedule 2 and the site lies within, partly within or near to 'sensitive sites' as defined in Regulation 2 of the above Regulations. In the opinion of the Secretary of State, having taken into account the criteria in Schedule 3 to the above Regulations, the proposal would not be likely to have significant effect on the environment for the following reasons:

The 'sensitive sites' as defined in Regulation 2 of the above Regulations are:

- River Ehen SAC
- Lake District High Fells SAC
- River Ehen (Ennerdale Water to Keekle Confluence) SSSI
- Ennerdale SSSI
- Bowness Knott SSSI
- Pillar and Ennerdale Fells SSSI
- Black Moss SSSI
- Florence Mine SSSI

- Hale Great Wood SSSI
- St Bees Head SSSI
- Clints Quarry SSSI
- Lake District National Park

The site is within the Impact Risk Zones / Zone of Influence for all the above designated sites and therefore there is a risk of impact from vehicle emissions and recreational activities. The site is also near the Lake District National Park. The development will require removal of non-designated heritage assets and the site access may lead to congestion if recommended highway access measures are not implemented.

There is also the potential for protected species to be impacted and there will be some loss of habitats at the site and potential effects on nearby protected trees. However, considering the nature, scale and location of the Proposed Development and nature of the receiving environment, whilst there may be some impact on the surrounding area and nearby designated sensitive areas as a result of this development, the effect is likely to be localised and it would not be of a scale and nature likely to result in significant environmental impact. To alleviate any localised effects, mitigation measures, i.e. habitat enhancement including replanting, use of bat & owl boxes together with tree protection measures can be secured by condition.

Accordingly, in exercise of the powers conferred on the Secretary of State by Regulations 14(1) and 7(5) of the above Regulations, the Secretary of State hereby directs that this development is not Environmental Impact Assessment (EIA) development.

Under regulation 28(1) of the above Regulations, the relevant planning authority must take steps to secure that this screening direction is placed on the part of the Planning Register which relates to the application in question. I would be grateful if you could do so to ensure that the Secretary of State's view is publicly available.

(This direction does not affect any duties of the appellant under other legislation, including The Conservation of Habitats and Species Regulations 2017.)

Yours faithfully

Jon Hawkins

JON HAWKINS
Associate EIA Advisor
(Signed with the authority of the Secretary of State)

cc: Mr Andrew Butler

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<https://acp.planninginspectorate.gov.uk/>