

P/2013/00073  
Received  
22/01/2013

East Staffordshire Borough Council  
Planning Delivery  
PO Box 8045  
Burton-upon-Trent  
DE14 9JG

21<sup>st</sup> January 2013

Dear Sir,

**TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT ORDER) 1995 -  
SECTION 31 - NOTICE OF PROPOSED DEMOLITION AND REQUEST FOR SCREENING OPINION  
APPLICANT – ST MODWEN DEVELOPMENTS LTD  
LAND AT BEECH AVENUE AND DERBY ROAD, BURTON-UPON-TRENT  
PLANNING PORTAL REFERENCE PP-02385449**

Class A, Part 31 of Schedule 2 to the Town and Country Planning (General Permitted Development Order) 1995 (Demolition of Buildings) confirms that the demolition of the existing buildings on the above site is classed as permitted development. This application, in accordance with Part 31, seeks determination of whether prior approval is required as to the method of demolition and any restoration requirements for the site.

This proposed demolition seeks to include the entire existing buildings as shown on drawing 5479/PL52a and is due to commence in February 2013. The method of demolition will be as detailed in the enclosed Demolition Method Statement.

**Request for Screening Opinion**

The Court of Appeal has followed the decision of the CJEU in the case, Commission v Ireland (C-05/09), and concluded that demolition works come within the scope of the EIA Directive. The effect is that where demolition works are likely to have significant effects on the environment the Local Planning Authority must issue a Screening Opinion on whether Environmental Impact Assessment is required. Demolition projects would come under Schedule 2.10(b) (Urban Development Projects) to the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011.

It is our view that an Environmental Impact Assessment (EIA) is not required for the proposed demolition works as it is not in a Sensitive Area, does not meet any of the relevant criteria or does not exceed any of the relevant thresholds provided in Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011. In addition, the proposed demolition of this scale and in this location is not likely to have a significant effect on the environment.

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Therefore, in addition to this application being in accordance of Part 31 of the GPDO seeking determination of whether prior approval is required as to the method of demolition and any restoration requirements for the site, it also serves as a formal request for a Screening Opinion to be provided by the LPA on whether an Environmental Impact Assessment is required in accordance with the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011.

Should you require any further information or clarification on any of the above then please do not hesitate to contact me.

Yours sincerely

A handwritten signature in black ink, appearing to read 'CD', written in a cursive style.

**Chris Dodds - MRTPI, Senior Planner**  
**For and on behalf of Planning Prospects Ltd**

Enc

Town and Country Planning Act 1990  
Town and Country Planning (General Permitted Development) Order 1995

# NOTICE OF INTENDED DEMOLITION

Please note that **St Modwen Developments Ltd** are applying to **East Staffordshire Borough Council, Planning Delivery, PO Box 8045, Burton-upon-Trent, DE14 9JG** for determination as to whether the prior approval of the Local Planning Authority will be required to the proposed method of demolition and any proposed restoration of the site in respect of:

**DEMOLITION OF BUILDINGS AT BEECH AVENUE AND DERBY ROAD,  
BURTON-UPON-TRENT**

It is proposed that demolition commences in February 2013

Signed:



on behalf of Planning Prospects Ltd for St Modwen Developments Ltd

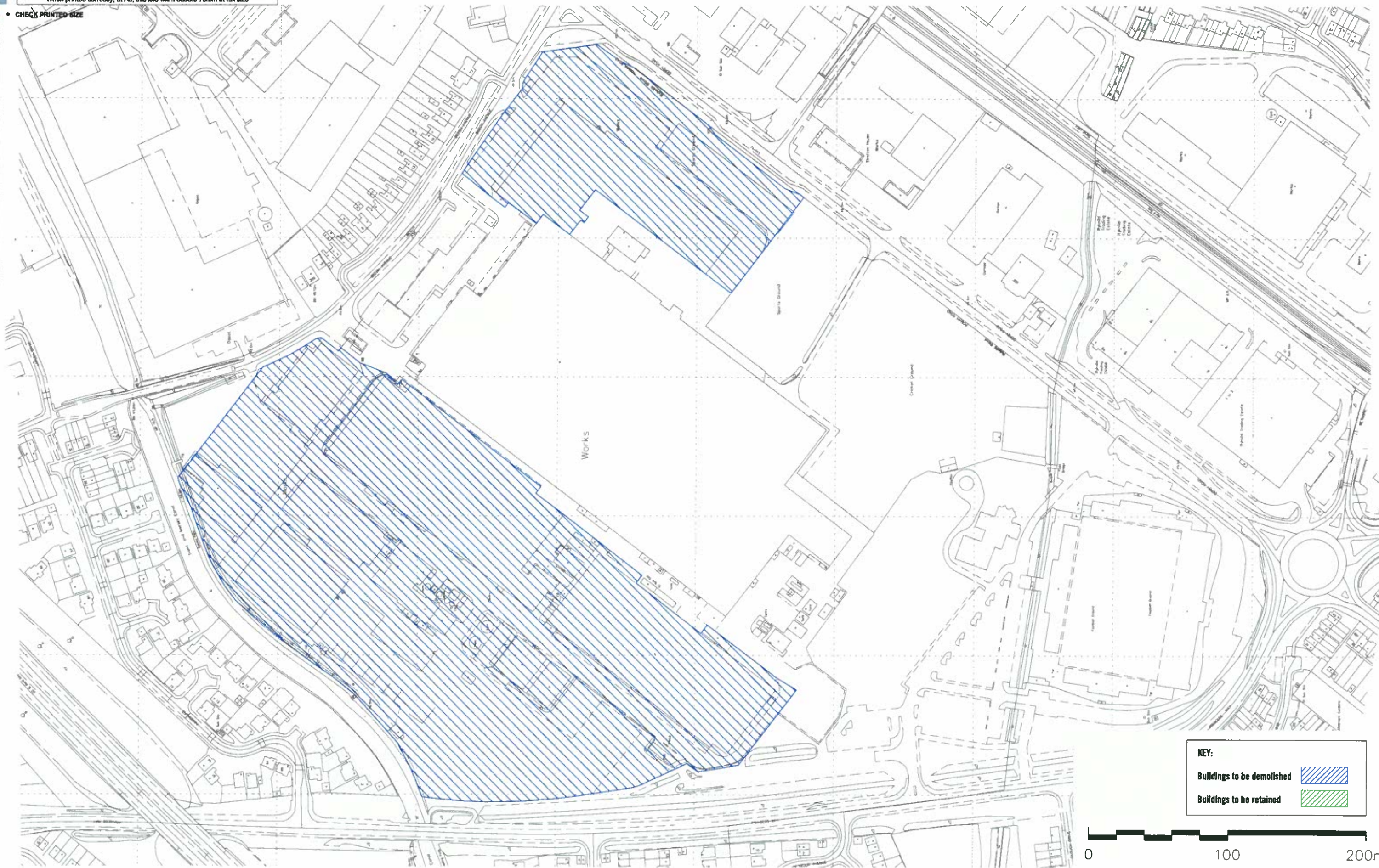
Name: Chris Dodds of Planning Prospects Ltd

Date: 21-01-2013



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**KEY:**

Buildings to be demolished	
Buildings to be retained	



**ST MODWEN PROPERTIES PLC**

**PIRELLI REDEVELOPMENT**  
**DEMOLITION WORKS**

**Roberts Limbrick**  
ARCHITECTS

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Date: JAN 2013

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Dwg No: 5479 / PL52a

