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| Barnsley Metropolitan Borough Council  PO Box 634  Barnsley S70 9GG  **Sent by email:**  developmentcontrol@barnsley.gov.uk | |  |  | | --- | --- | | Your Ref: | 2022/0115 | | Our Ref: | APP/R4408/W/24/3341097 | | Date: | 28 June 2024 | |

Dear Sir/ Madam

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

**Appeal by:** Network Space Developments Limited

**Site Address:** Land north of Shaw Lane, Carlton, Barnsley

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 planning application for up to 215 dwellings with associated car parking/garages, landscaping, public open space including both equipped and non-equipped areas of play, SuDs and drainage with details of a new vehicular access onto Shaw Lane. All other matters reserved apart from means of access, falls within the description at 10 (b) of Schedule 2 to 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 Proposed Development is located adjacent to the (Carlton marsh) Dearne Valley Wetlands Site of Special Scientific Interest (SSSI).

However, as reported in the Ecological Addendum (dated September 2023) and (Carlton Marsh) Dearne Valley Wetlands SSSI Impact Assessment (dated June 2024), there are no direct or indirect adverse impacts expected on the SSSI due to the construction or operation of the Proposed Development.

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 area as a result of this development, it would not be of a scale and nature likely to result in significant environmental effects.

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

Ashvin Bhatia

**Ashvin Bhatia**

**EIA and Land Rights Advisor**

**(Signed with the authority of the Secretary of State)**

cc: Mrs Kay Prendergast (Gateley Legal) - Agent

*Where applicable, you can use the internet to submit documents, to see information and to check the progress of cases through the Planning Portal. The address of our search page is:*

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