



# The Planning Inspectorate

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Toby Andrews

Your Ref:

Our Ref: S62A/2022/0007

**Sent by email**

Date: 06 September 2022

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Dear Mr Andrews

**TOWN AND COUNTRY PLANNING ACT 1990 - SECTION 62A  
TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT)  
REGULATIONS 2017 (SI 571/2017 ('THE EIA REGULATIONS'))**

**Applicant:** Countryside Partnerships PLC

**Site Address:** Land to the south of Henham Road, Elsenham, Essex

We refer to your letter dated 29 July 2022 requesting a Screening Opinion under Regulation 6(1) of the EIA Regulations. The application was validated on 17 August 2022. The Proposed Development has been screened by the Secretary of State of their own volition under the general provisions of Regulation 5(6)(a) of the EIA Regulations and therefore comprises a Screening Direction.

The development proposed, namely residential development comprising 130 dwellings, together with a new vehicular access from Henham Road, public open space, landscaping and associated highways, drainage and other infrastructure works (all matters reserved for subsequent approval apart from the primary means of access, on land to the south of Henham Road, Elsenham, falls within the description at 10(b) of Schedule 2 to the EIA Regulations.

The Proposed Development exceeds the thresholds in Schedule 2 of the EIA Regulations as the area of the development exceeds 5ha. The site is also located within proximity to 'sensitive areas' as defined by the EIA Regulations, namely Elsenham Woods Site of Special Scientific Interest (SSSI), located c. 1.9km to the east, and Hatfield Forest SSSI, located c. 4.8km south.

Considering the scale and nature of the Proposed Development as well as the distance from Hatfield Forest SSSI it is unlikely that significant effects would occur. Whilst it is outlined that there is the potential for the Proposed Development to result in cumulative impacts on Elsenham Wood SSSI due to nitrogen and ammonia deposition from increased traffic, this is limited to a small section of the site adjacent to the road which

has historically been exposed to concentrations exceeding the critical load but remains in favourable condition. It is also noted that the assessment has used worst-case assumptions which have likely over-estimated the pollutants levels. Furthermore, mitigation measures capable of being secured by condition (e.g. financial contribution to the management of the SSSI and vegetation screening) are proposed to be agreed with Natural England. The extent of any potential effect is limited to a small section of the designated site within 25m of a short stretch of the road (c. 150m). The Proposed Development also represents a small proportion of the overall predicted cumulative traffic growth. Therefore, considering the extent and magnitude of any potential effect it is unlikely that a significant effect would occur, particularly if appropriate mitigation measures are secured and implemented.

Overall, 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, it would not be of a scale and nature likely to result in significant environmental effect, particularly if mitigation measures in relation to nitrogen and ammonia deposition at Elsenham Wood SSSI are secured and implemented.

Having taken into account the criteria in Schedule 3 to the EIA Regulations, the Proposed Development would not be likely to have significant effects on the environment.

Accordingly, in exercise of the powers conferred on the Secretary of State by Regulation 5(6) of the EIA Regulations, the Secretary of State hereby directs that this development is not Environmental Impact Assessment (EIA) development.

Under Regulation 28(1) of the EIA 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.

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

A copy of this letter will be sent to Uttlesford District Council for information.

Yours sincerely

*Richard Hunt*

**RICHARD HUNT**  
**Operations Lead – Environmental Services**  
**(Signed with the authority of the Secretary of State)**

cc: Uttlesford District Council

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