



Mr A McDonald  
Natural England

By Email Only

26 July 2013

Dear Andy,

### **Latchmore Brook Restoration Project**

I write further to your letter of 25 July 2013 in which you set out Natural England's revised opinion that there should be an environmental impact assessment (EIA) carried out for the above Project.

In advance of your letter to Richard Buxton solicitors, it would be helpful if you could confirm:

- Your reasons for considering that the proposed development now falls within Schedule 2 of the EIA Regulations, citing the relevant description relied upon;
- Why the proposed development is likely to have a significant effect on the environment<sup>1</sup>;
- The reason for Natural England's change of view from that previously provided in December 2012 by your Lead Advisor, Simon Thompson; and
- The relevant legal provisions within the EIA Regulations that allow a Local Planning Authority to re-screen a proposed development in circumstances where neither the description of the Project nor information submitted in support of the original screening request have changed.

In the meantime, I am grateful for your confirmation that you are content with the Authority's reasoning that that an appropriate assessment under the Habitats Directive and Regulations is not required for the Project.

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<sup>1</sup> In determining that an appropriate assessment is not required, I would refer you to the letter that you are content for us to send to Mr Buxton which will state that "*our view, having discussed this matter with Natural England, is that there will be no detrimental likely significant effects arising from the project on any other qualifying European features either alone or in-combination with other plans or projects. Furthermore, we believe that the project under consideration is directly connected with and necessary for the management of some of the qualifying European features*".

Yours sincerely,

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Director of Park Services

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cc Forestry Commission