



# The Planning Inspectorate

Environmental Services  
Operations Group 3  
Temple Quay House  
2 The Square  
Bristol, BS1 6PN

Customer Services: 0303 444 5000  
e-mail: [Environmentalservices@  
planninginspectorate.gov.uk](mailto:Environmentalservices@planninginspectorate.gov.uk)

---

North Somerset Council  
Post Point 15  
Town Hall  
Weston-Super-Mare  
BS23 1UJ

Your Ref: 22/P/0459/OUT

Our Ref: APP/D0121/W/24/3344142

Date: 18 July 2024

**Sent by email:**

[DMAppeals@n-somerset.gov.uk](mailto:DMAppeals@n-somerset.gov.uk)

---

Dear Sir/ Madam

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

**Appeal by:** M7 Planning Limited and M7 SW LLP

**Site Address:** Land north of Mulberry Road, Congresbury

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 the erection of up to 70no. dwellings (including 30% affordable housing), public open space, children's play area, landscaping, sustainable urban drainage system and engineering works, with vehicular access off Mulberry Road. All matters reserved except for 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 within the Zone of Influence of the North Somerset and Mendip Bats Special Area of Conservation (SAC) (c. 0.8km northeast).

The Proposed Development is located within the Impact Risk Zone of the:

- Kings Wood and Urchin Wood Site of Special Scientific Interest (SSSI) (c. 0.8km northeast);
- Brockley Hall Stables SSSI (c. 4.7km northeast); and
- Banwell Ochre Caves SSSI (c. 4.9km southwest).

Considering the nature, scale, proposed mitigation measures 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 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: Mr Arwel Evans (Lichfields) - 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:*  
<https://acp.planninginspectorate.gov.uk/>