Portess and Richardson
193 Lincoln Road
Peterborough
PE1 2PL

Via email only
p-r@portessarchitect.com

5 September 2024

Eloise Shieber
Senior Planning Officer
Planning Services
Lincolnshire County Council
County Offices
Newland
Lincoln LN1 1YL
Tel: 01522 782070
dev_planningsupport@lincolnshire.gov.uk

Dear Mr Ingle

TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017 (AS AMENDED)

LCC SCREENING OPINION AND APPLICATION REFERENCE NUMBER: PL/0065/24
PROPOSAL: FOR A PROPOSED ANAEROBIC DIGESTOR PLANT AND ASSOCIATED BUILDINGS
LOCATION: LAND TO THE EAST OF SURFLEET BANK AND WEST OF WOAD FARM, SPALDING

Further to the issue of the Screening Opinion dated 4 September 2024 for the above proposed development for which an application has been submitted, I am writing to notify you that an Environmental Impact Assessment (EIA) is required to be undertaken and an Environmental Statement (ES) is required to be produced and submitted to accompany this application.

Regulation 3 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) (EIA Regulations) states that the relevant planning authority "*must not grant planning permission or subsequent consent for EIA development unless an EIA has been carried out in respect of that development*". As such, Lincolnshire County Council as Waste Planning Authority for the proposed development, cannot grant planning permission unless an EIA has been carried out with respect to the proposed development.

If you do not agree with the conclusions of the Screening Opinion dated 4 September 2024, provision is made within Regulation 6(10)(b) and Regulation 7 of the EIA Regulations for you to make a request to the Secretary of State that a Screening Direction is made.

Under the provisions of Regulation 11 of the EIA Regulations, **within three weeks of the date of the Screening Opinion**, you must notify Lincolnshire County Council in writing either that:

(a) you accept the view that an EIA is required and are providing an ES; or
(b) that you are writing to the Secretary of State to request a Screening Direction.

If you do not write to Lincolnshire County Council **within three weeks of the date of the Screening Opinion** stating whether you accept the view that an EIA is required and that you are providing an ES, or that you are writing to the Secretary of State to request a Screening Direction, this planning application is deemed to be refused at the end of the three week period. There is no right of appeal against such refusals of planning permission.

If you choose option (a) above, I urge you to request a Scoping Opinion under Regulation 15 of the EIA Regulations from Lincolnshire County Council to inform the EIA process and the content of the ES, at the earliest opportunity.

Yours faithfully

E Shieber

for Neil McBride
Head of Planning