

28 June 2017
Our ref: EIA TO 2017 05 Hartville Meadow



NATURAL
ENGLAND

Mr. H Tones
1 Homestead Cottage
Cresswell Drive
Hartlepool
TS26 0EQ

Environmental
Impact Assessment
(EIA) Unit
Horizon House
Deanery Road
BRISTOL
BS1 5AH

T 0800 028 2140

Dear Mr Tones

Screening Notice: Environmental Impact Assessment (Agriculture) (England) (No 2) Regulations 2006 (as amended)

I am writing to inform you that Natural England has reason to believe that an uncultivated land project and/or a restructuring project to which the Environmental Impact Assessment (Agriculture) (England) (No.2) Regulations 2006 ("the Regulations") apply is likely to be carried out on Hartville Meadow at Hartlepool.

That is to say:

1. The physical or chemical cultivation of uncultivated land or a semi-natural area to increase its productivity for agriculture centred on Ordnance Survey grid reference NZ 482-362 and marked in red on the attached plan ('the land').

and

2. The restructuring of a land holding involving either the removal or addition of any field boundary, an area of land and/or the addition, removal or redistribution of a volume of earth or other material in relation to land centred on Ordnance Survey grid reference NZ 482-362 and marked in red on the attached plan ('the land').

The area of the project falls below the threshold which applies to it on the land where it would be carried out. In addition, Natural England considers that the project would be likely to have significant effects on the environment.

Therefore in accordance with regulation 6 of the Regulations Natural England is issuing a screening notice which applies to the land with immediate effect (attached). The notice sets out in more detail the reasons why it is being served.

As it appears that you have an interest in the land you must comply with the provisions of the Screening Notice. This means that you must apply to Natural England for a screening decision prior to beginning or carrying out an uncultivated land project and/or restructuring project on the land.

This Screening Notice will apply for 5 years from the date from which it is served and will therefore expire on 28 June 2023. The thresholds that normally apply to such projects will not apply to the land whilst it is subject to this Screening Notice.

Failure to apply for a screening decision under the Regulations prior to beginning or carrying out an uncultivated land and/or restructuring project will constitute an offence under regulation 22(1)(a) of the Regulations involving liability on summary conviction to a fine not exceeding level 5 on the standard scale.

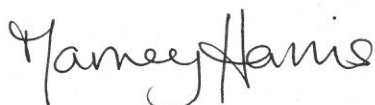
You have the right to appeal against this Notice. For further details please see Annex 1.

For further information on the Regulations can be found at the following weblink:

<http://www.naturalengland.org.uk/ourwork/regulation/eia/default.aspx>

If you require any further information please do not hesitate to contact me.

Yours faithfully



Marney Harris
Lead Adviser, Northumbria Team
Natural England
Lancaster House, Hampshire Court
Newcastle upon Tyne
NE4 7YH

Enclosures:

1. Screening Notice
2. Plan showing the land to which the Screening Notice applies

SCREENING NOTICE

Environmental Impact Assessment (Agriculture) (England) (No 2) Regulations 2006 (as amended) SI 2006 NO.2522

NOTICE UNDER REGULATION 6 PROVIDING THAT THRESHOLDS DO NOT APPLY TO "THE LAND"

Name and address of the person on whom the Notice is served:

Mr. H Tones
1 Homestead Cottage
Cresswell Drive
Hartlepool
TS26 0EQ

Date of service: 28 June 2017

1. **THIS SCREENING NOTICE** is served by Natural England, of Foss House, Kings Pool, 1-2 Peasholme Green, York YO17 7PT ("Natural England") in exercise of their power under regulation 6 of the Environmental Impact Assessment (Agriculture) (England) (No 2) Regulations 2006 (as amended) ("The Regulations") to provide that thresholds do not apply to the land.

2. **THE LAND TO WHICH THIS SCREENING NOTICE RELATES**

Land within that known as Hartville Meadow at Hartlepool, Teesside, Grid Reference NZ 482-362 as outlined in red on the enclosed map ("the land"). The notice applies to the land outlined in red for either an uncultivated land project or a restructuring project.

3. **EIA PROJECT TO WHICH THIS SCREENING NOTICE APPLIES**

This Screening Notice applies to:

- both an uncultivated land project and restructuring project as defined in regulation 2(1) of the regulations

4. **REASONS FOR THE SERVICE OF THIS SCREENING NOTICE**

- 4.1 Natural England reasonably believes at the time of serving this Screening Notice that a project as set out in section 3 of the notice is likely to be carried out on the land. The reasons for this are:



Some work including ploughing has already been carried out on the land, which was hitherto uncultivated, and Natural England reasonably believes that having been ploughed once the land will be ploughed again or receive further treatments either now or in the future and that we are aware, from our correspondence with Mr Tones, that he may be about to carry out restructuring work on the land.

- 4.2 Natural England is of the opinion at the time of serving this Screening Notice that the land falls below the relevant threshold for the project detailed in section 3 of this notice, because the area of MG5 /species rich MG6 grassland is 1.359 Ha as shown on the enclosed plan which falls below the threshold for an uncultivated land project (two hectares) or a restructuring project (four kilometres or more of field boundaries; movements of 10,000 m³ or more of earth or other material; or otherwise restructure an area of 100 hectares or more) as set out in the Regulations.
- 4.3 Natural England considers that if the work were to be carried out, there would likely be significant effects on the environment in destroying species-rich priority grassland which is significant and relatively rare in the region and rare and declining nationally i.e. priority Lowland meadows habitat (MG5 grassland) possibly in a matrix with still species-rich but somewhat semi-improved grassland (species-rich MG6). The evidence for MG5 presence stems from the presence of species which one would not expect to occur in MG6 semi-improved grassland such as *Lotus corniculatus*, *Carex flacca*, *Linum catharticum* and *Stachys (Betonica) officinalis*. Despite some work already having been carried out, the area remains a valuable resource and capable of regeneration by virtue of plant re-establishment from surviving fragments of roots, rhizomes and from the soil seed bank.

5. THE EFFECT OF THIS SCREENING NOTICE

This screening notice provides that the thresholds set out in section 4 of this notice and detailed in the regulations do not apply to the land. This means that an application for a screening decision must be made to Natural England should an uncultivated land or restructuring project be planned on the land.

Proceeding without a screening decision or consent decision from Natural England is an offence under regulation 22 of the Regulations involving liability on summary conviction to a fine not exceeding the statutory maximum, or on conviction on indictment, to an unlimited fine.

6. WHEN THIS SCREENING NOTICE TAKES EFFECT

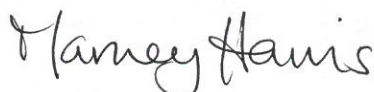
This Screening Notice takes immediate effect. The Screening Notice will cease to have effect if:

- (a) Natural England removes, or the Secretary of State on appeal revokes the screening notice; or
- (b) the expiry date of 28 June 2023 is reached; or
- (c) A date, which is not shorter than the date of serving of the notice plus 5 years, is reached.

7. **RIGHT OF APPEAL**

You have the right of appeal against this Screening Notice under Regulation 31 of the Regulations. The grounds on which you can appeal are set out in Annex 1 of this notice. Any appeal against this Screening Notice must be served on the Secretary of State within 28 days of the date of service of this Screening Notice.

Signed:

A handwritten signature in black ink that reads "Mamey Harris".

Lead Adviser, Northumbria
on behalf of the
Area Manager, Northumbria
Natural England

Dated: 28 June 2017



ANNEX 1

APPEALS – HOW TO APPEAL

A person served has a right of appeal against a Screening Notice in accordance with Environmental Impact Assessment (Agriculture) (England) (No 2) Regulations 2006 (as amended).

An appeal under the EIA Regulations should be made to the Secretary of State for Defra, either by:

- a) Sending an email to: EIA-Appeals@defra.gsi.gov.uk
- b) or by writing to the following postal address:

Secretary of State
Department of Environment Food and Rural Affairs
Nobel House
Smith Square
LONDON SW1P 3JR

The appeal against a notice must be received by the Secretary of State **within 28 days of the date of service of the Screening Notice** and should include the following:

- a) Details of the person making the appeal, a contact address and phone number, the address of the site
- b) Enclose a copy of the Screening Notice being appealed against
- c) State the grounds on which the appeal is being made. You may appeal if you believe any of the following apply:
 - Natural England did not have the power to serve the Notice or include a particular requirement in it
 - That there has been some material irregularity, defect or error in, or in connection with the notice; or
 - Any of the requirements of the relevant notice are unreasonable.

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