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Mr Mark Johnson
Johnson Mowat
Coronet House
Queen Street
Leeds
LS1 2TW

Your Ref: 18/00017/OUTM

Our Ref: APP/C2741/W/21/3282969

Date: 25 January 2022

Sent by email:

mark@johnsonmowat.co.uk

Dear Mr Johnson

TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017 ('THE EIA REGULATIONS')

Appeal by: Redrow Homes (Yorkshire) Limited

Site Address: Site to the west of the A1237 and south of North Lane, Huntington, York, YO32 9WN.

We refer to the above appeal which commenced on 01 October 2021. The Secretary of State issued a request for further information pursuant to Regulation 25 of the EIA Regulations on 10 December 2021 in relation to the above appeal to which the appellant replied (via their agent) on 20 January 2022 with a Supplementary Environmental Statement (ES). The Secretary of State has examined the information provided and notifies you by this letter that further information is required pursuant to Regulation 25 of the EIA Regulations to comply with Schedule 4 of the Regulations (Information for Inclusion in Environmental Statements) from the appellant on:

- An assessment of likely significant effects relating to Ground Conditions. The Supplementary ES states that the Appellant considers that with hindsight, the Lithos December 2017 Geoenvironmental Appraisal (Chapter 13 of the original ES) should have sat outwith the original EIA document. However, the Inspectorate notes that this appraisal has identified the potential for contamination on the appeal site and suggests that further investigation is required at reserved matters stage. In relation to contaminated land, the City of York Council's Scoping Opinion simply states that the council "*agree[s] with the parameters established within The EIA Scoping Report (dated October 2013)*"; however, the Appellant has not provided the Scoping Report, therefore these parameters are unknown. The Inspectorate therefore requests:
- An assessment of potential likely significant effects arising from the management of contaminated materials identified on site and the likely mitigation

requirements for such materials. The assessment should explain the significance criteria that have been applied; or

- Further evidence to demonstrate that the contamination identified on site would not give rise to likely significant effects.
- A statement outlining the relevant expertise or qualifications of the competent experts that prepared the ES. This was requested on 10 December 2021 and has been provided for most of the ES chapters; however, it is not provided for the Transport, Heritage or Ground Conditions Chapters.
- A revised non-technical summary (NTS) to address this additional information.

We would draw your attention to court cases which have stressed the need for all the relevant environmental information in an ES to be comprehensive and easily accessible.

You can access Regulation 25 of the EIA Regulations at the following direct link:
<https://www.legislation.gov.uk/ukxi/2017/571/regulation/25/made>

Although it is not a statutory requirement, in the interests of transparency and openness the appellant may wish to publicise the availability of the further information in accordance with Regulations 25(3), 25(4) and 25(8) of the EIA Regulations. Please can you advise the local planning authority if the further information is publicised.

We would be grateful if you could inform us, **within 2 weeks** of the date of this letter, how long you anticipate it will take to prepare this further information, so that an expected submission date can be identified. Please send your response for the attention of the Environmental Services Team using the contact details at the head of this letter.

In order to support the smooth facilitation of our service we strongly advise that you correspond via the email address at the head of this letter rather than by post.

A copy of this letter has been sent to City of York Council.

Yours sincerely,

Richard Hunt

Richard Hunt
Operations Lead – Environmental Services
(Signed with the authority of the Secretary of State)

Cc: Gareth Arnold (Head of Development Control at City of York Council)

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/>