



Directorate of City and
Environmental Services

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Our Ref: AOD/14/00003
Date: 7 February 2014

Dear Mrs Fletcher

Application at: Germany Beck Site East Of Fordlands Road York
For: Details required by Conditions 12 (scheme of archaeological work), 19 (site investigation) and 25 (compensatory flood storage works) (01/01315/OUT)
By: Mr J Birkin
Type of Application: Approval of Details

I refer to your letter dated 29th January 2014.

The Council is aware that under the EIA Regulations 2011, the approval of details under a condition is classed as a 'subsequent application' in respect of EIA development. However, it is our understanding that it does not immediately follow that the application therefore requires publicity and full consultation.

Regulation 8 applies in the case of subsequent applications where environmental information has been previously provided, which is relevant to this situation. It provides that, if it appears to the planning authority that the environmental information already before them is adequate to assess the environmental effects of the development, they shall take that information into consideration in their decision for subsequent consent. However, where it

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appears to the planning authority that the environmental information already before them is not adequate to assess the environmental effects of the development, they shall serve a notice seeking further information in accordance with regulation 22.

If further information is requested and received under regulation 22, the information so received must naturally then be publicised as regulation 22 goes on to provide.

It is appreciated that this differs from your understanding, and I would be most grateful if you could detail where in the 2011 Regulations (or elsewhere) one finds the source of the obligation to publicise which you say arises at the point of submission of the subsequent application.

Yours sincerely

Gareth Arnold
Development Manager

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