

WRITTEN QUESTION E-3442/09
by María Sornosa Martínez (PSE)
to the Commission

Subject: Local development plan for Monte Liso (Murcia)

The Murcia local authority (with the blessing of the Government of Murcia Region) is planning to roll out the Monte Liso Local Development Plan for a low-density urban development area as part of the General Urban Development Plan for Murcia. It appears from the Murcia Region's answer to us that the Region does not consider an environmental impact assessment to be necessary in this case as the General Plan adopted in 2000 already has one.

At the same time this local plan would affect parts of the protected natural area (ENP), an area for the special protection of birdlife (ZEPA) and a site of Community interest (LIC) nearby.

Annex II(10)(b) of Council Directive 85/337/EEC¹ of 27 June 1985 on the assessment of the effects of certain public and private projects on the environment, as amended by Council Directive 97/11/EC² of 3 March 1997, requires an environmental impact assessment for any 'urban-development project' as defined in Articles 5 to 10 of the Directive. We take that to mean that such an assessment would be needed in this case.

Does the Commission not agree that the omission of an environmental impact assessment by the Murcia local authority and the Murcia Region on the urban development plan for Monte Liso would be in breach of Directive 85/337/EEC?

Does the Commission not consider that it would also be in breach of the Habitats Directive 92/43/EEC³, since an area adjacent to the local plan that is a site of special Community interest is going to be affected?

¹ OJ L 175, 5.7.1985, p. 40.

² OJ L 73, 14.3.1997, p. 5.

³ OJ L 206, 22.7.1992, p. 7.