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# Environmental Impact Assessment – Back to Basics



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# Environmental Impact Assessment (EIA) Back to Basics

**What is EIA?**

**How has EIA practice in the UK evolved?**

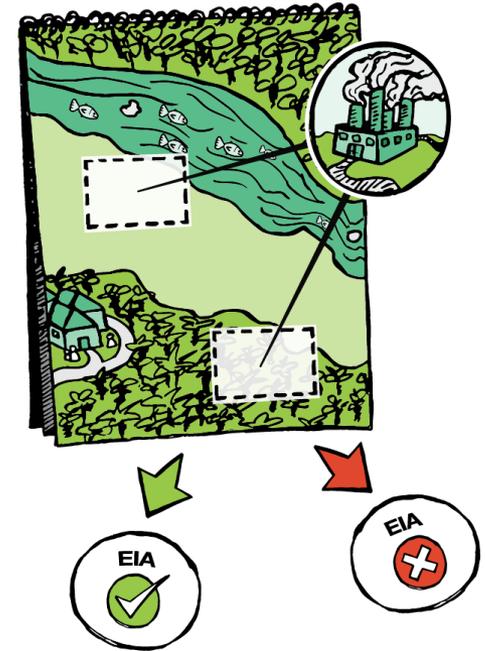
**The EIA process**

Screening

Scoping

Assessment

**EIA in practice**



## What is EIA?

A means of drawing together, in a systematic way, an assessment of a project's likely significant environmental effects.

## What is the aim of EIA?

*“To protect the environment by ensuring that a local planning authority when deciding whether to grant planning permission for a project, which is likely to have significant effects on the environment, does so in the full knowledge of the likely significant effects, and takes this into account in the decision making process”*

and

*“To ensure that the public are given early and effective opportunities to participate in the decision making procedures”.*

# How has EIA practice in the UK evolved?

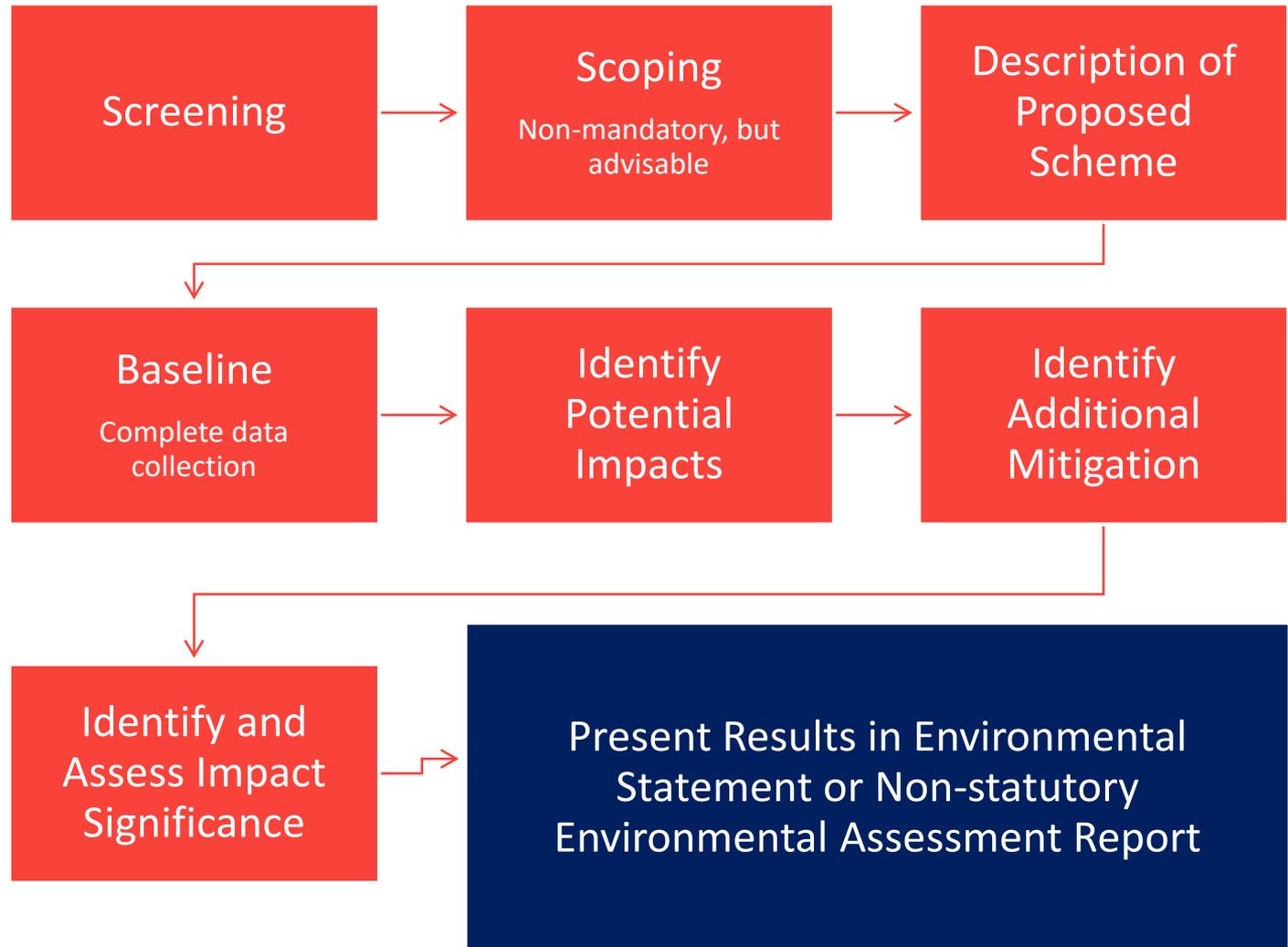
- EU Directive 2014/52/EU (the EIA Directive)

On the assessment of the effects of certain public and private developments on the environment.

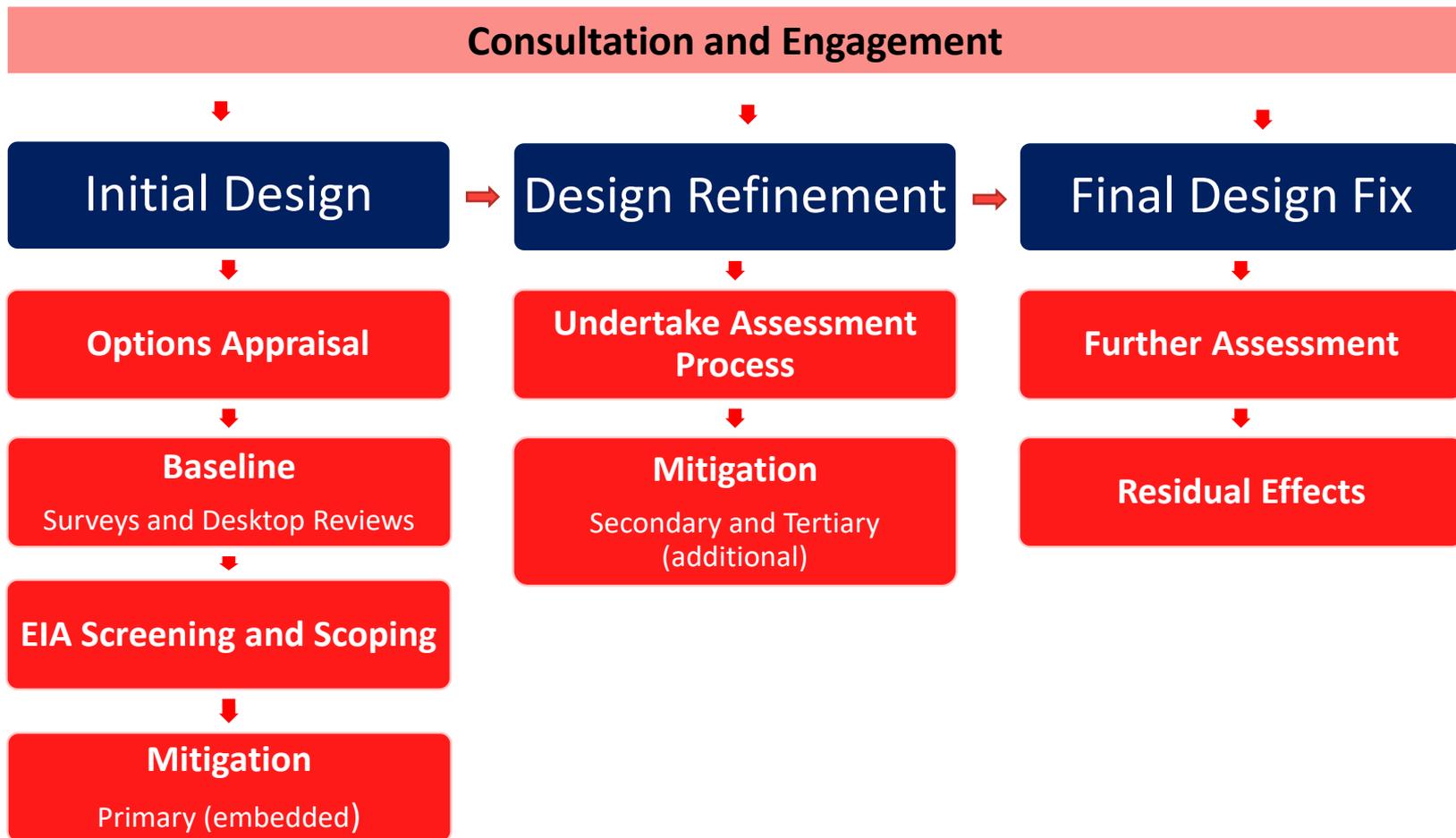
- In the UK:
  - Town and Country Planning (EIA) Regulations 2017
  - Infrastructure Planning (EIA) Regulations 2017
- Best Practice & Guidance
  - IEMA EIA Quality Mark
  - IEMA EIA Registered Practitioners
  - Planning Inspectorate (PINS)
  - Highways England (Design Manual for Roads and Bridges)
  - Specialist Institutions (IEMA, Landscape Institute etc.)



# The EIA Process



# The EIA Process



# The EIA Process – Screening

‘EIA development’ means development which is either:

- Schedule 1 development (EIA always required)
- Schedule 2 development (EIA required if development is likely to have significant effects on the environment by virtue of factors such as its nature, size or location)

Schedule 3 outlines the selection criteria for screening Schedule 2 development, comprising:

- Characteristics of development
- Location of development
- Types and characteristics of potential impact

# The EIA Process – Screening

A request for a Screening Opinion must be supported by:

- A plan sufficient to identify the land
- A description of the development
- A description of the aspects of the environment likely to be significantly affected by the development
- A description of any likely significant effects
- Any other information, including mitigation

# The EIA Process – Scoping

A person who is minded to make an EIA application may ask the relevant planning authority to state in writing their opinion as to the scope and level of detail of the information to be provided in the environmental statement.

**\*THE MOST IMPORTANT  
STAGE OF THE EIA  
PROCESS\***



# The EIA Process – Scoping

Environmental ‘factors’ (as listed under Article 3(1) of EU Directive 2014/52/EU) should be scoped out if no significant effects are considered likely:

Environmental Factors (as listed under Article 3(1) of EU Directive 2014/52/EU)	
Population and Human Health	Air
Biodiversity	Climate
Land	Material Assets
Soil	Cultural Heritage
Water	Landscape

## The EIA Process – Scoping

Environmental ‘elements’ should be scoped out if no significant effects are considered likely.

Environmental ‘elements’ could include:

- Specific phases of development (construction, operation, decommissioning)
- Specific receptors (listed buildings, badgers, designated sites, groundwater etc.)
- Specific effects (vibration)

# The EIA Process – Assessment

**DO** base the assessment on the conclusions of the Scoping Report and the Scoping Opinion

**DON'T** assess a factor or element if they've been scoped out in the Scoping Report, and that scoping out has been confirmed in the Scoping Opinion\*

**DO** follow Writing Guidelines produced by the Environmental Coordinator, particularly in the use of consistent terminology e.g. 'the Proposed Scheme' and the approach to referencing

**DO** ask questions if unsure of approach to take

**DO** consider the audience when writing

**DO** take a proportionate approach to assessments and text

**DO** consider the use of appendices for detailed information

**DO** check that your assessments comply with any relevant guidance

*\* Unless baseline conditions have changed since the Scoping Report was submitted*

# EIA in Practice

1. Introduction
  2. Methodology
  3. Baseline Conditions
  4. Legislation/Policy
  5. Mitigation Measures
  6. Assessment of Likely Significant Effects
  7. Monitoring Requirements
  8. Opportunities for Enhancement
  9. Summary
  10. References
- Non-Technical Summary

# EIA in Practice – Methodology

- DO** outline any deviation from the Scoping Report or the Scoping Opinion, with clear justification
- DO** describe the methodology undertaken for baseline data collection (e.g. desk studies, field surveys)
- DO** describe the assessment methodology
- DO** be perfectly clear on the study area(s) adopted for the assessment, cross-referencing to recognised guidance where relevant
- DO** clearly outline any significance criteria that have been used to assess the value of a receptor, the magnitude of impact and the significance of effect
- DO** confirm what level of effect is considered to be significant\*

*\* There is no definition of a significant effect in the EIA Regulations*

# EIA in Practice – Methodology

If field surveys and/or the assessment have been undertaken strictly in accordance with recognised guidance e.g. DMRB, **DO** simply provide a reference to the specific guidance, rather than repeating the actual methodology.

If the methodology is detailed, **DO** consider the use of an appendix, whilst summarising the detail in the chapter.

**DO** present any limitations to the assessment (e.g. access restrictions) or any uncertainties that remain, but make it clear why any such limitations or uncertainties have not compromised the assessment presented.



# EIA in Practice – Baseline Conditions

**DO** include all ‘key’ receptors\* that have been ‘scoped in’ via the Scoping Report and the Scoping Opinion

**DON’T** include a receptor that has been ‘scoped out’ in the Scoping Report, and that scoping out has been confirmed in the Scoping Opinion\*\*

If a considerable amount of baseline information has been collated, **DO** consider the use of an appendix, whilst summarising the detail in the chapter

If a survey has been undertaken and a potential receptor(s) has not been recorded, **DON’T** include that detail in the baseline. Scope that receptor out in the ‘Methodology’ section.

**DO** describe future baseline conditions, which should describe the likely evolution of the baseline without the development in question proceeding

*\* A ‘key’ receptor is a receptor which it is considered could be subject to significant adverse/beneficial effects*

*\*\* Unless baseline conditions have changed since the Scoping Report was submitted*

## EIA in Practice – Legislation/Policy

**DO** only reference legislation/policy that is applicable to the baseline conditions/'key' receptors e.g. if badgers are not present within the study area and are therefore not described in the baseline section, do not refer to the Protection of Badgers Act 1992

**DO** ensure that the legislation/policy is factor specific i.e. don't reference the EIA Regulations

**DO** list relevant legislation/policy in bullet point form only

**DON'T** assess the compliance of the project against legislation/policy. This is the job of the supporting Planning Statement



# EIA in Practice – Mitigation Measures

**DON'T** refer to 'primary' (embedded) mitigation – only refer to additional 'secondary' and/or 'tertiary' mitigation

**DON'T** propose measures that are unfeasible or are uncertain to succeed

**DO** discuss mitigation measures with the Client

**DO** confirm the mechanism by which mitigation measures will be secured e.g. via planning conditions

**DO** make brief reference to the potential impact that you're seeking to mitigate, to provide context to and justification for the mitigation measure

# EIA in Practice – Assessment of Likely Significant Effects

**DO** ensure that significance criteria outlined in the ‘Methodology’ is applied correctly within the assessment

Where there is a choice of effect, only report one (based on professional judgement)

		Magnitude of Impact (Degree of Change)				
		No Change	Negligible	Minor	Moderate	Major
Environmental Value (Sensitivity)	Very High	Neutral	Slight	Moderate or Large	Large or Very Large	Very Large
	High	Neutral	Slight	Slight or Moderate	Moderate or Large	Large or Very Large
	Medium	Neutral	Neutral or Slight	Slight	Moderate	Moderate or Large
	Low	Neutral	Neutral or Slight	Neutral or Slight	Slight	Slight or Moderate
	Negligible	Neutral	Neutral	Neutral or Slight	Neutral or Slight	Slight

# EIA in Practice – Assessment of Likely Significant Effects

**DO** make a distinction between ‘impacts’ and ‘effects’

An ‘impact’ is the impact of the project on ‘key’ receptors

An ‘effect’ is the consequence of the impact of the project on ‘key’ receptors and the environmental factors listed under Article 3(1) of the EIA Directive

Effects should be described in terms of indirect, secondary, cumulative, transboundary, short-term, medium-term and long-term, permanent and temporary, positive and negative

Example text:

*The Grade II listed building is considered to be of **medium** value. During construction, the magnitude of impact on the setting of the listed building is considered to be **minor**, resulting in a temporary **slight adverse** significance of effect, which is considered to be **not significant**.*

## EIA in Practice – Monitoring Requirements

**DO** propose monitoring for identified significant adverse effects

**DON'T** propose monitoring for identified significant beneficial effects, or non-significant effects

**DON'T** propose monitoring that is unfeasible or is uncertain to be effective

**DO** discuss monitoring measures with the Client

**DO** confirm the mechanism by which monitoring will be secured e.g. via planning conditions

**DO** make brief reference to the significant adverse effect that you're seeking to monitor, to provide context to and justification for the monitoring proposed

## EIA in Practice – Opportunities for Enhancement

**DON'T** take account of enhancement measures in the assessment of likely significant effects

**DON'T** propose enhancement measures that are unfeasible or are uncertain to succeed

**DO** discuss enhancement measures with the Client

**DO** confirm the mechanism by which enhancement measures will be secured e.g. via planning conditions

# EIA in Practice – Summary/Non-Technical Summary

## Summary

**DO** briefly summarise the ‘key’ receptors, the mitigation proposed, the likely significant effects on the ‘key’ receptors and any enhancement/monitoring measures

**DO** conclude whether the overall effect on the environmental factor, as listed under Article 3(1) of EIA Directive, is significant or not

**DON'T** summarise the methodology

## Non-Technical Summary

**DO** consider the audience

**DON'T** use technical language

**DON'T** use abbreviations

**DON'T** just copy and paste the summary from the ES/non-statutory Environmental Assessment Report



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