## EIA Quality Mark

### Article

#### EIA & Hybrid Applications

**Introduction**

A hybrid planning application is one that seeks outline permission for one part and full permission for another part of the same site. Although their acceptance is entirely at the discretion of the local planning authority, they can be popular with developers who are seeking to secure a planning permission that both establishes the principle of development across a site overall and secures detailed consent for a first phase to commence imminently. Hybrid planning permissions are also a recognised means of demonstrating that a site is deliverable, as confirmed in the Government’s Planning Practice Guidance (PPG) at paragraph 3-036.

However, the preparation of a hybrid application can present EIA practitioners with certain challenges. These can include: the juxtaposition of a scheme that is partly precise and partly flexible; whether to consider phase-by-phase impacts and mitigation; and, presenting information in a manner that does not create confusion.

**Precision & Flexibility**

Whereas a hybrid application will typically present precise details on the full part and broad parameters on the outline part of the scheme. This can leave EIA practitioners with varying levels of detail to assess and enable them to reach conclusions which may have varying levels of certainty. The nature of design evolution also makes it likely that the precise details on the full part of a scheme will only be available towards the end of the EIA process.

For practical reasons and in order to meet the developer’s timescales, it may be necessary to define ‘parameters’ for the whole site during the very early stages of the EIA process. Doing so should enable the EIA Team to commence and progress their assessment work and allow initial findings to be fed back into the evolving design. Once more precise details emerge, the assessment can then be refined and conclusions attributed greater certainty, where relevant. In this regard it is possible for the EIA to achieve both the precision and the flexibility that a hybrid application generates.

**Phase-by Phase Impacts & Mitigation**

Clearly any EIA associated with a hybrid application will need to assess and consider the scheme as a whole, along with other reasonably foreseeable developments nearby. However, practitioners will also need to decide whether to assess impacts and consider mitigation on a phase-by-phase basis, given that a hybrid application often provides distinct phases set out by the full and outline parts of the scheme.
For example, if a mixed-use development includes a first phase of 400 dwellings (the full part of the application) and a second phase of 25,000 sq m of business floorspace (the outline part of the application), and there is good reason to believe that there may be a significant pause between the build out of the respective phases (i.e. perhaps while commercial occupiers are found to take up the business floorspace), then there is likely to be merit in assessing both the whole scheme and the first phase in isolation. Otherwise the impacts of the whole scheme could be identified, but mitigation measures not triggered until long after the first phase is completed, to the detriment of the local environment in the interim. This could be particularly relevant where, for example, transport or flood risk impacts warrant a staged approach to mitigation to provide additional highway capacity or surface water attenuation measures to support the first phase and further additional capacity or attenuation in due course when the second phase comes forward.

Alternatively, if a residential-led scheme involves a first phase of 250 dwellings and a second phase of another 350 dwellings, and there is confidence that the second phase will follow on almost seamlessly from the first, then it may be sufficient to assess the whole scheme only.

These are decisions for the EIA practitioner to make, having regard to the individual circumstances of the scheme and local environment, preferably in consultation with the relevant local authority at the EIA scoping stage.

**Presenting Information**

A hybrid application is by its very nature more complex than an outline application.

However, providing that the nature and component parts of the scheme, the parameters and details assessed during the EIA and the findings reached (i.e. where they may relate to the scheme as a whole or any component part) are explained clearly in the Environmental Statement and Non-Technical Summary, then there is no reason for a hybrid scheme to confuse the reader or create ambiguity in the EIA.

To achieve that end it is important that the EIA coordinator provides a succinct and clear brief to the wider EIA team at the outset of the project and provides updated instructions if / when parameters change on the scheme as a whole or further details emerge on the full part of the proposals. All members of the EIA team must understand the nature and reason for the hybrid application, adopt a consistent approach when assessing their respective disciplines and present their findings in a consistent manner, in order to produce a coherent and robust Environmental Statement.

*Mr Olivier Spencer, Director, Andrew Martin – Planning Limited, June 2019.*