**GOOD PRACTICE ON CONSULTATION**

<table>
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<tr>
<th>Introduction</th>
<th>Applicants will will often have an obligation to:</th>
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<td>Consultation is a key part of the Environmental Impact Assessment process.</td>
<td>• Produce a Statement of Community Involvement which details how consultation has taken place, the issues raised and how they have been considered as the project proposals evolve;</td>
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<td>The preparation of Environmental Assessments invites consultation through screening and scoping - where the key consultation bodies are invited to contribute information and technical knowledge regarding the scope of the potential impacts that may arise from a project.</td>
<td>• Set out how the design of a project has evolved in the form of Design and Access Statement as technical issues and consultation outcomes have fed into the development of proposals.</td>
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<td>Once prepared, an Environmental Impact Assessment is subject to statutory procedures dictating a consultation process that affords “consultation bodies” and members of the public the opportunity to comment on the Environmental Assessment process. Their views will be taken into account by the Local Planning Authority in reaching a decision on an EIA project.</td>
<td>Without providing such documentation, an application for planning permission in relation to the project, may not be validated by the relevant Local Planning Authority or decision maker.</td>
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**Consultation in the Planning Process**

The Environmental Impact Assessment is one of the elements of the decision making process in the planning system. Irrespective of the need to consider the likely significant effects of development, applicants are encouraged to engage in pre-application consultation with stakeholders (e.g. local Parish councils), and with communities as project proposals emerge and evolve. The requirement for this form of consultation comes from the Town and Country Planning Act, from national good practice planning guidance and also from local planning authorities - whose specific requirements may be set out in the Council’s Statement of Community involvement.

Such consultation procedures apply to many forms of development including those which do not require Environmental Assessment, and will elicit responses on a potentially broad range of topics, which is often wider than the likely significant environmental effects.

**Best Practice in reporting Consultation Outcomes in Environmental Statements**

The Environmental Assessment Regulations do not stipulate how consultation is to be reported within an Environmental Statement - in particular how to do so when fuller details of consultation undertaken as part of the projects development already appears in a Statement of Community Involvement and/or Design and Access Statement.

Key best practice principles in the preparation of the ES:

- it is not a requirement or role of the Environmental Statement to report all of the consultation that has taken place in the development of the project;
• while the Environmental Statement should wherever possible provide a standalone document that provides a basis for ready consultation, it is not inappropriate for the introductory sections of the ES to draw attention to the availability of additional documentation associated with the planning application for the development - this affords the opportunity to draw attention to the wider issues raised but distinguishes such issues from those specifically focussed on potential environmental effects;

• to highlight the consultation responses undertaken as part of the ES Scoping Report response within the ES - generally this will be better in a discrete section of principal issues raised from scoping in an introductory chapter. Where there are specific technical responses, for instance in relation to the greenfield runoff rates that are to be employed, then the response may be more beneficially referenced in the specific (in that case Drainage) chapter of the Environmental Statement;

• although there is no obligation to undertake specific consultation as part of the preparation of the Environmental Statement, it is good practice to have liaised with the relevant technical or statutory body or key interest group, in developing the proposals. Where this has taken place then what are likely to be specific outcomes or issues raised are most helpfully set out in the most relevant technical chapter. For instance any views obtained from the Ramblers Association in respect of Public Rights of Way would be helpfully reported in the Transport section of the ES.

Once prepared, the formal process of consulting on the ES through the application process is likely to generate some additional responses. Where such new responses do not raise new issues that impinge upon the assessment of significant effects of the project then there is no need to report such outcomes in updated environmental information.

Where there are issues of clarity, or error, or omission, then it may be necessary for the Local Planning Authority to issue a Regulation 25 request for the applicants to provide that additional information. What is key in this circumstance is that the Local Planning Authority or decision maker determines whether consultation responses raise queries that need further consideration or information or do not raise issues that affect the assessment of significant effects. In the latter instance the comments are not ignored but are addressed in the decision makers decision.

Where additional information is necessary then good practice is for the Additional Environmental Information to be specifically related to the responses raised in consultation on ES. Best practice is then to report the consultation responses in the relevant technical chapter of any updated Environmental Information provided.