### Key Issues –
This case study considers the screening process for a proposed development, which under the Town and Country Planning (General Permitted Development) Order 2015 (the GPDO) is considered permitted development. This screening process was undertaken in 2016 in relation to proposed works by a statutory undertaker for the supply of water. The proposed activities comprised works to maintain the serviceability of an existing covered reservoir that is considered permitted development under Part 13, Class A of Schedule 2 of the GPDO. However, under Section 3 (10) of the GPDO, any development is not considered permitted development under the GPDO if it would be a Schedule 1 development under the EIA Regulations or is a Schedule 2 development under the EIA Regulations that is considered to be an EIA development by the local planning authority (LPA). Therefore, a screening request was prepared and submitted to the LPA. This case study highlighted issues around awareness of the legislative framework and the need to undertake screening, even where works are included within the GPDO. It also illustrates the need for close collaboration between planners, EIA specialists and developers to ensure legislative compliance.

### Purpose of the project
Ricardo Energy & Environment were commissioned by a water company to prepare a Request for a Screening Opinion in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended) (the 2011 EIA Regulations) associated with proposed works on an existing covered reservoir. The proposed works comprised activities which would constitute permitted development in the event that the works were not considered to be EIA development.

### Description of the project
The works comprised inspection and potentially further refurbishment works. The inspection works included flood testing the reservoir with refurbishment works comprising potential removal of soils and installation of a new membrane on the reservoir roof. The site lies within an Area of Outstanding Natural Beauty (AONB); within a designated Special Landscape Area; lies partly within an Area of Archaeological Potential and in close proximity to a Scheduled Ancient Monument (SAM), Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI).
Lessons learnt

The proposed activities comprised essential maintenance works. Such works are periodically required by water companies on their sites and infrastructure assets. The proposed works fitted within the scope of permitted development activities, and as a result, the requirement to submit a screening request did cause some challenge within parts of the water company and with decision makers.

An initial desk based assessment on the sensitivity of the site and early discussions helped establish the screening requirements with the water company.

Further details were then provided by the water company as to the scope and duration of the works, which enabled consultations to be held with the LPA.

The combination of EIA screening and development potentially subject to the GPDO is not common for many LPA officers.

These initial discussions highlighted a degree of confusion within the LPA, both as to the need for a screening opinion for such works, and whether such a request could also seek approval for the works as permitted development.

The openness of the LPA to hold two way discussions at this early stage without invoking formal pre-application procedures facilitated early agreement on the appropriate approach.

Lessons learnt cont. -

The structure of the screening report, to include details on the legislative framework, the baseline conditions, scope of works, likely environmental effects and request for confirmation of the works being permitted development was established between all parties. Initial on-site assessment work was then conducted to support the preparation of the request for a screening opinion. The clear presentation of this information within the agreed report structure, together with regular communication with the LPA, facilitated the decision making process.

A key factor for successful delivery of this project was early two way discussions with the LPA including the avoidance of, what can sometimes be, a prescriptive pre-application process to establish the legislative basis for the work. This greatly assisted in providing clarity regarding legislation that is not frequently combined.

Undertaking initial on-site assessment work, where necessary, also helped ensure appropriate and sufficient information could be provided within the screening request to satisfy all consultees and decision makers.

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