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Introduction to presentation structure
EIA Basics

What is EIA?
• Environmental Impact Assessment
• A statutory process for major infrastructure and development projects
• Testing a worst case scenario; NOT a justification for development

Aim of the EIA process:
To protect the environment by ensuring that a LPA 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.

• EIA ensures that the environment is considered during decision-making by planning committee (note: EIA applications are not generally made under delegated powers by the LPA)

• EIA ensures that the LPA is fully aware of environmental issues surrounding a Planning Application, to enable an informed decision to be made

• The process is an integral part of design development and the pre-planning stage of development

• Draws together numerous issues e.g. ecology, socio-economics, transportation and air quality – to ensure a robust final design

• Identifies the likely significant environmental effects of a proposed development (and changes / extensions to existing developments)

• Ensures that environmental information is considered in decision-making
Town planning and EIA operate under different, albeit interrelated, regulatory regimes.

EIA is an *impartial study* undertaken to identify the likely significant effects of a proposal on the environment.

EIA topic assessments will use an overarching methodology and a standard significance criteria between the individual assessments, so that effects can be considered in the context of one another.

Planning reports will consider specific impacts (eg. noise, air quality), but do not assess ‘significance of effect’ as an EIA would.

Statutory determination timescales are longer for EIA applications (8/13 vs. 16 weeks), which allows for wider consultation and the complexities of larger schemes to be considered.
It is important that terminology is correctly applied through the Environmental Statement documents.

There is a difference in definition between ‘impact’ and ‘effect’, although the terms are often used interchangeably.

EIA practitioners should focus on ‘likely significant effects’, in line with the EIA Regulations.

**Terminology**

**Effects vs. Impacts**

Terms are often used interchangeably

**An impact is:**

*a marked influence*

*eg. dust arising from construction activity*

**An effect is:**

*a change which is a result or consequence of an action or other cause*

*eg. dust arising from construction activity causing respiratory issues within the local population*

The EIA Regulations discuss *likely significant effects*, which is what the EIA is concerned with.
EIA Process

**Screening** – "Determining the need for EIA”

**Scoping** – “Focussing the assessment on key issues through effective engagement”

**ES (the assessment)** - “The iterative process that sees the proposed development’s design be assessed and modified to minimise negative and maximise positive environmental benefits”

Key terminology and stages within the EIA process.

Mitigation should be a key consideration throughout the project planning and design stages – impacts should be [in order of preference] i) avoided; ii) minimised (or reduced) and iii) compensated/restored.
- This slide sets out the key stages of the EIA process, and how it interacts with a planning application project.

- It is important to stress the iterative nature of the EIA process – that results identified through the assessments should feed back into the design to mitigate impacts.

- The design is ‘frozen’ prior to the impact assessment stage, which allows one single design to be assessed across the technical topics. The planning application design can continue to evolve following the design freeze, however it is best practice that the frozen design represents the ‘worst case scenario’ in order to prevent conducting re-assessments or undertaking abortive work.

- A ‘parameters’ approach can in certain circumstances be taken, where the maximum (or minimum) parameters of the development are ‘fixed’ and assessed. This can be appropriate for both outline planning applications, or those where the design is evolving in tandem with the EIA. The parameters approach ensures a robust assessment of the ‘worst case’.

- The results of the assessment will feed back into the design, with significant effects being mitigated through design changes where feasible.
Screening

"Environmental Impact Assessment is unlikely to be required for the redevelopment of land unless the new development is on a significantly greater scale than the previous use, or the types of impact are of a markedly different nature or there is a high level of contamination." (NPPG)

- Is it Schedule 1?
- Does it meet the description in Schedule 2?
- If so, does it meet the indicative threshold criteria in Schedule 2?
- Does consideration of Schedule 3 suggest significance?
  - Are the effects of large magnitude?
  - Will effects impact on sensitive areas?
  - How sensitive/adaptable is the receptor?
  - Will effects significantly greater than at present?
  - Will effects be temporary or permanent?
- Request a formal Screening Opinion from the LPA – 3 week turnaround.

Key issues to consider:
- The physical scale of the development(s);
- Potential increases in traffic; and
- Potential increases in emissions and noise.

Screening – “Determining the need for EIA”

The regulations apply the EU directive “on the assessment of the effects of certain public and private projects on the environment” (usually referred to as the Environmental Impact Assessment Directive) to the planning system in England.

The regulations set out a procedure for identifying those projects, which should be subject to an EIA, and for assessing, consulting and coming to a decision on those projects, which are likely to have significant environmental effects.

Schedule 1
Major Infrastructure Projects e.g. nuclear, oil
Transport projects e.g. major rail, road, airports

Schedule 2
Most of city/urban development projects fall within 10.(b) Urban development projects, including the construction of shopping centres and car parks, sports stadiums, leisure centres and multiplex cinemas; - 5 ha threshold (previously 0.5 ha)

Schedule 3
Characteristics of development
Eg. the size of the development; the cumulation with other development; the use of natural resources; the production of waste; pollution and nuisances.

Location of development
The environmental sensitivity of geographical areas likely to be affected by development must be considered, having regard, in particular, to—
(a) the existing land use;
(b) the relative abundance, quality and regenerative capacity of natural resources in the area;
(c) the absorption capacity of the natural environment.

Characteristics of the potential impact
The potential significant effects of development must be considered in relation to criteria set out under paragraphs 1 and 2 above, and having regard in particular to—
(a) the extent of the impact (geographical area and size of the affected population);
(b) the transfrontier nature of the impact;
(c) the magnitude and complexity of the impact;
(d) the probability of the impact;
(e) the duration, frequency and reversibility of the impact.
Discussion slide: this is an example city centre development – what do you think the key issues might be on developing this site?

Should development at this site require an EIA? Discuss - Screening thresholds and the potential for significant effects.

Potential discussion topics re. assessment scope:
- Traffic (construction and operation)
- Dust during construction
- Noise impact during construction
- Noise impact of neighbouring commercial uses on future residents at the site
- Air quality and noise impacts of the surrounding roads on future residents at the site
- Wind and microclimate effects at ground level, created by the height of the proposed structure.
Scoping

Process:

- Managed by the EIA Coordinator, with specialist technical input
- Define remit
- Identify interest groups
- Consult with stakeholders including the Local Authority, Statutory Consultees, technical consultants.
- Agree methodology with LPA and statutory consultees
- Request a formal Scoping Opinion from LPA – 5 week turnaround
  - determines the ES coverage and parameters for further investigation
- As EIA process progresses, scoping should always be borne in mind, as changing dynamics of a project may change the EIA’s scope

Scoping – “Focussing the assessment on key issues through effective engagement”

The scoping process is based upon an understanding of the proposals, expertise, and evidence.

It is an important element of EIA, which seeks the opinion of interest groups and experts on the proposed scope of the EIA study. This is useful in identifying key issues upon which the assessment should focus, and is a key element of best practice (though non-mandatory).

A scoping report (‘scoping request’) is generally prepared, within which the following general template can be a useful guide for each technical topic:
- Introduction
- Baseline conditions
- Assessment methodology
- Proposed Scope
- Summary
**ES Production** (the assessment)

**Baseline and Methodology**
- Communication between EIA coordinator and specialists
- Determine whether existing data usable, or future baseline scenario appropriate
- Methodology should be project-specific, resulting from consultation with stakeholders

**Alternatives and Iterative Design**
- Avoid negative impacts – ‘mitigation through design’
- ES should emphasise where EIA has positively influenced design in pre-app consultation

**Significance**
- Significance should be clearly defined
- Methodologies explained and justified

**Cumulative Effects**

**Mitigation**

**Residual Effects**

**ES (the assessment)** - “The iterative process that sees the proposed development’s design be assessed and modified to minimise negative and maximise positive environmental benefits”

Communication during the assessment process is key, between the EIA coordinator, client, and technical specialists.

Important to remember the mitigation hierarchy here: *Mitigation should be a key consideration throughout the project planning and design stages – impacts should be [in order of preference] i) avoided; ii) minimised (or reduced) and iii) compensated/restored.

Ultimately, the result of the assessments will be a list of significant and non-significant effects. Significance is explored further on the next slide.
‘Significance’ is a function of the impact magnitude and sensitivity of the receptor. Most EIAs will use the above significance matrix.

Impact magnitude and receptor sensitivity can be defined qualitatively or quantitatively, depending upon the methodology and nuances of the individual technical assessment topics.

Using a consistent methodology allows cross-comparison between the assessment results. This is particularly useful for decision makers in weighing up the benefits and drawbacks of a proposal.
Environmental Statement (ES) Structure

Volume 1
1. Introduction
2. EIA Methodology
3. Site and Development Description
4. Construction Methodology and Programme
5. Consideration of Alternatives
6. Technical chapters (6 – x)
7. Summary of Residual Impacts

Volume 2 – Technical Appendices
Non Technical Summary (NTS)
Figures
Supporting documents

Example Environmental Statement structure

1. Introduction
2. EIA Methodology

Introduction
Legislative and policy context
Assessment methodology and significance criteria
Baseline conditions
Identification and evaluation of significant effects
Magnitude – Major, Moderate, Minor, Negligible
Sensitivity – High, Moderate, Low
Significance – see table
Mitigation measures
Cumulative effects

3. Site and Development Description
4. Construction Methodology and Programme
5. Consideration of Alternatives
The ‘do nothing’ alternative where the Proposed Development is not progressed.
Alternative locations for the Proposed Development.
Alternative uses for the Site.
Alternative design/layout for the Proposed Development in the context of the design evolution.
6. Technical chapters (6 – x)
7. Summary of Residual Impacts
Non-Technical Summary

- The non-technical summary (NTS) is a standalone document, required under the EIA Regulations.
- It is a ‘non-technical summary’ of the EIA and Environmental Statement.
- The NTS is designed to be read on its own. It explains the environmental implications of a proposed development to the public, informing them, and allowing them to decide whether they would like more detail on the proposals.

National Planning Practice Guidance:

“The Environmental Statement may, of necessity, contain complex scientific data and analysis in a form which is not readily understandable by the lay person. The main findings must be set out in accessible plain English in a non-technical summary to ensure that the findings can more readily be disseminated to the general public, and that the conclusions can be easily understood by non-experts as well as decision makers.”

The NTS is important in making the EIA and Environmental Statement ‘accessible’ to the public.

There is no statutory provision as to the form an Environmental Statement or Non-Technical Summary must take, however the EIA Regulations and PPG clearly identify what information should be included.

The NTS should ‘capture the essence of the Environmental Statement’.

Use of explanatory graphics is recommended.

Producing the NTS (generally done by the EIA coordinator) is a balancing act between including sufficient (and non-technical) information for the lay person to understand the EIA and the ES, and meeting regulatory and best practice requirements, whilst also ensuring that the content is appropriate and does not obscure or downplay the results of the technical assessments.
The role of an EIA Coordinator is multi-faceted, requiring a variety of different skills to be deployed in order to draw together a robust Environmental Statement.

Although project management and quality assurance are key aspects of the EIA Coordinator role, it is especially important to have an understanding of the client’s wider concerns, including cost, programme, and risk.

It is particularly important that the EIA Coordinator remains involved throughout the assessment process, in order that the (often diffuse) consultant team is effectively managed, the client’s interests are maintained, and ultimately that the project remains on track in producing a robust Environmental Statement.

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**Key Roles**

**EIA Co-ordinator** - “The individual responsible for delivering an effective, efficient and proportionate assessment of the proposed development”

- Project-manage the EIA process, inc. scoping
- Specialist role – compliance assurance and quality control
- Manage screening process
- Define study remit – manage scoping process, overseeing consultants’ scope
- Prepare briefs for sub-consultants’ work and manage team
- Coordinate and review inputs from specialist technical consultants
- Author of introductory ES chapters, residual impacts chapter, summary etc.
- Compile the Environmental Statement for submission

**Supporting roles**

- Drafting EIA screening letters / scoping reports
- Drafting upfront ES chapters
- Drafting NTS
- Liaising with consultants / chasing reports
- Collation of Volume 1 and Volume 2

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IEMA

IEMA is the relevant professional body for EIA coordinators.

IEMA produce a range of useful good practice guidance around EIA – explore further at: [http://www.iema.net/](http://www.iema.net/)

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<th>EIA Practitioner Status</th>
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EIA Practitioner Status is appropriate for those undertaking the EIA Coordination role. Of this, there are three levels – Principal, Registered, and Associate.

Additional IEMA membership levels are also available, and may be appropriate to those undertaking an EIA Coordination role.

Further information is available at the IEMA website.
Q&A