

Consultation reference: WG23953

Consultation Response Form

Proposed changes to the Environmental Impact Assessment Regulations and Local Development Orders

We would like your views on our proposals to make changes to the Environmental Impact Assessment Regulations and Local Development Orders.

Please submit your comments by 18/06/2015.

If you have any queries on this consultation, please email: planconsultations-f@wales.gsi.gov.uk or telephone Alan Groves on 029 2082 5362.

Data Protection

Any response you send us will be seen in full by Welsh Government staff dealing with the issues which this consultation is about. It may also be seen by other Welsh Government staff to help them plan future consultations.

The Welsh Government intends to publish a summary of the responses to this document. We may also publish responses in full. Normally, the name and address (or part of the address) of the person or organisation who sent the response are published with the response. This helps to show that the consultation was carried out properly. If you do not want your name or address published, please tell us this in writing when you send your response or tick the box at the end of this form. We will then blank them out.

Names or addresses we blank out might still get published later, though we do not think this would happen very often. The Freedom of Information Act 2000 and the Environmental Information Regulations 2004 allow the public to ask to see information held by many public bodies, including the Welsh Government. This includes information which has not been published. However, the law also allows us to withhold information in some circumstances. If anyone asks to see information we have withheld, we will have to decide whether to release it or not. If someone has asked for their name and address not to be published, that is an important fact we would take into account. However, there might sometimes be important reasons why we would have to reveal someone's name and address, even though they have asked for them not to be published. We would get in touch with the person and ask their views before we finally decided to reveal the information.

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Proposed changes to the Environmental Impact Assessment Regulations and Local Development Orders		
Date of consultation period: 26/03/2015 – 18/06/2015		
Name	James Caird	
Organisation	Institute of Historic Building Conservation	
Address	Jubilee House High Street Tisbury SP3 6HA	
E-mail address		
Type <i>(please select one from the following)</i>	Businesses/ Consultants	<input type="checkbox"/>
	Local Planning Authority	<input type="checkbox"/>
	Government Agency/Other Public Sector	<input type="checkbox"/>
	Professional Bodies/Interest Groups	<input checked="" type="checkbox"/>
	Voluntary sector (community groups, volunteers, self help groups, co-operatives, social enterprises, religious, and not for profit organisations)	<input type="checkbox"/>
	Other (other groups not listed above) or individual	<input type="checkbox"/>

Q1	Do you agree that the screening thresholds for urban development projects and industrial estate projects, as set out in Schedule 2 of the EIA Regulations, are too low?	Yes	No
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Comments: Yes, but reluctantly to ensure consistency with England. We are far from convinced that developments of industrial estates are potentially so much less environmentally damaging than other forms of development to merit a threshold of 5ha rather than 1ha. It appears to us that this is a sop to industry with little environmental justification.</p>			

Q2	Do you agree with our proposed screening thresholds?	Yes	Yes (subject to further comment)	No
		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Comments: Yes, subject to our comment at Q1.</p>				

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Q3	Do you have any comments on the proposed approach to addressing changes or extensions to Schedule 2 development?	Yes	No
		<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments: We agree with the proposal.

Q4	Do you have any comments on the proposed approach to addressing changes or extensions to Schedule 1 development?	Yes	No
		<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments: We agree with the proposal.

Q5	Do you have any comments on the proposal to amend the EIA Regulations to require reasons to be provided for all screening opinions and screening directions?	Yes	No
		<input checked="" type="checkbox"/>	<input type="checkbox"/>

Comments: This is a good idea.

Q6	Do you agree that, in the case of a subsequent application (e.g. reserved matters application), where an environmental statement was provided with the original outline application and remains fit for purpose, there is no merit in repeating the public consultation process?	Yes	Yes (subject to further comment)	No
		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Comments: We agree with this in principle. However, reserved matters sometimes have elements that, while not strictly in accordance with the outline consent, are within acceptable parameters of variation. We do not think such flexibility should apply to EIA. So if a reserved matters application contains aspects not envisaged at outline stage further consultation should still take place.

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Q7	Do you have any comments on the proposed approach to implementing the Geological Storage Directive?	Yes	No
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
Comments: We support this but no thresholds seem to be currently proposed.			

Q8	Should the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (DMPO) and the EIA Regulations be amended in order to allow LDOs to grant planning permission for Schedule 2 development?	Yes	Yes (subject to further comment)	No
		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Comments: We think the process should mirror that for planning permission.				

Q9	Do you have any comments on the proposal to prevent modification orders for EIA development being made or confirmed unless the order is accompanied by an Environmental Statement that is taken into account when making or confirming the order?	Yes	No
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
Comments: We agree with this.			

Q10	Do you have any comments on the proposal to prevent discontinuance orders for EIA development being made or confirmed unless the order is accompanied by an Environmental Statement that is taken into account when making or confirming the order?	Yes	No
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
Comments: We support this.			

Q11	Do you have any additional comments on the consultation paper?	Yes	No
		<input type="checkbox"/>	<input checked="" type="checkbox"/>
Comments:			

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I do not want my name/or address published with my response (please tick) <input type="checkbox"/>
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How to Respond

Please submit your comments in any of the following ways:

Email
Please complete the consultation response form and send it to: planconsultations-f@wales.gsi.gov.uk
Post
Please complete the consultation form and send it to: Development Management Branch Planning Directorate Welsh Government Cathays Park Cardiff CF10 3NQ
Additional information
If you have any queries on this consultation, please Email: planconsultations-f@wales.gsi.gov.uk Telephone: Alan Groves on 029 2082 5362