



Questionnaire on the Environmental Impact Assessment of Reserved Matters Applications

Instructions on how to complete this Questionnaire:

1. This questionnaire can be completed on your computer and emailed to reservedmatters@doeni.gov.uk or printed and sent to the postal address below:

Robert Mackey
Planning Service Headquarters
3rd Floor
Millennium House
17-25 Great Victoria Street
Belfast
BT2 7BN

2. Completed questionnaires may also be sent by fax to (028) 9041 6960.
3. Completed questionnaires should be received by the Department no later than **11th February 2008**.

Respondent Information

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Mitigation Measures in approving a multi-stage consent

Q1A Do you agree with the Department's view that it should be possible at reserved matters stage to impose conditions relating to the project as a whole?

Yes

No

Q1B Please comment on your response to Q1A

Comments: Ideally, all significant environmental impacts of a development will have been identified and considered at the outline planning permission stage. However, on occasion, unexpected environmental impacts, unforeseen at the outline planning stage, may only become apparent at later stages in a multistage process. Such unforeseen impacts should be subject to proper Environmental Impact Assessment.

Q2A Do you consider there is a risk that imposing such conditions could result in outline planning permission being revoked or modified as a consequence of significant environmental issues being identified at the reserved matters stage?

Yes

No

Q2B Please comment on your response to Q2A

Comments: There will inevitably be a risk of this happening, particularly for developments with potentially large environmental impacts. If the EIA process is to be taken seriously, then any indications of serious or unacceptable environmental impacts must be considered fully, no matter what stage of the process they have emerged. It would, therefore, be impossible to say that the previously granted outline planning permissions would not be revoked.

Proposed Amendments to the EIA Regulations

Q3 Do you have any comments on the proposed amendments to regulation 2(2) of the 1999 EIA Regulations?

Comments: No comment

Q4A Do you consider that the draft Planning (Environmental Impact Assessment) (Amendment) Regulations (Northern Ireland) 2008 as set out in this consultation paper implement appropriately the ECJ rulings of 4 May 2006 in the Barker case and in Commission v UK?

Yes

No

Q4B Please comment on your response to Q4A

Comment: No Comment

Q5 Do you have any other comments on the draft regulations?

Comments: No Comment

Partial Regulatory Impact Assessment (Annex 5)

Q6 Do you have any comments on the compliance costs outlined in Annex 5?

Comments:

I can't predict whether or not the proposed amendments will result in significant change in demand for GSNI / DETI consultations at the EIA Determination, developer scoping or ES vetting stages of the process. Clearly, any significant increase in demand for consultations has resource & capacity implications for Statutory Consultees.

Q7A Which option do you think should be implemented? (Please tick one box)

- Option 1: Do nothing
- Option 2: Amend Regulations

Q7B Please provide a reason for your choice of option at Q7A

Comments: No further comment

Q8 Do you have any other comments on the Partial Regulatory Impact Assessment?

Comments: No further comment