



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

Name: Claire Ferry

Title: Ms

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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: The RSPB supports the amendments to bring the EIA Regulations into line across the UK and to be compliant with the Directive as tested by caselaw.

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 is a risk, but timely and careful consideration of environmental impacts will reduce this risk considerably.

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: The amendment is necessary to effect the change to achieve compliance with the Directive.

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: None

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

Comments: No

Partial Regulatory Impact Assessment (Annex 5)

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

Comments: No

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: Northern Ireland would remain at risk of infraction proceedings, a risk that should not be accepted either for the financial burden it would impose or the potential unacceptable effects on the environment that could result from non-

compliant legislation.

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

Comments: No