



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: This is a logical outcome of considering the Outline and Reserved Matters Applications as separate parts of a multi-stage process. If an EIA at Reserved Matters stage results in a need to modify an earlier Outline Consent, then it has to be possible to impose conditions relating to the project as a whole.

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: If the EIA is properly carried out at the Outline stage, then this risk should be minimal.

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 proposed amendments appear to comply with the EIA Directive and the ECJ Rulings.

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 further comment.

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

Comments: The amendment proposed will primarily affect major applications. From a URCDG perspective, these amendments may have a potential impact on Comprehensive Development Schemes. Some of the certainty provided by the grant of an Outline Planning Consent with stipulated matters reserved will be removed by the potential for a request for a further EIA which could substantially modify or even negate the Outline Consent. This could also affect major Public Realm schemes. However, if the EIA at Outline stage is properly carried out and is thorough and robust, the risk should be low.

Partial Regulatory Impact Assessment (Annex 5)

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

Comments: This appears to be a reasonable assessment.

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: There is really no alternative to amending the regulations.

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

Comments: No other comments.