

Development Management Branch
Planning Directorate
Welsh Government
Cathays Park
Cardiff CF10 3NQ

planconsultations-f@wales.gsi.gov.uk

18 June 2015

Dear Mr. Groves,

Consultation on Proposed changes to the Environmental Impact Assessment Regulations and Local Development Orders¹

Thank you for the opportunity to comment on these proposed changes.

The Chartered Institute for Archaeologists

The Chartered Institute for Archaeologists is a professional body for the study and care of the historic environment. It promotes best practice in archaeology and provides a self-regulatory quality assurance framework for the sector and those it serves.

CIfA has over 3,250 members and more than 70 registered practices across the United Kingdom. Its members work in all branches of the discipline: heritage management, planning advice, excavation, finds and environmental study, buildings recording, underwater and aerial archaeology, museums, conservation, survey, research and development, teaching and liaison with the community, industry and the commercial and financial sectors.

CIfA's Wales / Cymru Group has over 300 members practising in the public, private and voluntary sector in Wales.

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

General

CIfA supports measures which facilitate sustainable development, but is concerned to see that any proposed changes are truly sustainable and fully address the management and protection of the historic environment.

Specific Questions

Question 1: 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?

1.1 No comment, save that Environmental Impact Assessment plays an important role in the management and protection of the historic environment (including both designated and undesignated assets) through the operation of the planning regime and any changes to the existing thresholds should only be made if it is clear that this can be done without the risk of significant harm to the historic environment.

Question 2: Do you agree with our proposed screening thresholds?

2.1 No comment save that, if new thresholds are to be set, they should be set at levels which ensure that proposals likely to cause significant harm to the historic environment are subject to assessment.

Question 3: Do you have any comments on the proposed approach to addressing changes or extensions to Schedule 2 development?

3.1 No, save that it is accepted that the Regulations should accurately reflect the substance of the Directive.

Question 4: Do you have any comments on the proposed approach to addressing changes or extensions to Schedule 1 development?

4.1 The proposed approach is sensible.

Question 5: 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?

5.1 ClfA supports this proposal in the interests of transparency and accessibility.

Question 6: 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?

6.1 Only if the full implications for the historic environment of any subsequent proposals are adequately addressed in the original environmental statement.

Question 7: Do you have any comments on the proposed approach to implementing the Geological Storage Directive?

7.1 No comment.

Question 8: 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?

8.1 No, unless the full implications for the historic environment of any development envisaged by a Local Development Order are fully addressed through an environmental statement and effective mechanisms exist to ensure that unsustainable development which harms the historic environment is not allowed to proceed and that any development which is permitted proceeds subject to appropriate safeguards for the historic environment.

Question 9: 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?

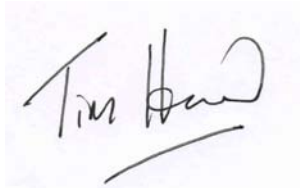
9.1 No comment.

Question 10: 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?

10.1 No comment.

If there is anything further that I can do to assist please do not hesitate to contact me.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Tim Howard', with a horizontal line underneath.

Tim Howard LLB, Dip Prof Arch
Senior Policy Advisor, Chartered Institute for Archaeologists

¹<http://gov.wales/consultations/planning/eia-regulations-and-local-development-orders/?status=open&lang=en>