

Ms J Parry
Planning 3B
Department for Environment, Planning & Countryside
Welsh Assembly Government
Cathays Park
Cardiff
CF10 3NQ

2005/18

29th April 2005

Dear Ms Parry

Consultation Paper: Draft Town & Country Planning (Environmental Impact Assessment) Regulations 2005

Thank you for your letter inviting the Royal Town Planning Institute (RTPI) to respond to the consultation paper proposing amendments to the 1999 Regulations. The paper has been considered by the RTPI's Welsh Planning Policy Panel and as a result, I can offer the following comments:-

GENERAL COMMENTS

Comments are invited on these provisions

1. The Institute has no adverse comments to make on the proposals in the EC Directive.

DETAILED COMMENTS

Is it reasonable for competent authorities to try to identify such bodies?

2. The Institute does not consider it reasonable to expect the competent authority to seek to identify all bodies likely to have an interest in EIA applications. The expanded definition of "the consultation bodies" referred to in paragraph 3.4 of the consultation report does not appear to be as a result of the Directive, however, there is a danger that this could result in a mere 'tick box' approach to consultation which will be particularly onerous, time consuming and expensive for local and competent bodies to administer.
3. It is recommended that the Welsh Assembly Government identify in regulations a restricted list of national bodies – including details of their responsibilities/areas of interest - which should always be considered when deciding which of them may have an interest. It should then be fairly straight-forward for local planning authorities to take a view on which organisations EIA applications are likely to be relevant to. This could be accompanied by general guidance on it being a matter for the local planning authority (or the Welsh Assembly for cases before it) to decide which other bodies (including local bodies) may have an interest in particular applications and should be consulted.

4. Furthermore, the Welsh Assembly could provide a comprehensive list of current EIA applications which relevant organisations (and the general public) could have access to. Local planning authorities are already required to send copies of the Environmental Statement to the Assembly within 14 days where applications are accompanied by an EIA.

How can authorities best arrange for NGOs with an interest to be made aware of EIA applications?

5. Authorities should individually notify non-governmental organisations (NGOs) that they consider might have an interest – in addition to advertising by site notice and in the local press. The number of NGOs is not likely to make this an onerous task.

The Institute has no objection to these comments being made available to the public. Please do not hesitate to contact me if you would like to discuss this response in more detail.

Yours sincerely

Rebecca Phillips
Welsh Planning Policy Officer