



ENGLISH NATURF

Legislative Framework

- Environmental Impact Assessment/Town and Country Planning
- EIA in other consenting regimes
- Environmental Assessment of Plans and Programmes (strategic environmental assessment)
- Habitats Regulations and “appropriate assessment”
- Policy and PPS 9

EIA

- Directive aims to ensure decisions made in the knowledge of any likely significant effect on the environment
- Considerations wider than but include ecological impacts
- All “Schedule I” development and “Schedule II development” likely to have significant environmental effects.

- Carried out by developer
- Description of project, aspects of environment (including flora/fauna) likely to be significantly affected, mitigation, non-technical summary
- Public consultation
- Environmental Statement does not determine whether consent can or should be granted



Strategic Environmental Assessment

- Directive aims to provide high level of protection to the environment
- contribute to integration of environmental considerations into preparation and adoption of plans/programmes
- by sector and that provide framework for future development

SEA

- Carried out by body preparing plan
- During preparation and before adoption
- Plan/programme can't be adopted before taking account of the environmental report and responses from consultation bodies and public consultees
- Effects to be assessed include but wider than ecological

Appropriate assessment

- Habitats Directive aims to contribute to ensuring biodiversity through conservation of natural habitats and wild fauna and flora
- Natura 2000
- “appropriate assessment” of implications of plans or projects

Appropriate assessment

- Required where plan or project likely to have a significant effect on Natura 2000 site and not directly connected with or necessary to its management.
- Habitats Regulations in the UK
- Solely ecological assessment and only Natura 2000 interest

Appropriate assessment

- Made by decision maker
- Can dictate how/whether plan or project proceeds
- Following assessment, proceed only after having ascertained integrity of the site **will not** be adversely affected

Appropriate assessment

- Level of certainty in the face of risk. If will be adverse effect or don't know, can't proceed
- Information on reality/foreseeability of risk to site
- Enough information required to ascertain no adverse effect

Policy

- PPS 9 – eg SSSI, protected species, Biodiversity Action Plan habitats or species
- Material consideration - presence or otherwise and extent to which affected to be establish before permission
- Good practice guide accompanying PPS 9 – information and evidence base, elements of evidence base, information sources