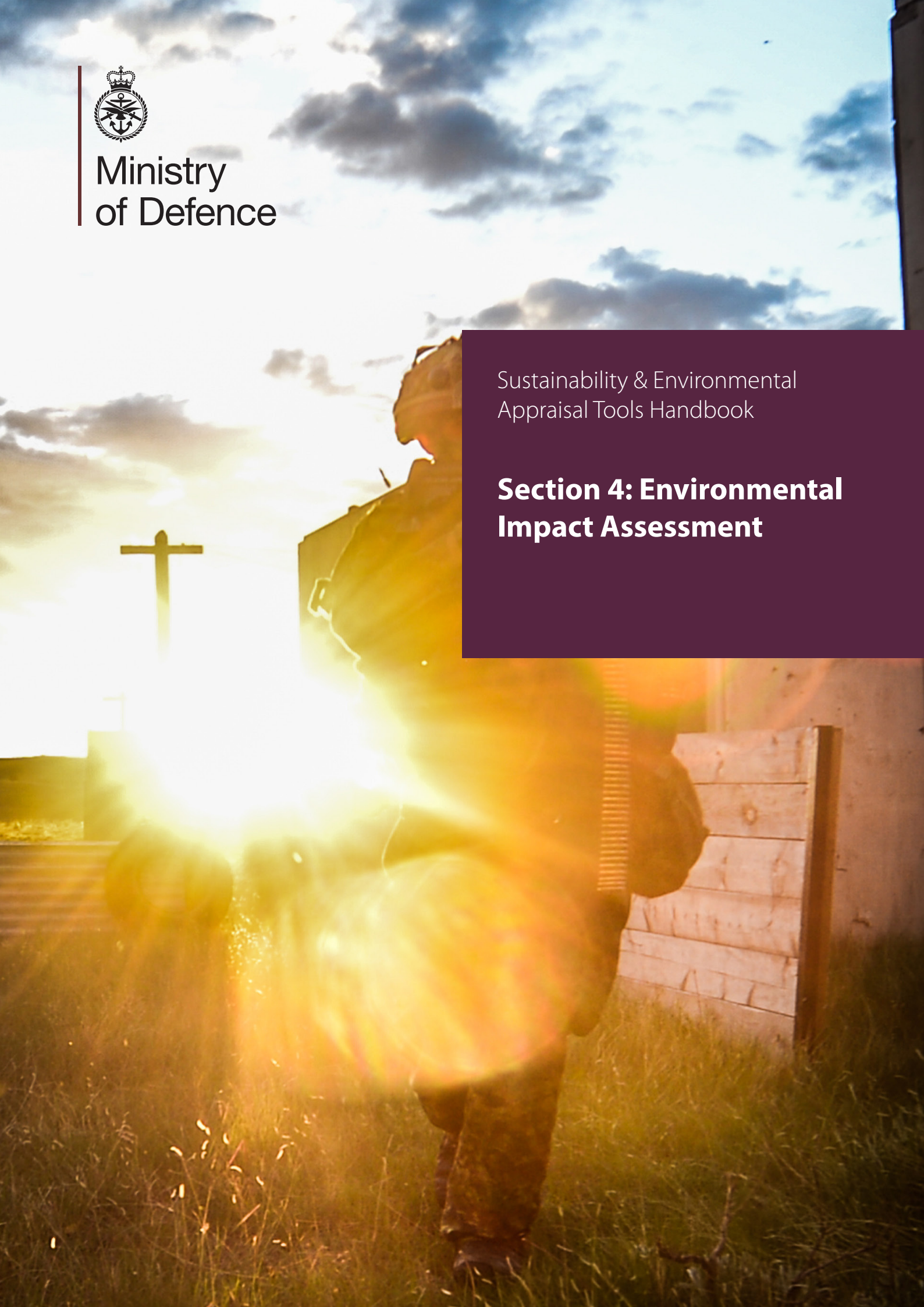




Ministry  
of Defence

Sustainability & Environmental  
Appraisal Tools Handbook

## **Section 4: Environmental Impact Assessment**



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## **How to use this guidance**

This guidance forms Chapter 4 of the MOD Sustainability and Environmental Appraisal Tool Handbook ('the Handbook'). It provides information on Environmental Impact Assessment.

- [Section 4.1:](#) What is an Environmental Impact Assessment?
- [Section 4.2:](#) Why Environmental Impact Assessment is important?
- [Section 4.3:](#) When is Environmental Impact Assessment required?
- [Section 4.4:](#) How to undertake an Environmental Impact Assessment

## **Who is the guidance aimed at?**

This guidance provides a basic level of understanding to meet statutory and policy requirements within MOD and is targeted at Requirement Mangers, Project Managers and Project Team Leaders.

### **Box 4.1 – EIA Guidance & Policy**

#### **EIA Guidance and Implementation:**

DIO Environmental Planning Team (EPT): [DIOSEE-EPSPEnvTeamWDC@mod.uk](mailto:DIOSEE-EPSPEnvTeamWDC@mod.uk)

#### **EIA Policy**

[JSP 850 – Infrastructure and Estate Policy](#) – Awaiting Publication. Please refer to [JSP 418](#).

[FMC Capability Infrastructure](#)

MOD is always seeking to learn from good practice to improve the ways that guidance is provided. Please email any **suggestions or feedback** to [DIOEUS-SusDevSpt@mod.gov.uk](mailto:DIOEUS-SusDevSpt@mod.gov.uk)

## **What is Environmental Impact Assessment?**

- 4.1.1 Environmental Impact Assessment (EIA) is a multi-staged process to consider likely significant effects of a proposed project on the environment, reasonable alternatives to the project and cumulative effects with other projects. EIA should be iterative with project processes to allow the consideration and incorporation of environmental measures to avoid, minimise or remedy impacts.
- 4.1.2 If required, the output of EIA is an Environmental Impact Assessment Report. UK legislation refers to this as an Environmental Statement (ES), which must accompany development consent applications for EIA developments.

## **Why is Environmental Impact Assessment important?**

- 4.2.1 EIA is a statutory requirement for certain projects. It provides environmental information to consenting authorities (e.g. Local Planning Authorities, Marine Management Organisation etc.) allowing them to come to reasoned conclusions with regard to environmental effects when considering applications for consents, licences etc.
- 4.2.2 EIA provides for transparency and accountability in the consenting process through consultation with statutory bodies and the public. Applications, reports, decisions etc. are published and include explanation of how consultation results and information gathered have been taken into account.

## **When is Environmental Impact Assessment required?**

- 4.3.1 The requirement for EIA in Europe arises from European Directive [2011/92/EU](#) as amended (the EIA Directive). The most recent amendment to the EIA Directive is [2014/52/EU](#). In the UK the EIA Directive is enacted through multiple EIA legislation specific to certain types of projects and administrations.
- 4.3.2 EIA has been widely adopted in various forms worldwide and should be a consideration in whichever country a project is proposed.
- 4.3.3 EIA is only required for certain projects which are likely to have significant effects on the environment. Whether EIA is required is determined by relevant consenting bodies through EIA screening.
- 4.3.4 The requirement for EIA should be considered as early as possible in the project process and reconsidered if the quantum or location of the project is changed. Consultation with the [DIO EPT subject matter experts](#) (SMEs) is recommended.

## **Defence Exemption to EIA**

- 4.3.5 It may be possible for a defence exemption to the EIA Directive to be granted, however it should be noted that the defence exemption to EIA has been very rarely applied and requires Ministerial-level approval.
- 4.3.6 If the EIA defence exemption is granted for any project, careful consideration should be given to how the requirements of the SofS for Defence [Policy Statement](#) on Health, Safety and Environmental Protection will be met.

## **How to undertake an Environmental Impact Assessment**

- 4.4.1 For MOD projects the Requirements Manager or Project Manager will generally be responsible for the procurement of EIA through external consultants or through DIO/MOD SMEs.
- 4.4.2 EIA must be undertaken by suitably qualified and experienced experts. DIO EPT SMEs will be able to advise whether a project is likely be an EIA project, assist with screening, scoping, assessment and help with the procurement and management of EIA consultants. Contact details are provided in [Box 4.1](#).

### **Baseline data**

- 4.4.3 Baseline data sets the context for assessing the environmental effects of a proposed project.
- 4.4.4 Early consideration of environmental effects should begin at the inception of the project as part of the Sustainability Appraisal (Section 2 of the Handbook). This should allow early identification of the baseline data available and indicate requirements for further studies.
- 4.4.5 Time must be allowed for gathering baseline information in a project programme. This is particularly important where surveys, e.g. ecological surveys, may have seasonal constraints or require more than one year of survey data.

### **Screening**

- 4.4.6 Screening is the process by which consenting authorities determine whether a project requires EIA. A request for an EIA screening opinion includes descriptions of the project and its environment. It considers likely environmental effects and their significance taking potential mitigation measures into account. The screening request should provide sufficient information for the consenting body to make a reasoned screening decision.
- 4.4.7 Screening requests and screening decisions will be published by the consenting authority.
- 4.4.8 Multiple EIA legislation may apply to any given project and there may be more than one consenting authority from whom a screening decision may be required. Expert advice and guidance should be sought from [DIO EPT](#).
- 4.4.9 EIA can have major cost and/or programme implications for projects. In addition, if an EIA is required, permitted development rights under the Town and Country Planning legislation will be lost. Effective EIA screening will avoid undertaking unnecessary EIA and preserve permitted development rights where appropriate.
- 4.4.10 EIA screening can often be undertaken fairly early in the project process and can be useful in pre-application discussions and submissions to consenting authorities.
- 4.4.11 Preparing a request for a screening opinion can take a few days to a few weeks depending on baseline data availability and on the nature of the project.



- 4.4.12 The time specified for a consenting body to provide a screening decision varies between EIA regulations, up to 90 days, but this may be subject to extension.
- 4.4.13 EIA screening is strongly recommended to provide for greater project certainty in terms of cost, programme, consenting risks and use of permitted development rights. Under certain circumstances it may be reasonable to omit screening or combine screening with scoping.

### **Scoping**

- 4.4.14 Scoping provides for consenting authorities to determine the environmental topics to be included within an impact assessment, the level of assessment required for each topic, and how the assessment should be undertaken.
- 4.4.15 A scoping request from a consenting authority would normally be accompanied by a scoping report. The scoping report should identify the likely significant effects, taking into account potential mitigation measures and it would propose assessment methodologies. The scoping report will propose likely significant impacts for impact assessment and explain why other potential effects have been discounted as not significant and therefore not proposed for further assessed within the EIA.
- 4.4.16 Scoping is highly recommended in order to define and agree the scope of the impact assessment. It will provide for greater project certainty in terms of cost, programme and consenting risks.
- 4.4.17 The scoping decision should be sought as soon as the project is sufficiently mature for the likely significant effects of the project to be clear.
- 4.4.18 Timescales for preparing scoping reports and obtaining scoping opinions will be similar to those for screening and similarly may be subject to extension. Scoping involves the consenting authorities consulting with other statutory and non-statutory bodies in order to arrive at their decision. As with screening, the request and opinion will be published by the consenting authorities along with results of consultation.

### **Impact Assessment**

- 4.4.19 Impact Assessment is the process of assessing the likely significant environmental effects of a proposed project, taking proposed mitigation measures into account. The results of impact assessment are reported in an ES.
- 4.4.20 An ES accompanies a consent application, it should provide sufficient environmental information so that consenting authorities can come to a reasoned consenting decision with regard to the environment.
- 4.4.21 It should be noted that mitigation measures proposed in the EIA process may become obligations through conditioning of development consents.
- 4.4.22 Without an ES development consent for an EIA project cannot be granted.

- 4.4.23 Generally, consenting authorities take 16 weeks or longer to make a decision on an EIA project. This also allows time for the statutory consultees and the public to submit comments on the EIAR. Consenting authorities can request the provision of further information before determining the application or request further time in which to make its decision.

### **Post Project Monitoring**

- 4.4.24 In order to monitor the effects of the project, post project monitoring may be required by conditions attached to consents.

### **Consultation**

- 4.4.25 Consultation is a statutory part of EIA and consenting processes and statutory consultation will be undertaken by the consenting authorities.
- 4.4.26 Voluntary consultation, e.g. with neighbouring residents, through conservation groups or other non-statutory consultees may be appropriate and undertaken by the project.
- 4.4.27 For complex or contentious projects a communications strategy is recommended and expert advice should be sought, initially from EPT, to identify stakeholders, what should be consulted on and to ensure consistency of messages.

### **Cost and Timescales for an EIA**

- 4.4.28 The time taken to complete an EIA will depend on the size, complexity and location of the proposed project, the requirement to gather baseline data and seasonal factors. It can take between 4 and 24 months.
- 4.4.29 It is difficult to define a typical cost. Carrying out the full EIA process could range from tens of thousands of pounds for smaller developments, to hundreds of thousands of pounds for large complex projects.

### **Quality Assurance**

- 4.4.30 It is important that the ES produced for a project is legally compliant, that robust methodologies are used for the impact assessments and there is a high standard of presentation.
- 4.4.31 It is a requirement of legislation that experts involved in the preparation of environmental impact assessment reports are qualified and competent. This would normally mean that individual assessors have a record of accomplishment of undertaking EIA and are members of professional bodies relevant to their specialisms and the consultancy carry the [Institute of Environmental Assessment and Management](#) Quality Mark. Assistance should be sought from [DIO EPT](#) before procuring consultants to undertake EIA.
- 4.4.32 Failure to provide an appropriate quality of EIA can lead to refusal of development consent(s) or the revocation of consent(s) because of legal challenge. Other implications of a poor-quality EIA can include delays in obtaining development consent, onerous and unnecessary conditioning of consents and reputational damage to MOD.