

# National Planning Improvement



National Planning Hub:  
Environmental Impact Assessment Training Capacity Building Programme

## Introduction to EIA for Planning Officers

# Welcome & Agenda



## Josh Fothergill FISEP CEnv

Founder & Director - Fothergill Training & Consulting Ltd

### AGENDA

10.30am - Welcome, Agenda and Housekeeping

10.35am - National Planning Hub's Environmental Impact Assessment Training Programme

10.40am - **Introduction to EIA for Planning Officers**

11.25am - ***Live Q&A Session***

11.43am - Next Steps: NPH EIA Training Programme

11.45am - Close



# Housekeeping

- Your microphone and camera have been disabled for this session.
- Please be aware we are recording today's session – to be shared on NPH EIA webpage with slides.
- Any Q+A will be excluded from the recording, so feel free to ask questions without worry.

## Q&A



Q&A

- EIA questions for the speaker will be posed in the *Live Q&A* at the end of the presentation.
- If you want to ask a question, use the **MS Teams Q&A** function at any time during the session.
- Click on the Q&A now to see the questions being asked as we go along
- We will read questions out on your behalf.

## Technical issues

- Any technical issues should also be raised in the Chat function.



# National Planning Improvement Team

**Craig McLaren**

National Planning Improvement Champion



National Planning Improvement

National Planning Hub

EIA Training Programme

**Susan Rintoul**  
Improvement Lead



**Andy Watts**  
Practice & Capacity Lead

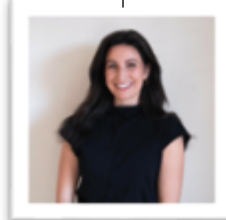


Delivered via external  
expert support

**Darius Jack**  
Planning Improvement  
Officer



**Olivia Neame**  
Planning Improvement  
Officer



+ **BRODIES**<sup>LLP</sup>



# EIA Training Capacity Building Programme

Nov – Dec 2025: Start-up and *initial EIA support package*

Jan – Mar 2026: *EIA enhancement package*

**Engagement** - to better define your EIA training needs

- **Baseline Survey** - Complete, with > 170 responses across PA
- **Online workshops** - Seeking EIA confident officers to attend on **12<sup>th</sup> January**
- **Case studies** - PA interested in co-developing a case study of PA EIA practice

Interested? Email: [andy.watts@improvementservice.org.uk](mailto:andy.watts@improvementservice.org.uk)

**December:** 2 x live online events (today + 18 Dec), initial NPH EIA webpages, EIA process & core regulatory references diagrams, plus our first *EIA Explainer* article.

**Before 31 March 2026:** ~5 live online events + multiple: articles, diagrams, web content.



# National Planning Hub – EIA Web-content

Introduction

Hydrogen

Battery Energy Storage

Onshore Wind

Housing (LDP)

Environmental Impact Assessment

Case Studies

Events

Resources

News, Media and Blogs

## ENVIRONMENTAL IMPACT ASSESSMENT

The National Planning Hub's (NPH) engagement with planning authorities and key agencies has ascertained that specialist expertise or additional capacity is required for developments that require Environmental Impact Assessment (EIA), both in relation to applications they are dealing with and those coming down the line.

The NPH is therefore working with EIA experts to develop and deploy resources to support capacity building in planning authorities, and improve understanding of the application of EIA and the key roles planning officers play in the effective and efficient delivery of this process.

We will be running a series of live learning events and publishing a number of resources to support them in this area.

<https://www.improvementservice.org.uk/products-and-services/planning-and-place-based-approaches/national-planning-hub>

## EVENTS

We organise learning events to improve understanding, share good practice and discuss challenges and opportunities.

### Upcoming events

#### Introduction to Key EIA Legal Issues for Planning Officers

**Thursday 18 December 2025, 10:30am - 11:30am**

**MS Teams**

Planning lawyer Neil Collar will discuss the legal context for EIA. This will provide an introduction to EIA procedure, key definitions and concepts, as well as an update on recent court decisions. This webinar will also include a Q&A session.

# Introduction to Environmental Impact Assessment (EIA) for Planning Officers

# Today's EIA Learning Objectives

Provide planning officers with a core understanding of the:

- Role of EIA in the planning process,
- Activities within the EIA process, and those which the PA leads
- Parties involved during a compliant EIA



# Environmental Impact Assessment (EIA)

A **decision-support tool** applied before determining planning permission for developments that are likely to have significant effects on the environment

EIA is focused on identifying, describing and drawing significance conclusions in relation to the environmental consequences arising from such developments before the consent decision is made.

A **legislative requirement** – applied across UK's development consent processes, including planning system.



# EIA - Benefits

Applies a more rigorous approach to environmental assessment for the projects that pose a greater risk to the environment and communities.

Provides a central voice for environment issues on such proposals.

**Proactive tool** - providing developer and PA with greater knowledge and control.

**Open tool** - enabling the public, statutory bodies and others to have greater engagement on the environmental effects where projects pose greater risk.



# EIA is...

## A long-established regulatory requirement

Introduced into the planning system in 1988

Stable legislation basis, in planning we apply:

***T&CP (EIA) (Scotland) Regulations 2017 (as amended)***

EIA is also applied within multiple other consenting regimes:

- Section 36 Electricity Works – via ECU
- Marine licencing – via Marine Directorate
- Master Plan Consent Areas – via PA

**This NPH EIA Training will focus on application of EIA in relation to developments seeking planning permission (/ multi-staged consent = PPIP + Am-Sic).**

SCOTTISH STATUTORY INSTRUMENTS	
2017 No. 102	
TOWN AND COUNTRY PLANNING	
The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017	
Made	29th March 2017
Laid before the Scottish Parliament	31st March 2017
Coming into force	16th May 2017
CONTENTS	
PART 1 INTRODUCTORY	
1.	Citation and commencement
2.	Interpretation
3.	Prohibition on granting planning permission without an environmental impact assessment
4.	Environmental impact assessment
5.	Environmental Impact Assessment Report
PART 2 DETERMINING WHETHER ENVIRONMENTAL IMPACT ASSESSMENT IS REQUIRED	
6.	EIA Development
7.	General provisions relating to screening
8.	Requests for screening opinion of the planning authority
9.	Screening opinions - time period for decision
10.	Requests for screening directions of the Scottish Ministers
PART 3 PROCEDURES CONCERNING APPLICATIONS FOR PLANNING PERMISSION	
11.	Application or request to review made to a planning authority without prior screening
12.	EIA application made to a planning authority without an EIA report
13.	Application or Appeal to the Scottish Ministers without prior screening
14.	EIA application referred to the Scottish Ministers without an EIA report
15.	Appeal to the Scottish Ministers without an EIA report



# EIA: Regulatory Teeth

## *Prohibition to Grant Consent*

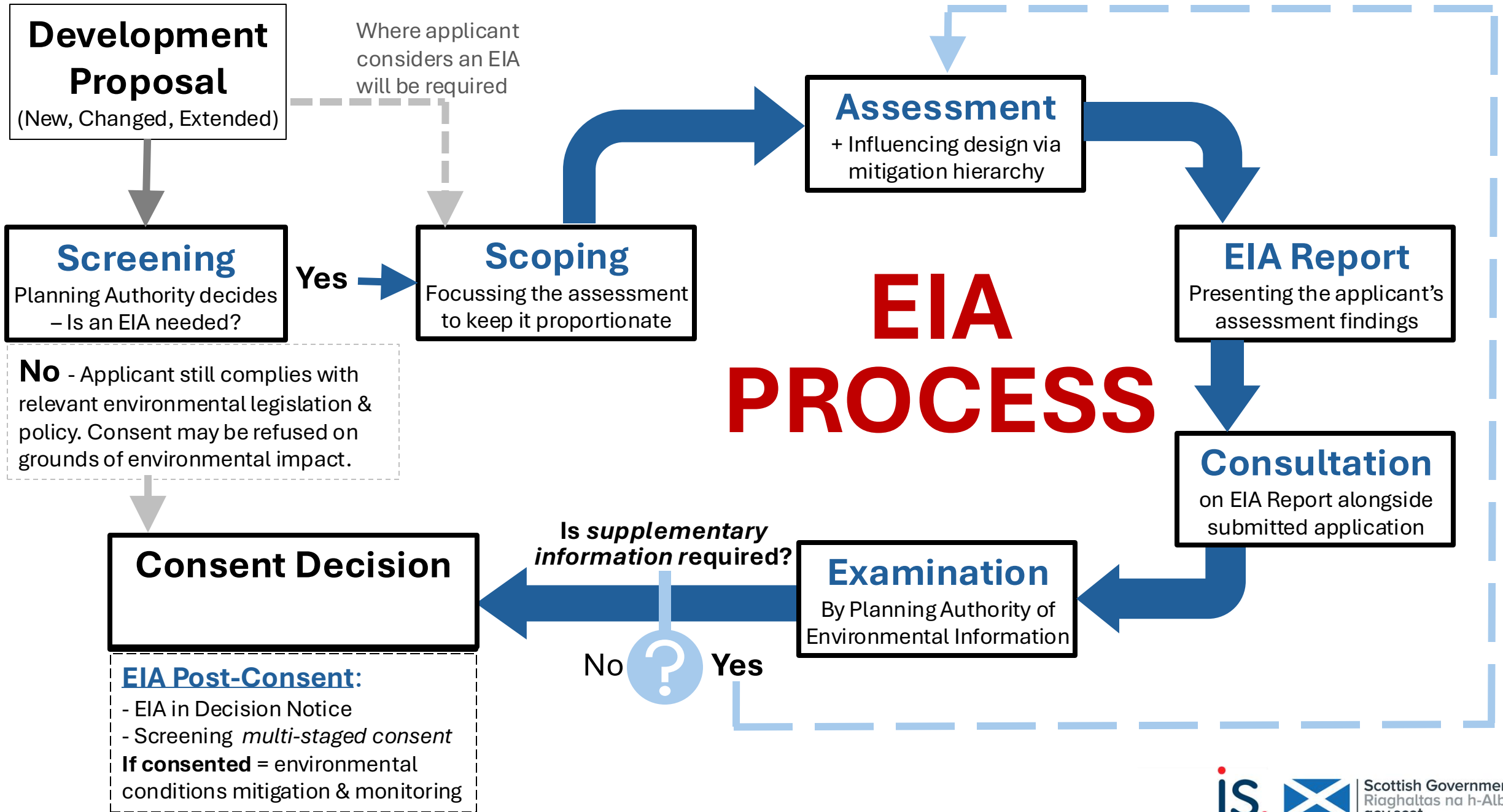
The EIA Regulations **prohibit** the **grant of planning permission or multi-staged consent to *development* requiring EIA** unless... an ***environmental impact assessment*** has been carried out.

As such, failings in delivery of EIA's regulatory due process carry the risk of an EIA related **Judicial Review** of any consent awarded.

Continue learning about EIA and the legal matters by attending the next NPH EIA online event on Thursday 18<sup>th</sup> December at 10.30am

- **Neil Collar** (Brodies) – ***Introduction to key EIA legal issues for planning officers***





# EIA: The key parties involved

**Planning Authority** (/Scottish Ministers) – Make EIA’s regulatory decisions (screening & consenting), plus core role, *if requested*, in scoping developer EIA Report.

**Applicant** (/ EIA Consultants) – Once the need for an EIA is confirmed they lead the pre-application activities that result in the production of an EIA Report.

**EIA Consultation Bodies** – Formally consulted during scoping, when an opinion is requested from the PA, and also on the application and its EIA Report.

**Public & Interested Parties** – Formally consulted on the application & EIA Report.

**The Courts** – Only if *judicial review* of consent awarded to an *EIA development*.



# EIA Process: Who does what?

**PA = Planning Authority**

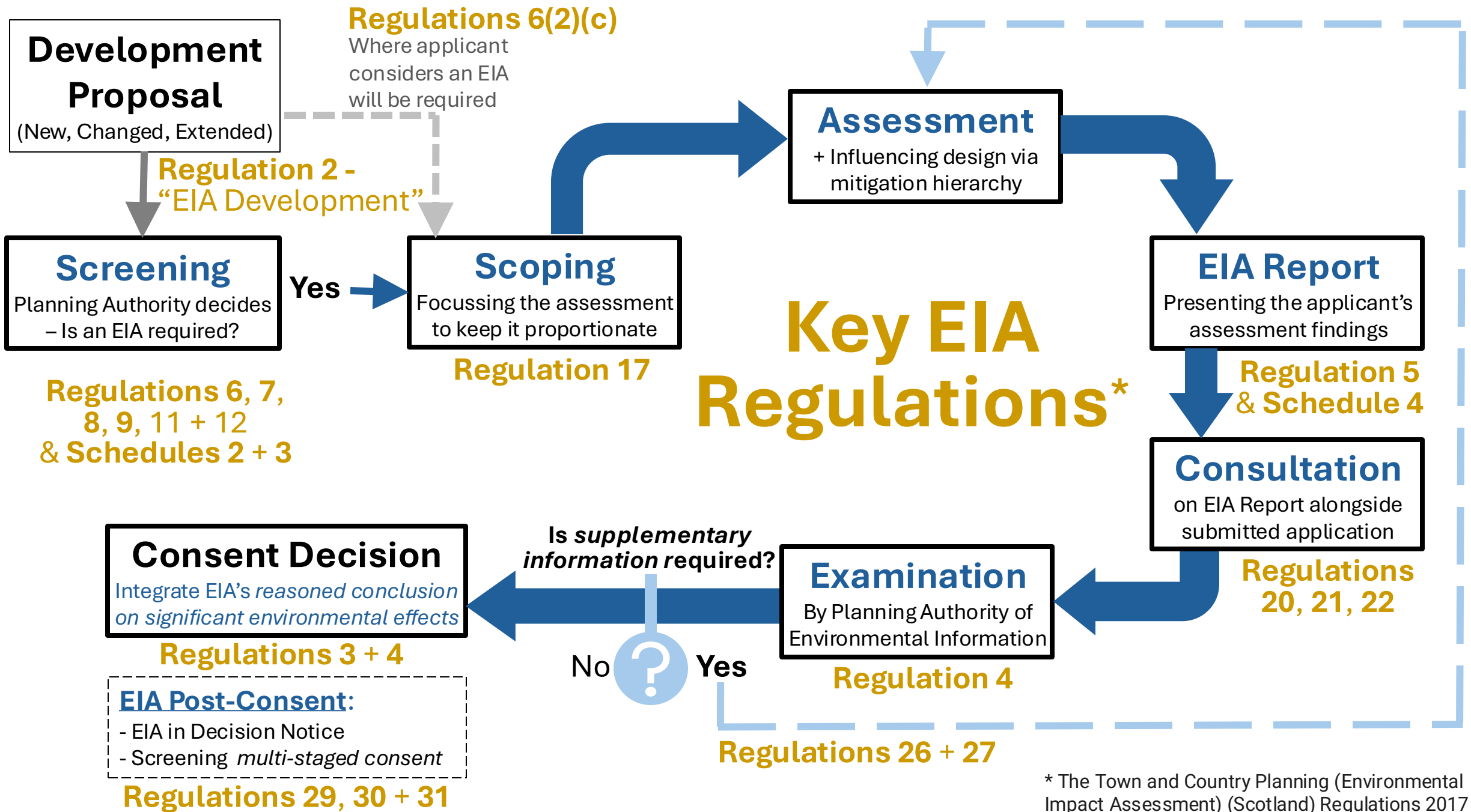
**Dev-Con = Developer / Consultant**

**CB = Statutory Consultation Bodies**

**Public = The Public + Other Stakeholders / Interested Parties**

- Screening\* **PA** (*Screening Opinion*) + **Dev-Con**
- Scoping\* **Dev-Con** (if request made) --> **PA** (Opinion) + **CB** (via PA consultation)
- Impact assessment
- EIA Report\* **Dev-Con**
- Consultation **PA** (implements) + **CB + Public** (as consultees)
- Examine environmental information **PA**
  - Supplementary info request **PA** (Decision) + **Developer** (Provides) + **CB & Public** (consulted)
- PA's reasoned conclusions on LSE **PA**
- Conditions – environmental mitigation / monitoring **PA**
- Decision Notice\* **PA**

\* = Publicity: key EIA docs on public record



# EIA Introduction

## Significance

**Your judgement of significance is fundamental to compliant & effective EIA**

Planning officers should always:

- Make reasonable and rational judgements related to EIA
- Be able to justify your decisions based on the evidence available
- Consult appropriately but draw your own opinions / conclusions
- Make the PA's formal EIA decisions available via the public record

**Ultimately – You are applying your *existing* planning judgement skills in the context of EIA**



# EIA Introduction

## How EIA builds to a significance judgement

**Baseline**  
+  
**Impact**

> **Effect**

> **Significant  
Effect**



# EIA Screening

## When is EIA screening needed?

EIA is mandatory for certain types of development - Listed in Schedule 1 EIA Regs – as such a PA led screening process is not required. [Move straight to Scoping]

**Case by case PA screening required for** many other development proposals

= ***Schedule 2 Development***

PA must produce ***Screening Opinion*** if proposal is listed in Schedule 2 EIA Regs **and...** is **either** at / above a relevant thresholds (generally spatial area based)

**Or** if any part of the proposal is within a *Sensitive Area*



## Schedule 2 Development – PA Screening Opinion

### PA's Screening decision

- A professional judgement, advice in Schedule 3 of EIA Regulations
- Does planning officer consider proposed development is **Likely** to have one or more **Significant Effect on the environment**?
  - Yes = EIA Development
  - No = Normal application (environmental effects still taken into account as material conditions)

**PA's Screening Opinion** = Writing up above decision and your justification & evidence

**PA's Screening communication** = Making *Screening Opinion* available both to applicant and placing it on public record



## EIA Scoping

# Deciding what will be covered in the developer's EIA Report

Developer - their **EIA consultants** lead this pre-application process

- Normally broad pre-application / informal consultation occurs

Developer can *voluntarily* make a **Scoping Request** to PA

- **Scoping Request** triggers formal regulatory duties - the PA must:
  - Consult with EIA consultation bodies
  - Produce **Scoping Opinion**, issue it to the developer and place it on public record

Despite giving a **scoping opinion**, PA retains the option to seek *supplementary information* after submission of the application and its EIA Report.



# EIA Assessment

## Developer + Consultants - Pre-app activities alongside design

### Developer's EIA consultants will

- Identify current state + trends in the receiving environment (Baseline)
- Assessment the proposed development iterating with design process:
  - Identifying Impacts (e.g. construction > operation > decommissioning)
  - Describing effects of impacts on receptors (Source > Pathway > Receptor / Baseline)
  - Evaluating whether each effect is significant or not.
- Where assessment identifies significant adverse effects, the developer must:
  - Apply the mitigation hierarchy in considering design changes and / or mitigation measures
  - Define monitoring measures in relation to significant adverse effects.
- Write up of their assessment findings in the form of an ***EIA Report***
  - Minimum requirements and broader content defined within EIA Regulations.



## Planning Authority Leads

### PA must ensure it:

- Consults on the *EIA Report* and any *additional information* requested / submitted
  - Specific parties and minimum timeframes are set in the Regulations
  - The outcome of this process generates the *environmental information*
- Examines the *environmental information*
  - Request *supplementary information* - if needed by **PA** to reach reasoned conclusion
- PA draws its own *reasoned conclusion* on the significant effects of the development on the environment, taking account of the above examination.



## Planning Authority Leads

### PA must ensure it:

- Integrates *reasoned conclusion on significance* into the decision process
  - Ensuring the conclusion are *up-to-date* at the point of decision
  - If awarding consent: convert EIA mitigation & monitoring measures into conditions
- Post-decision – whether granted or not:
  - Provide environmental information within (/ alongside) the *Decision Notice*
  - Ensure the public, consultation bodies and others have access to this information



# Learning Review

## Introduction to EIA for Planning Officers

This online learning event has provided information and advice on:

- Role of EIA in the planning process,
- The activities within the EIA process and which a PA leads on,
- Information on the main parties involved in EIA, and
- An outline of details about significance and EIA's key stages.





Q&A

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- To ask a question, use **MS Teams Q&A** function.
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## National Planning Improvement



# EIA Training Capacity Building Programme

## Next Steps

### PA Engagement & Inputs

- **Online workshop** - seeking EIA confident officers to attend on **12<sup>th</sup> January**
- **Case studies** - PA interested in co-developing a case study of PA EIA practice  
Interested? - Email [andy.watts@improvementservice.org.uk](mailto:andy.watts@improvementservice.org.uk)

**Next Online Event** = 10.30am on Thursday 18 December:

*Introduction to key EIA legal issues for planning officers*

**2026: Jan - Mar:**

Look out for more NPH EIA live online events

Regularly check NPH webpages for new EIA articles, diagrams and other content.



# National Planning Improvement



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## Introduction to EIA for Planning Officers

Thank You!