



DARTMOOR TRAINING AREA

Environmental Appraisal

Environmental Appraisal: Approach

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4. Environmental Appraisal (EA): Approach

4.1 The EA Process

Overview

- 4.1.1 As outlined in **Section 1.2** of this Report, the approach adopted for this EA is based on that used for the assessment of effects associated with developments for which Environmental Impact Assessment (EIA) is required for projects falling under the requirements of the *Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999* (hereinafter referred to as the *EIA Regulations*). The assessment process that is used for an EIA development or activity is considered to be a suitable model to apply to the EA of the likely significant effects of the continuation of military training at the steady state level of activity beyond 2012.
- 4.1.2 Prior to undertaking this process MoD sought legal advice. The licenses between the Secretary of State for Defence and landlords are private contractual arrangement that require re-negotiation before expiry. The next license to expire is with the Duchy of Cornwall in 2012 and MoD is seeking to re-negotiate a further period. This does not amount to a renewal of the use of the land in accordance with Department of Environment Circular 12/96, which relates to the *Environment Act 1995, Part III, National Parks*. For Circular 12/96 to be relevant the renewal should amount to a resumption of the use of a National Park after an interruption or pause, which is not the case in respect of military training on Dartmoor.
- 4.1.3 MoD is not bound to carry out an EIA, either in accordance with Circular 12/96, or on a statutory basis in accordance with the *EIA Regulations*. However, MoD has conducted an EA that mirrors the output of an EIA. Where possible it proposes measures for mitigation of any adverse effect of the military presence on Dartmoor and assesses the significance of effects. The EA Report will be subject to public consultation. In the absence of a 'development', the statutory framework of the *EIA Regulations* does not apply. In view of this, the term EA is used to replace EIA. The Environmental Statement (ES) is the product of the EIA process, in this case the EA Report is considered to be the equivalent of an ES.
- 4.1.4 The key characteristics of the EIA process leading to completion of an ES are that it is:
- systematic, comprising a sequence of tasks defined both by regulation (in the case of EIA) and by good practice, leading to the use of the information that is gathered to inform decision-making;
 - analytical, requiring the application of specialist skills from the environmental sciences;
 - impartial, its aim being to inform the decision-maker rather than to promote the project;
 - consultative, with provision being made for obtaining feedback from interested parties including local authorities and statutory bodies;
 - interactive, allowing opportunities for concerns regarding environmental effects to be addressed, and, in this case, improve the management of military training on DTA, where appropriate.

- 4.1.5 The preparation of the EA Report is one of the key stages in the process, as it brings together the environmental information that has been used to inform the assessments of likely significant effects and the evaluation of the significance of these effects. The EA Report also needs to include information about the decisions that have been taken to improve the management of military activities.
- 4.1.6 Following the production of the EA Report, it will be considered as part of the decision making process regarding the license re-negotiations.
- 4.1.7 The key steps in the EA process are summarised in **Box 4.1**. These are based on the EIA Regulations, government guidance and good practice. They require inputs from not only the EA team but also the MoD and third parties such as statutory consultees.

Box 4.1 Key Steps in the EA Process

- Defining the military training activities, including consideration of the need for training and alternatives for meeting this need;
- Deciding on the likely significant effects that need to be assessed and how the necessary assessments will be carried out (i.e. scoping);
- Consulting over the scope of the EA and refining the scope in response to the comments received
- Assembling further information about the baseline environmental conditions that relate to the likely significant effects;
- Identifying measures to avoid or reduce adverse effects, or to increase the environmental benefits,
- Ongoing consultation with statutory consultees and other interested parties, as appropriate;
- Assessing the magnitude and other characteristics of the environmental effects being assessed;
- Evaluating the significance of the predicted effects;
- Collating the findings in an EA Report and summarising the findings in a non-technical summary;
- Decision-making, which may involve inter alia ongoing negotiation and requests for further information;
- informing stakeholders of the decision on the re-negotiation;
- Ongoing environmental monitoring, management, assessment and other work, as required.

- 4.1.8 Before describing how the EA process has been applied (see **Section 4.2**), outlined below are aspects of Entec's generic approach to scoping EIAs and EAs and the terminology used in these processes.

Terminology Used in this Report

Impact and Effect

- 4.1.9 Within the EIA/EA process, most use the terms 'impact' and 'effect' interchangeably, whilst others use the terms with different meanings. Some use 'impact' to mean the cause of an 'effect' whilst others use the converse meaning. This variety of definitions has led to a great deal of confusion over the terms 'impact' and 'effect', both among the environmental specialists that undertake EIA/EAs and those who read the resulting reports.
- 4.1.10 The convention used in this Report is to use the word 'effect' when describing the environmental consequences of military training. Such effects come about at the end of a series of events, or pathway, that involve:
- physical **activities** that would or do take place (e.g. vehicle movements);

- environmental **changes** that occur as a result of these activities (e.g. an increase in noise levels) - in some cases one change causes another change, which in turn results in an environmental effect; and
- the environmental **effects** that are predicted to result from these changes - these are the consequences of the environmental changes for specific environmental resources or receptors (eg consequences for valued fauna or loss of vegetation, consequences for people of an increase in noise levels etc.).

4.1.11 This EA is concerned with evaluating the significance of the effects of military activities, rather than the impacts or changes that cause them. However, this requires these activities to be understood and the resultant changes quantified, which often necessitates predictive assessment work.

Mitigation

4.1.12 In this Report, mitigation is defined as covering the following.

- **Avoidance:** Measures taken to avoid adverse effects.
- **Reduction:** Measures taken to reduce adverse effects.
- **Compensation:** Measures taken to offset/compensate for significant adverse effects. These measures usually take the form of attempting to replace what will be lost.

Enhancement

4.1.13 The genuine enhancement of environmental interests, unrelated to any avoidance, reduction or compensation, is not considered to be mitigation. However, it may still be relevant to the EA.

Scoping

4.1.14 Scoping involves identifying:

- the people and environmental resources (collectively known as ‘receptors’) that could be significantly affected by the proposals; and
- the work required to take forward the assessment of these likely significant effects.

4.1.15 The context for scoping is provided in the EIA regulations and in DETR Circular 02/99 *Environmental Impact Assessment*. Schedule 4 of the Regulations states that the ES should include “a description of the likely significant effects of the development on the environment...”. The Circular states that “In many cases, only a few of the effects will be significant and will need to be discussed in the ES in any depth. Other impacts may be of little or no significance for the particular development in question and will need only very brief treatment to indicate that their possible relevance has been considered.”

4.1.16 Scoping needs to be started at the outset of the EIA/EA process in order to allow the EIA/EA to focus on important issues. Making early decisions about which effects are likely to be significant might be considered to be premature, given that the best way to make such decisions is to assess each effect in detail and then to decide whether or not it is significant. In practice, though, it is unrealistic to do this, given the great number of effects that could result from a proposed development or activity; assessing all of these in detail would be impractical.

4.1.17 It is essential to recognise that early decisions about likely significant effects may be wrong and that the scope of the EIA/EA needs to be kept under constant review and be

revised as appropriate in response to the understanding of baseline environmental conditions and the project or activity being assessed. Such changes should continue to be made, as required, up to the time that the EA is produced.

- 4.1.18 Entec's approach to scoping is to set out the early conclusions about the scope of the EIA/EA in a Scoping Report. There is no statutory requirement to produce such a report but to do so is widely recognised as good practice on the basis that it engages interested parties and enables them to contribute to the scope of the EIA/EA from an early stage, which in turn can reduce delays later on.
- 4.1.19 In the Scoping Report, effects are identified for further assessment ('scoped-in') when:
- they are likely to be significant; or
 - they could be significant - with further information and/or consultation being required to determine whether they are likely to be significant.
- 4.1.20 For each of these effects, the Scoping Report identifies the work required to take forward the EIA/EA. Ideally there is sufficient information available for the Scoping Report to define the details required to assess the identified effects. Often, though, all that can be done is to identify the survey work needed to determine whether receptors that could be significantly affected are present and/or to understand the changes that could affect the receptors. Only when this has been done can the assessment requirements relating to the receptor be defined. As new evidence becomes available, effects that were scoped-in might be scoped-out and vice versa.

Typical Project Evolution

- 4.1.21 Even before the start of the EIA/EA process, many proposals are informed by environmental considerations. Further opportunities to avoid or reduce potential adverse effects, or to deliver environmental enhancements, may be identified whilst preparing the Scoping Report. Some of these opportunities will be acceptable to the client/project design team and will become part of the scheme proposals. The interactive process of scheme development continues through to a 'design freeze', at which stage detailed work to assess the effects of the finalised scheme can be completed. For this project, such an approach is not applicable and the appraisal has considered environmental effects by assuming military training activity up to the currently agreed threshold levels.
- 4.1.22 Entec's normal approach to EIA/EA is to assess the effects of the scheme proposals, incorporating the mitigation and enhancement measures that the client has agreed should form part of the proposals, irrespective of how or when (whether before or during the EIA/EA stage) they were adopted. In undertaking the assessment of the proposals, it is, however, essential to consider the likely effectiveness of the mitigation/enhancement measures. Only those measures that might reasonably be expected to be effective can influence the assessment.
- 4.1.23 This approach often enables some effects to be 'scoped-out' of the EIA/EA on the basis that incorporated measures that might reasonably be expected to be effective will avoid significant adverse effects. These measures are described in the scheme description chapter of the ES, whilst the specific benefits relating to the individual environmental topics that are assessed as part of the EIA/EA are described in the relevant topic-specific ES/EA Report chapters.
- 4.1.24 In this case, environmental considerations are already being taken into account in the management of military training on DTA. Additional mitigation has also been identified through the consultation process and assessment of effects.

4.1.25 The additional mitigation identified has been agreed with DTE and where appropriate will be implemented through the DTA Environmental Management System (EMS).

4.2 Application of the EA Process to this Project

Topics to be Addressed in the EA

4.2.1 Schedule 4 of the EIA Regulations specifies that the EIA should address “...*direct effects and any indirect, secondary, cumulative, short, medium and long-term, permanent and temporary, positive and negative effects...*”. Schedule 4 also specifies that the ES should describe those “*aspects of the environment likely to be significantly affected by the development, including, in particular population, fauna, flora, soil, water, air, climatic factors, material assets, including the architectural and archaeological heritage, landscape and the inter-relationship between the above factors.*” In this report, these topics are dealt with under the headings set out in **Table 4.1**.

Table 4.1 Environmental Topics Addressed in EA

Topics in the EIA Regulations (SI No. 293)	Topics in this report
Population	Socio-economics; Air Quality, Noise and vibration and land use
Fauna	Flora and fauna
Flora	Flora and fauna
Soil	Land quality
Water	Hydrogeology and hydrology
Air	Air Quality
Climatic factors	Air Quality; Hydrogeology and hydrology
Material assets, including the architectural and archaeological heritage	Cultural heritage; Traffic and Transport
Landscape	Landscape and visual
The inter-relationship between the above factors	No specific topic but addressed by analysis of the environmental changes associated with the development and the consequent effects being central to the approach used to scoping and assessment

The Stages of the Development

4.2.2 Normally the potential environmental effects of the development have to be considered during both the construction and operational phases of a proposed development. In this project, there are no facilities to be constructed hence there are no effects to be considered. Similarly any changes in training are not associated with any land use changes or modification of current activities. Any such changes will relate to some intensification in training but only within the current levels permitted on DTA.

Scoping

- 4.2.3 The Scoping Report was finalised and publicised in September 2006. As the report was not written in support of a planning application, it was not submitted to the local planning authority as would be done in the case of an EIA under the EIA Regulations. Instead, the report was publicised on the DTA website (<http://www.dartmoor-ranges.co.uk>), issued to consultees and public exhibitions were held with the aim of receiving responses and feedback on the proposed scope of the appraisal.
- 4.2.4 Several statutory and non-statutory consultees were invited to respond with comments on the proposed scope of the EA, as would be done by the planning officer if a request for a Scoping Opinion has been submitted to the local planning authority (LPA) under the EIA Regulations. A list of the statutory and non-statutory consultees consulted as part of the scoping process is included in **Appendix 1.2**. The planning officer at the LPA would normally consult with statutory consultees and other consultees as required, and use the consultation responses to produce a Scoping Opinion.
- 4.2.5 Two public exhibitions were held, at Tavistock on Monday 30th October 2006 and Okehampton on Tuesday 31st October 2006, and members of the public were invited to attend to find out more about the appraisal process and to be given the opportunity to comment on the proposed scope of the assessment. These events were publicised beforehand through local media including newspapers, radio and television. Comments received from members of the public were recorded.
- 4.2.6 As the EA is not being undertaken under the EIA Regulations, a Scoping Opinion has not been produced as part of the scoping process. Instead, the comments received from statutory and non-statutory consultees have been collated as part of the consultation summary (contained in **Appendix 4.1**). This has been considered in conjunction with the scope of the assessment set out in the Scoping Report. The scope of the appraisal has been progressively refined on the basis of consultation responses, from the environmental information resulting from survey or assessment work and from issues raised as part of Working Group (WG) meetings (see following section for further information on the WG).
- 4.2.7 The final scope of the appraisal is outlined in each of the topic chapters. Reference is made to any changes in the scope since the publication of the Scoping Report.

Working Groups

- 4.2.8 WG have been set up to examine the four key topics considered in the EA; they cover public access, nature conservation, cultural heritage and land use. The WG comprise, a chairman; the topic specialist completing the appraisal for each particular topic and members from statutory and non-statutory organisations (see **Sections 6.3, 8.3, 9.3 and 11.3** and **Appendix 1.2** for details of working group meetings and attendees).
- 4.2.9 WG meetings were held throughout the appraisal process in order to engage with relevant organisations. The aim of these meetings was to discuss the scope of the appraisal, identify issues which needed to be considered in the appraisal and to communicate the findings of the appraisal work. The terms of reference for the working groups are included in **Appendix 4.2** and also on the DTA website (<http://www.dartmoor-ranges.co.uk>).

Approach to the Assessment of Environmental Topics

- 4.2.10 All of the topic assessments set out in **Table 4.1** have been undertaken on the basis of a common understanding of the nature of military activities.
- 4.2.11 Each environmental topic chapter generally follows a common format, as outlined below.

- **Context:** This provides a 'pen-picture' of each environmental topic relevant to the military training, including the policy context and legislative context. The detailed baseline relating to receptors and resources that could be significantly affected by the proposed development is set out in a later section.
- **Scoping of the assessment:** This summarises the proposed scope of the assessment as set out in the Scoping Report and details any change in scope that may have been identified through consultation regarding the Scoping Report and in Working Group meetings.
- **Environmental Management Measures:** This summarises all of the existing management measures which are currently in place in as part of the DTA EMS, Integrated Land Management Plan (ILMP) and Defence Training Estate South West Standing Orders (DTE SW SOs). This section also outlines subsequent measures which have been identified in order to minimise further the environmental effects of military activities or improve management practices.
- **Assessment of potential effects:** Where there are two or more receptors or groupings of receptor that could be significantly affected by military activities, separate sections are included under this heading. Other receptors are not addressed (as they have been scoped-out). The section is divided into four subsections.
- **Data gathering and survey work:** This describes how data were collected for use in the assessment.
- **Current conditions:** This includes information about the current baseline situation and the importance/sensitivity of the receptors.
- **Significance evaluation methodologies:** This sets out the assessment methodology used to assess effects on receptors and the criteria or standards that have been used to determine the significance of effects.
- **Assessment of effects and evaluation of significance:** The results of the detailed assessment are described, reflecting any mitigation measures that have or will be incorporated into the management of military activities. For some receptors, there is a need to consider the effects of different activities and their associated environmental changes (e.g. the effects of habitat disturbance and operational noise on a bird species). Each change is characterised, for example with reference to its duration, extent, magnitude and reversibility, and confidence in its prediction. Based on this analysis, a conclusion is drawn about how each change is expected to affect the receptor in question. Information about the effects of all the environmental changes is then drawn together and a conclusion reached about the overall effect, the significance of which is then evaluated using evaluation criteria. A conclusion is then reached as to whether the effect is 'significant' or 'not significant'. Broadly, an effect that is considered significant is of such weight that it could require consideration by the Dartmoor Steering Group (DSG) in their report to Ministers ³³.
- **Summary of significance evaluation:** This section summarises (usually in tabular form) information about predicted effects and their significance.

³³ This approach is based on that set out in European Commission (2001). Guidance on EIA Scoping. Office for Official Publications of the European Communities, Luxembourg (see Checklist of criteria for evaluating the significance of impacts).

Links Between the EA and Existing Management Measures

4.2.12 As outlined in **Section 4.1**, even before the EA process began, the management of military training on DTA was informed by environmental considerations. The existing EMS, ILMP and DTE SW SOs incorporate measures to ensure that environmental effects are avoided or mitigated. Therefore, the effects of military training have been assessed taking into account the fact that these measures are already in place, and certain effects were scoped-out in the Scoping Report on the basis that there is sufficient mitigation. In addition, the process of undertaking the assessment has identified additional measures that should be incorporated into the EMS, ILMP and/or SOs in order to further minimise or avoid environmental effects. Such measures have been agreed with DTE and DTE SW and the assessment is based on the environmental conditions that exist with these measures in place.

Assumptions

4.2.13 In addition to the assumptions reflected in the description of training activities (**Chapter 2** refers), the EA has been based on the key assumption that any future license agreement will be based on current thresholds in training activity.

Cumulative Effects

4.2.14 Effects from military activities occurring cumulatively in conjunction with effects from proposed future developments in the wider area have been scoped-out of the assessment. Typically, cumulative effects from one or more developments in conjunction with the development or activity being assessed are considered in relation to identified receptors. For example, if a residential property has views of a proposed development site and also has views of another proposed development site, then the cumulative effects of views of both of these development sites on that receptor is considered as part of the assessment.

4.2.15 A search has been undertaken of the West Devon Borough Council (WDBC), Teignbridge District Council (TDC), South Hams District Council (SHDC) and DNPA websites to review planning applications submitted to these authorities since 1st January 2005. The search considered planning applications within parishes around DTA. Only applications for which planning permission had been granted were considered. The search revealed that in several parishes no planning applications had been submitted during the timescale considered. In several parishes several planning applications had been submitted but these were considered to be minor in scale (i.e. applications for construction of low numbers of properties or extensions to existing properties). Further information is outlined in **Appendix 4.3**. A search was also undertaken of minerals and waste planning applications from the Devonshire County Council (DCC) website.

4.2.16 Overall, it is considered that no applications have been granted planning permission within or around DTA that are of sufficient scale to result in significant cumulative effects in combinations with any effects which may result from military activities on DTA.

Consultation on the EA Report

4.2.17 Once the EA Report is complete, it will be made available for statutory body, non governmental organisation and public comment via the DTA website. Public exhibitions will also be held at Tavistock on 23rd October 2007, Bovey Tracey on 24th October 2007 and Okehampton on 25th October 2007. The comments from consultation will be included in an addendum report which will seek to address comments, and, if relevant, additional information will be provided in order to address such comments. The consultation process, which commenced prior to issue of the Scoping Report, will continue beyond EA

report and addendum stages, with the opportunity for continuing dialogue via the DTA website and through the forum provided by the Dartmoor Steering Group (DSG). The DSG will debate the EA as part of its wider remit, which is to seek to reconcile the requirements of conservation and public access with the need for, and sustainability of military training on Dartmoor. The DSG reports annually to the Secretaries of State for Defence and for the Environment, Food and Rural Affairs.

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