ADDENDUM REPORT

LDCA MEETING 15TH JANUARY 2020

BUNKER'S HILL DEVELOPMENT - 2019/101

This an update on the Report to the Land Development Control Authority for their meeting on Wednesday 15th January reviewing the comment of the Chief Environment Officer in the assessment of the development proposal.

The report will also be orally at the meeting to highlight the issues that have been raised.

The Chief Environment Officer has raised concerns on the content of the Environmental Impact Assessment submitted with development application to assess the impact of the proposed development on this vast area of Bunker's Hill that is totally untouched by any physical disturbance. These views are very similar to those I have set out in the Report.
The CEO states that:

- it is unclear from the document as to the reason for producing this EIA Report
- being required to conform with legal advice relating to LDCP policy and without stating, the actual policy is not sufficient
- there had been a decision previously that any LDCP policy stating 'subject to an environmental impact assessment' meant that an EIA Report would be required, even if a Screening Opinion concluded otherwise;
- For this proposed development this is only relevant to the road to which LDCP Policy RT.5 (g) refers.
- would have been sensible for the applicant to have requested a Screening and Scoping Opinion for the whole development and the screening opinion would likely have concluded that an EIA Report was required
- the scale of the development is on a site that has not been previously disturbed
- there is a lack of baseline data
- a Scoping Opinion would have helped to guide the applicant as to the relevant issues to be assessed, the author recognises this under Environmental Impacts and Mitigation Measures but it not clear why this was not requested
- the document states that the site has limited ecological value, as this site has never been developed and as far as information is available and of any awareness, no ecological surveys have been done on the site
- an ecological baseline assessment should have been done to support this statement and should have been included as part of this EIA Report
- the presence of some plant species including protected species, is noted, further detail should have been provided in terms of population numbers and locations
- there are graphs and tables that have no context and relevance to the development area being assessed

- potential adverse impacts and mitigation includes mostly relevant mitigation measures, although again some of the proposed measures do not relate to this development and there are some odd ones like 'Invasive vegetation to be maintained during construction and operation stages
- the mitigation measures are not related to any identified impacts
- the Table as a whole do not provide the full information and explanation
- recognise that there is limited expertise on Island to for EIA and this EIA Report is considered to be of greatly lower standards

In view of the concerns expressed by the CEO, there has been detailed discussions with CEO as to how the issues raised can be overcome in order to enable the development application to be progressed without compromising the authority of the system and regulation and to ensure that there is a due element of control by the Planning Service on behalf of the LDCA to development to proceed. One of the big issue in respect of this proposed development is that whilst the proposal is for only 150 plus homes with associated supporting services, however the area covered by the development is 22.26 hectare (55.0 acres) that has a very difficult terrain and is at present not very accessible.

As there does not appear to be any evidence any previous surveys of the area or one ever been undertaken, there is little or no evidence against which assessment of the impact of the proposed development can be made. With an understanding that this area has probably never been disturbed and given the ecology of the area and environmental sensitivity of the Island as a whole, the requirement would be for the developer to undertake a detailed survey of the whole area to establish an information base. However, in reality given the vastness of this area, accessibility and the difficult terrain, in the undertaking work for an EIA the Scoping Opinion a process could have been developed and agreed that would have benefitted the applicant and enabled the Planning Service to ensure a fit for purpose EIA was submitted in support of the development.

In view of the current position on the decision making on the development application, the applicant would be required to undertake detailed ecological survey of the area, around a minimum of ten plots of minimum 2,500sqm and three areas of 500sqm for the access road area before any land disturbance work is undertaken and to submit a report for the consideration of the Chief Planning Officer. This would represent less than 10% of the whole area of affected by the development. This selective survey and assessment could provide some ecological evidence to assist with an understanding of the environmental condition of the area. The areas of survey would be agreed with the Chief Planning Officer in consultation with Chief Environment Officer and the applicant's environmental consultant.