
SCOTTISH STATUTORY INSTRUMENTS

2011 No. 139

The Town and Country Planning (Environmental
Impact Assessment) (Scotland) Regulations 2011

PART 3

PROCEDURES CONCERNING APPLICATIONS FOR PLANNING PERMISSION

Application or Appeal to the Scottish Ministers without an environmental statement

10. Where on consideration of an application referred to the Scottish Ministers under section 46 (call-in of applications by the Scottish Ministers) or an appeal under section 47 (right to appeal against planning decisions and failure to take such decisions) it appears to the Scottish Ministers that—

- (a) the application is a Schedule 1 application or Schedule 2 application;
- (b) the development in question has not been the subject of a screening opinion or screening direction; and
- (c) the application is not accompanied by a statement referred to by the appellant as an environmental statement for the purposes of these Regulations,

paragraphs (3) to (5) of regulation 7 apply as if the referral of the application or appeal, as the case may be, were a request made by the applicant or appellant pursuant to regulation 6(6).