
STATUTORY INSTRUMENTS

2017 No. 571

TOWN AND COUNTRY PLANNING

**The Town and Country Planning (Environmental
Impact Assessment) Regulations 2017**

Made - - - - - *18th April 2017*
Laid before Parliament *19th April 2017*
Coming into force *16th May 2017*

**THE TOWN AND COUNTRY PLANNING (ENVIRONMENTAL
IMPACT ASSESSMENT) REGULATIONS 2017**

PART 1

General

1. Citation, commencement and application
2. Interpretation
3. Prohibition on granting planning permission or subsequent consent for EIA development
4. Environmental impact assessment process

PART 2

Screening

5. General provisions relating to screening
6. Requests for screening opinions of the relevant planning authority
7. Requests for screening directions of the Secretary of State

PART 3

Procedures relating to applications for planning permission

8. Applications which appear to require screening opinion
9. Subsequent applications where environmental information previously provided
10. Subsequent applications where environmental information not previously provided

Status: This is the original version (as it was originally made).

11. EIA applications made to a relevant planning authority without an environmental statement
12. EIA applications made directly to the Secretary of State without an environmental statement
13. Application referred to the Secretary of State without an environmental statement
14. Appeal to the Secretary of State without an environmental statement

PART 4

Preparation of environmental statements

15. Scoping opinions of the local planning authority
16. Scoping directions of the Secretary of State
17. Procedure to facilitate preparation of environmental statements

PART 5

Publicity and procedures on submission of environmental statements and decision making

18. Environmental statements
19. Procedure where an environmental statement is submitted to a local planning authority
20. Publicity where an environmental statement is submitted after the planning application
21. Provision of copies of environmental statements, any other information and further information for the Secretary of State on referral or appeal
22. Procedure where an environmental statement is submitted to the Secretary of State
23. Availability of copies of environmental statements
24. Charges for copies of environmental statements
25. Further information and evidence respecting environmental statements
26. Consideration of whether planning permission or subsequent consent should be granted
27. Co-ordination

PART 6

Availability of directions etc and notification of decisions

28. Availability of opinions, directions etc for inspection
29. Information to accompany decisions
30. Duty to inform the public and the Secretary of State of final decisions

PART 7

Restrictions of grants of permission

31. New simplified planning zone schemes or enterprise zone orders
32. Local development orders
33. Neighbourhood development orders

PART 8

Unauthorised development

34. Interpretation
35. Duty to ensure objectives of the Directive are met

36. Prohibition on the grant of planning permission for unauthorised EIA development
37. Screening opinions of the local planning authority
38. Screening directions of the Secretary of State
39. Provision of information
40. Appeal to the Secretary of State without a screening opinion or screening direction
41. Appeal to the Secretary of State without an environmental statement
42. Procedure where an environmental statement is submitted to the Secretary of State
43. Further information and evidence respecting environmental statements
44. Publicity for environmental statements or further information
45. Public inspection of documents
46. Significant transboundary effects

PART 9

ROMP Applications

47. General application of the Regulations to ROMP applications
48. Modification of provisions on prohibition of granting planning permission or subsequent consent
49. Modification of provisions on application to local planning authority without an environmental statement
50. Disapplication of regulations and modifications of provisions on application referred to or appealed to the Secretary of State without an environmental statement
51. Substitution of references to section 78 right of appeal and modification of provisions on appeal to the Secretary of State without an environmental statement
52. Modification of provisions on preparation, publicity and procedures on submission of environmental statements
53. Modification of provisions on application to the High Court and giving of directions
54. Suspension of minerals development
55. Determination of conditions and right of appeal on non-determination
56. ROMP application by a mineral planning authority
57. ROMP applications: duty to make a prohibition order after two years suspension of permission

PART 10

Development with significant transboundary effects

58. Development in England likely to have significant effects in another EEA State
59. Projects in another EEA State likely to have significant transboundary effects

PART 11

Exemptions

60. Projects serving national defence purposes in Scotland
61. Projects serving national defence purposes in Wales
62. Projects serving national defence purposes in Northern Ireland

Status: This is the original version (as it was originally made).

63. Exemptions

PART 12

Miscellaneous

- 64. Objectivity and bias
- 65. Service of notices etc
- 66. Application to the High Court
- 67. Hazardous waste and material change of use
- 68. Extension of the period for an authority's decision on a planning application
- 69. Extension of the power to provide in a development order for the giving of directions as respects the manner in which planning applications are dealt with
- 70. Application to the Crown
- 71. Review
- 72. Amendment of the Town and Country Planning (Development Management Procedure) (England) Order 2015
- 73. Amendment of the Town and Country Planning (General Permitted Development) (England) Order 2015
- 74. Amendment of the Town and Country Planning (Section 62A Applications) (Procedure and Consequential Amendments) Order 2013
- 75. Amendment of the Neighbourhood Planning (General) Regulations 2012
- 76. Revocation and transitional provisions
Signature

SCHEDULE 1 — DESCRIPTIONS OF DEVELOPMENT FOR THE PURPOSES OF THE DEFINITION OF “SCHEDULE 1 DEVELOPMENT”

Interpretation
Descriptions of development

SCHEDULE 2 — DESCRIPTIONS OF DEVELOPMENT AND APPLICABLE THRESHOLDS AND CRITERIA FOR THE PURPOSES OF THE DEFINITION OF “SCHEDULE 2 DEVELOPMENT”

- 1. In the table below— “area of the works” includes any...

SCHEDULE 3 — SELECTION CRITERIA FOR SCREENING SCHEDULE 2 DEVELOPMENT

- 1. Characteristics of development
- 2. Location of development
- 3. Types and characteristics of the potential impact

SCHEDULE 4 — INFORMATION FOR INCLUSION IN ENVIRONMENTAL STATEMENTS

- 1. A description of the development, including in particular:
- 2. A description of the reasonable alternatives (for example in terms...
- 3. A description of the relevant aspects of the current state...
- 4. A description of the factors specified in regulation 4(2) likely...
- 5. A description of the likely significant effects of the development...
- 6. A description of the forecasting methods or evidence, used to...
- 7. A description of the measures envisaged to avoid, prevent, reduce...
- 8. A description of the expected significant adverse effects of the...

9. A non-technical summary of the information provided under paragraphs 1...
10. A reference list detailing the sources used for the descriptions...

Explanatory Note