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WELSH STATUTORY INSTRUMENTS

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**2016 No. 58**

**The Town and Country Planning (Environmental  
Impact Assessment) (Wales) Regulations 2016**

**PART 2**

**Screening**

**Requests for screening opinions**

5.—(1) A person who is minded to carry out development may request the relevant planning authority to adopt a screening opinion.

(2) A request for a screening opinion in relation to an application for planning permission must be accompanied by—

- (a) a plan sufficient to identify the land;
- (b) a brief description of the nature and purpose of the development and of its possible effects on the environment; and
- (c) such other information or representations as the person making the request may wish to provide or make.

(3) A request for a screening opinion in relation to a subsequent application must be accompanied by—

- (a) a plan sufficient to identify the land;
- (b) sufficient information to enable the relevant planning authority to identify any planning permission granted for the development in respect of which a subsequent application has been made;
- (c) a description of the likely effects on the environment which were not identified at the time that the planning permission was granted; and
- (d) such other information or representations as the person making the request may wish to provide or make.

(4) An authority receiving a request for a screening opinion must, if they consider that they have not been provided with sufficient information to adopt an opinion, notify the person making the request of the points on which they require additional information.

(5) An authority must adopt a screening opinion within 21 days beginning with the date of receipt of a request made pursuant to paragraph (1) or such longer period as may be agreed in writing with the person making the request.

(6) An authority which adopts a screening opinion pursuant to paragraph (5) must send a copy to the person who made the request.

(7) Where an authority—

- (a) fails to adopt a screening opinion pursuant to paragraph (5); or
- (b) adopts an opinion to the effect that the development is EIA development;

the person who requested the opinion may request the Welsh Ministers to make a screening direction.

(8) The person may make a request pursuant to paragraph (7) even if the authority have not received additional information which they have sought under paragraph (4).