#### STATUTORY RULES OF NORTHERN IRELAND

# 2012 No. 59

# **PLANNING**

# The Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2012

Made - - - - 21st February 2012
Coming into operation 13th March 2012

# THE PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS (NORTHERN IRELAND) 2012

#### PART 1

#### General

- 1. Citation and commencement
- 2. Interpretation
- 3. Directions
- 4. Prohibition on the grant of planning permission or subsequent consent without consideration of environmental information
- 5. Confirmation that development is EIA development
- 6. Appeals under Article 32 or Article 33 of the 1991 Order

#### PART 2

### Pre-Application Procedures

7. Pre–application determination as to need for environmental impact assessment and opinion as to content of environmental statement

#### PART 3

## Preparation of Environmental Statements

- 8. Procedure to facilitate preparation of environmental statements
- 9. Provision of information

#### PART 4

#### Procedures on Receipt of Application

- 10. Applications which appear to require determination as to need for environmental impact assessment
- 11. Subsequent applications where environmental information previously provided
- 12. Subsequent applications where environmental information not previously provided
- 13. Application made to the Department without an environmental statement
- 14. Extension of the period for Department's decision on an application for planning permission or subsequent application
- 15. Application of Article 31 of the 1991 Order

#### PART 5

#### **Publicity**

- 16. Publicity where an environmental statement is submitted
- 17. Availability of copies of environmental statement
- 18. Consultation where environmental statement submitted
- 19. Further information and evidence relating to environmental statement
- 20. Charges
- 21. Duty to inform the public of decisions

#### PART 6

#### Development likely to Affect Other EEA states

- 22. Development in Northern Ireland likely to have significant effects on the environment in another EEA state
- 23. Projects in another EEA state likely to have significant transboundary effects

#### PART 7

#### Unauthorised Development

- 24. Interpretation of Part 7
- 25. Prohibition on the grant of planning permission for unauthorised development
- 26. Determination as to need for environmental statement, etc.
- 27. Time period for submission of environmental statement
- 28. Provision of information
- 29. Procedure where the Commission receives an environmental statement
- 30. Further information and evidence respecting environmental statements
- 31. Publicity for environmental statements and decisions
- 32. Involvement of other EEA states

#### PART 8

#### Permission in Enterprise and Simplified Planning Zones and Permission Granted by Development Orders

- 33. Restrictions on grant of permission by old enterprise zone schemes
- 34. Restrictions on the grant of permission by simplified planning zone schemes and enterprise zone schemes
- 35. Development Orders

#### PART 9

#### Miscellaneous

- 36. Availability of information in relation to determinations, opinions, decisions, etc.
- 37. Hearing by the Commission in relation to the Department's determination
- 38. Use of electronic communications
- 39. Application to the Crown
- 40. Revocation, transitional and savings provisions
- 41. Consequential amendments Signature

SCHEDULE Descriptions of development for the purposes of the definition of

"Schedule 1 development"

Interpretation

Descriptions of development

SCHEDULE 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...
- 2. The Table below sets out the descriptions of development and...

SCHEDULE Selection criteria referred to in Article 4.3 of the Directive

3

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

SCHEDULE Matters for Inclusion in Environmental Statement

4

#### PART 1

- 1. Description of the development, including in particular—
- 2. An outline of the main alternatives studied by the applicant...
- 3. A description of the aspects of the environment likely to...
- 4. A description of the likely significant effects of the development...
- 5. A description of the measures envisaged to prevent, reduce and...
- 6. A non–technical summary of the information provided under paragraphs 1...
- 7. An indication of any difficulties (technical deficiencies or lack of... PART 2
- 1. A description of the development comprising information on the site....
- 2. A description of the measures envisaged in order to avoid,...

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

- 3. The data required to identify and assess the main effects...
- 4. An outline of the main alternatives studied by the applicant...
- 5. A non-technical summary of the information provided under paragraphs 1...

SCHEDULE Revocations

5

SCHEDULE Consequential amendments

6

- 1. The Planning (General Development) Order (Northern Ireland) 1993
- 2. In Article 2 (interpretation) for the definition of "the EIA... Explanatory Note