
STATUTORY RULES OF NORTHERN IRELAND

2017 No. 83

PLANNING

The Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017

Made - - - - 11th May 2017

Coming into operation 16th May 2017

THE PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS (NORTHERN IRELAND) 2017

PART 1

General

1. Citation and commencement
2. Interpretation
3. Directions
4. Prohibition on granting planning permission or subsequent consent without an environmental impact assessment
5. Environmental impact assessment
6. Confirmation that development is EIA development
7. Appeals under Section 58 or Section 60 of the 2011 Act

PART 2

Pre-Application Procedures

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

PART 3

Preparation of Environmental Statements

9. Procedure to facilitate preparation of environmental statements
10. Provision of information
11. Environmental statements

PART 4

Procedures on Receipt of Application

12. Application which appears to require determination as to need for environmental impact assessment
13. Subsequent application where environmental information previously provided
14. Subsequent application where environmental information not previously provided
15. Application without an environmental statement
16. Application referred to the Department under Section 29 without an environmental statement
17. Extension of the period for council's or Department's decision on an application for planning permission or subsequent application

PART 5

Publicity and Consultation

18. Publicity where an environmental statement is submitted
19. Availability of copies of environmental statement
20. Consultation where environmental statement submitted
21. Further information and evidence relating to environmental statement
22. Charges

PART 6

Coordination, Decision-making, Monitoring and Notification of Decisions

23. Coordination of assessments
24. Consideration of whether planning permission or subsequent consent should be granted
25. Monitoring
26. Information to accompany decisions
27. Duty to inform the public of decisions

PART 7

Development by a Council

28. Modifications where application is by a council

PART 8

Development with Significant Transboundary Effects

29. Development in Northern Ireland likely to have significant effects on the environment in an EEA State
30. Projects in an EEA State likely to have significant transboundary effects

PART 9

Unauthorised EIA Development

31. Interpretation of Part 9

32. Duty to ensure objectives of the Directive are met
33. Prohibition on the grant of planning permission or subsequent consent for unauthorised EIA development
34. Determination as to need for environmental statement, etc.
35. Time period for submission of environmental statement
36. Provision of information
37. Procedure where the Commission receives an environmental statement
38. Further information and evidence respecting environmental statements
39. Publicity for environmental statements and decision making
40. Significant transboundary effects

PART 10

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

41. Restrictions on the grant of permission by simplified planning zone schemes and enterprise zone schemes
42. Development Orders

PART 11

Miscellaneous

43. Objectivity and bias
 44. Availability of information in relation to determinations, opinions, decisions, etc.
 45. Hearing by the Commission in relation to the council's or Department's determination
 46. Use of electronic communications
 47. Application to the Crown
 48. Revocation, saving and transitional provisions
- Signature

| | |
|----------|--|
| SCHEDULE | Descriptions of development and applicable thresholds and criteria for the purpose of the definition of "Schedule 2 development" |
| 1 | Interpretation |
| | Descriptions of development |
| 1. | Crude-oil refineries (excluding undertakings manufacturing only lubricants from crude oil)... |
| 2. | (a) Thermal power stations and other combustion installations with a... |
| 3. | (a) Installations for the reprocessing of irradiated nuclear fuel. |
| 4. | (a) Integrated works for the initial smelting of cast-iron and... |
| 5. | Installations for the extraction of asbestos and for the processing... |
| 6. | Integrated chemical installations, that is to say, installations for the... |
| 7. | (a) Construction of lines for long-distance railway traffic and of... |
| 8. | (a) Inland waterways and ports for inland-waterway traffic which permit... |
| 9. | Waste disposal installations for the incineration, chemical treatment (as defined)... |

Changes to legislation: There are currently no known outstanding effects for the The Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017. (See end of Document for details)

10. Waste disposal installations for the incineration or chemical treatment (as...
 11. Groundwater abstraction or artificial groundwater recharge schemes where the annual...
 12. (a) Works for the transfer of water resources, other than...
 13. Waste water treatment plants with a capacity exceeding 150,000 population...
 14. Extraction of petroleum and natural gas for commercial purposes where...
 15. Dams and other installations designed for the holding back or...
 16. Pipelines with a diameter of more than 800 millimetres and...
 17. Installations for the intensive rearing of poultry or pigs with...
 18. Industrial plants for— (a) the production of pulp from timber...
 19. Quarries and open-cast mining where the surface of the site...
 20. Construction of overhead electrical power lines with a voltage of...
 21. Installations for storage of petroleum, petrochemical or chemical products with...
 22. Storage sites pursuant Chapter 3 of Part 1 of the...
 23. Installations for the capture of carbon dioxide streams for the...
 24. Any change to or extension of development listed in this...
- 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...
 2. The Table below sets out the descriptions of development and...
- SCHEDULE 3
 Selection criteria referred to in Article 4.3 of the Directive
1. Characteristics of development
 2. Location of development
 3. Characteristics of the potential impact
- SCHEDULE 4
 Matters for Inclusion in Environmental Statement
1. 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 5(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

Changes to legislation:

There are currently no known outstanding effects for the The Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017.