## SCOTTISH STATUTORY INSTRUMENTS

# 2011 No. 139

# TOWN AND COUNTRY PLANNING

The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2011 (revoked)<sup>F1</sup>

Made - - - - 21st February 2011
Laid before the Scottish
Parliament - - 23rd February 2011
Coming into force 1st June 2011

# THE TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2011 (REVOKED)

#### PART 1

## **INTRODUCTORY**

- 1. Citation and commencement
- 2. Interpretation
- 3. Prohibition on granting planning permission without an environmental impact assessment
- 3A Environmental impact assessment
  - 4. Consideration of environmental information when determining an application for multi stage consent

# PART 2

#### **SCREENING**

- 5. General provisions relating to screening
- 6. Requests for screening opinions of the planning authority
- 7. Requests for screening directions of the Scottish Ministers

#### PART 3

# PROCEDURES CONCERNING APPLICATIONS FOR PLANNING PERMISSION

8. Application or request to review made to a planning authority without an environmental statement

- 9. EIA application made to a planning authority without an environmental statement
- 10. Application or Appeal to the Scottish Ministers without an environmental statement
- 11. EIA application referred to the Scottish Ministers without an environmental statement
- 12. Appeal to the Scottish Ministers without an environmental statement
- 13. Review by the planning authority of an application without an environmental statement

#### PART 4

#### PREPARATION OF ENVIRONMENTAL STATEMENTS

- 14. Scoping opinions of the planning authority
- 15. Scoping directions of the Scottish Ministers
- 16. Procedure to facilitate preparation of environmental statements

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- 17. Notification of environmental statement
- 18. Publication of environmental statement
- 19. Consultation where environmental statement received by planning authority
- 20. Copies of environmental statement for the Scottish Ministers
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- 22. Copies of environmental statement for the public

#### PART 6

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- 23. Additional information and evidence relating to environmental statements
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- 26. Duties to inform the public and the Scottish Ministers of final decisions

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- 30. Modification of regulations relating to application for multi-stage consent
- 31. Application for multi-stage consent simplified planning scheme, enterprise zone scheme and ROMP condition

Changes to legislation: There are currently no known outstanding effects for the The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2011 (revoked). (See end of Document for details)

#### PART 9

### SPECIAL CASES

- 32. Simplified planning zone schemes or enterprise zone orders
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- 35. Marine fish farming

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#### DEVELOPMENT WITH SIGNIFICANT TRANSBOUNDARY EFFECTS

- 36. Development in Scotland likely to have significant effects in an EEA State other than the United Kingdom
- 37. Projects in another EEA State likely to have significant transboundary effects

#### PART 11

### **MISCELLANEOUS**

- 38. Electronic communications general
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- 41. Service of notices etc.
- 42. Application to the Court of Session
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- 46. Access to review procedure before a court
- 47. Amendment of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992
- 48. Amendment of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2008
- 49. Revocation and savings Signature

SCHEDULE 1 DESCRIPTIONS OF DEVELOPMENT FOR THE PURPOSES OF THE DEFINITION OF "SCHEDULE 1 DEVELOPMENT"

Interpretation

Descriptions of development

- 1. Crude–oil refineries (excluding undertakings manufacturing only lubricants from crude–oil) and...
- 2. (1) Thermal power stations and other combustion installations with a...
- 3. (1) Installations for the reprocessing of irradiated nuclear fuel.
- 4. (1) 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. (1) Construction of lines for long-distance railway traffic and of...
- 8. (1) Inland waterways and ports for inland–waterway traffic which permit...

- 9. Waste disposal installations for the incineration, chemical treatment (as defined...
- 10. Waste disposal installations for the incineration or chemical treatment (as...
- 11. Groundwater abstraction or artificial groundwater recharge schemes where the annual...
- 12. (1) 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 a...
- 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. Installations for storage of petroleum, petrochemical or chemical products with...
- 21. Storage sites pursuant to the CCS Directive.
- 22. Installations for the capture of carbon dioxide streams for the...
- 23. 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 FOR SCREENING SCHEDULE 2 DEVELOPMENT

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

SCHEDULE 4 INFORMATION FOR INCLUSION IN ENVIRONMENTAL STATEMENTS 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 to 5
- 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,...
- 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 to 4...

SCHEDULE 5 FORM OF NOTICE UNDER REGULATION 17
THE TOWN AND COUNTRY
PLANNING (ENVIRONMENTAL
IMPACT ASSESSMENT) SCOTLAND
REGULATIONS 2011

Document Generated: 2024-07-03

Changes to legislation: There are currently no known outstanding effects for the The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2011 (revoked). (See end of Document for details)

# NOTICE UNDER REGULATION 17

**Explanatory Note** 

Changes to legislation:
There are currently no known outstanding effects for the The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2011 (revoked).