

## SCHEDULE

## Regulation 2

1. In regulation 2, in the definition of “special road”, for “a special road” substitute “any road which for the purposes of Part I of the New Roads and Street Works Act 1991 is a road subject to a concession and any other road”(1).

2. In regulation 3(a), after “do not apply” insert “in accordance with Article 2(3) of Council Directive [85/337/EEC](#)”(2).

3. In regulation 4(2), after “consideration” insert “and state in their decision that they have done so”.

4. In regulation 5(4), for “of the request” substitute “of receipt of the request”.

5. In regulation 6(4), for “the application” substitute “receipt of the application”.

6. In regulation 8(5)(c), for “Her Majesty’s Inspectorate of Pollution” substitute “the chief inspector for England and Wales appointed under Part I of the Environmental Protection Act 1990”(3).

7. In regulation 9(5), for “(3)” substitute “(2)”.

8. In regulation 14(1), for “an additional copy” substitute “three additional copies”.

9. In regulation 14(2)(b), for “a copy of the statement,” substitute “three copies of the statement, and a copy”.

10. In regulation 15(2), for “two” substitute “four”.

11. In regulation 19, for “a copy” substitute “three copies”.

12. In regulation 21, after paragraph (1) insert the following paragraphs and renumber paragraph (2) as paragraph (10)—

“(2) Paragraphs (3) to (9) shall apply in relation to further information required of an applicant or appellant after those paragraphs come into force except in so far as such further information is required to be provided for the purposes of a local inquiry held under the Act and the request for such further information states that it is to be provided for such purposes.

(3) The recipient of the further information shall publish in a local newspaper circulating in the locality in which the land is situated (hereinafter referred to as “the locality”) a notice stating—

- (a) the name of the applicant for planning permission or the appellant (as the case may be) and the name and address of the local planning authority;
- (b) the date on which the application was made and, if it be the case, that it has been referred to the Secretary of State for determination or is the subject of an appeal to him;
- (c) the address or location and the nature of the proposed development;
- (d) that further information is available in relation to an environmental statement which has already been provided;
- (e) that a copy of the further information may be inspected by members of the public at all reasonable hours;

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(1) [1991 c. 22.](#)

(2) [OJNo. L175, 5.7.85, p. 40.](#)

(3) [1990 c. 43.](#)

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (f) an address in the locality at which the further information may be inspected and the latest date on which it will be available for inspection (being a date not less than 20 days later than the date on which the notice is published);
  - (g) an address in the locality (whether or not the same as that given pursuant to sub-paragraph (f)) at which copies of the further information may be obtained;
  - (h) that copies may be obtained there so long as stocks last;
  - (i) if a charge is to be made for a copy, the amount of the charge; and
  - (j) that any person wishing to make representations about the further information should make them in writing, before the date specified in accordance with sub-paragraph (f), to the local planning authority, the Secretary of State or the inspector (as the case may be).
- (4) The recipient of the further information shall send a copy of it to each person to whom the environmental statement to which it relates was sent.
- (5) Where the recipient of the further information is a local planning authority they shall—
- (a) take steps to secure that a copy of the further information is placed on Part I of the register with the application and the environmental statement; and
  - (b) send to the Secretary of State three copies of the further information.
- (6) The recipient of the further information may by notice in writing require the applicant or appellant to provide such number of copies of the further information as is specified in the notice (being the number required for the purposes of paragraph (4) or (5)).
- (7) Where further information is required to be provided, the local planning authority, the Secretary of State or the inspector, as the case may be, shall suspend determination of the application or appeal; and shall not determine it before the expiry of 14 days after the date on which the further information was sent to all persons to whom the environmental statement was sent or the expiry of 21 days after the date that notice of it was published in a local newspaper, whichever is the later.
- (8) The applicant or appellant who provides further information in accordance with paragraph (1) shall ensure that a reasonable number of copies of the information is available at the address named in the notice published pursuant to paragraph (3) as the address at which such copies may be obtained.
- (9) A reasonable charge reflecting printing and distribution costs may be made to a member of the public for a copy of the further information made available in accordance with paragraph (8) and for any copy, in excess of one, of the whole or part of the further information supplied to a person pursuant to paragraph (4).”
- 13.** In paragraph 3 of Schedule 2, after sub-paragraph (j) insert the following sub-paragraph—
- “(k) a wind generator”.
- 14.** In paragraph 10 of Schedule 2, after sub-paragraph (j) insert the following sub-paragraphs—
- “(k) a motorway service area
  - (l) coast protection works”.