
STATUTORY INSTRUMENTS

2017 No. 571

The Town and Country Planning (Environmental Impact Assessment) Regulations 2017

PART 3

Procedures relating to applications for planning permission

Subsequent applications where environmental information previously provided

- 9.—(1) This regulation applies where it appears to the relevant planning authority that—
- (a) an application which is before them for determination—
 - (i) is a subsequent application in relation to Schedule 1 or Schedule 2 development;
 - (ii) has not itself been the subject of a screening opinion or screening direction; and
 - (iii) is not accompanied by a statement referred to by the applicant as an environmental statement for the purposes of these Regulations; and
 - (b) either—
 - (i) the application for planning permission to which the subsequent application relates was accompanied by a statement referred to by the applicant as an environmental statement for the purposes of these Regulations; or
 - (ii) the application is for the approval of a matter where the approval is required by or under a condition to which planning permission deemed by [^{F1}a qualifying enactment] is subject.

[^{F2}(1A) In paragraph (1)(b)(ii), “qualifying enactment” means—

- (a) section 10(1) of the Crossrail Act 2008,
- (b) section 20(1) or 50(5)(a) of the High Speed Rail (London - West Midlands) Act 2017, or
- (c) section 17(1) or 47(3)(a) of the High Speed Rail (West Midlands - Crewe) Act 2021.]

(2) Where it appears to the relevant planning authority that the environmental information already before them is adequate to assess the significant effects of the development on the environment, they must take that information into consideration in their decision for subsequent consent.

(3) Where it appears to the relevant planning authority that the environmental information already before them is not adequate to assess the significant effects of the development on the environment, they must serve a notice seeking further information in accordance with regulation 25.

Textual Amendments

- F1** Words in [reg. 9\(1\)\(b\)\(ii\)](#) substituted (11.2.2021) by [High Speed Rail \(West Midlands - Crewe\) Act 2021 \(c. 2\)](#), [ss. 55\(2\)\(a\)](#), 64(1)
- F2** [Reg. 9\(1A\)](#) inserted (11.2.2021) by [High Speed Rail \(West Midlands - Crewe\) Act 2021 \(c. 2\)](#), [ss. 55\(2\)\(b\)](#), 64(1)

Status:

Point in time view as at 11/02/2021.

Changes to legislation:

There are currently no known outstanding effects for the The Town and Country Planning (Environmental Impact Assessment) Regulations 2017, Section 9.