
STATUTORY INSTRUMENTS

2017 No. 572

The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017

Subsequent application not complying with EIA requirements

- 24.—(1) This regulation applies where—
- (a) the relevant authority is dealing with a subsequent application;
 - (b) the applicant has submitted a statement referred to by the applicant as an updated environmental statement for the purposes of these Regulations; and
 - (c) the relevant authority is of the opinion that the statement should contain further information.
- (2) Where paragraph (1) applies, the relevant authority must—
- (a) issue a written statement giving clearly and precisely the reasons for that conclusion; and
 - (b) suspend consideration of the application until the requirements of paragraph (3) and, where appropriate, paragraph (4) are met.
- (3) Where paragraph (1) applies, the applicant must—
- (a) provide the relevant authority with the further information;
 - (b) publish (in accordance with sub-paragraph (c)) a notice which sets out the following information—
 - (i) the name and address of the applicant;
 - (ii) that the applicant is making an application for approval of a matter in pursuance of a requirement imposed by an order granting development consent for EIA development;
 - (iii) the reference number of the order granting development consent;
 - (iv) a summary of the main proposals, specifying the location or route of the proposed development;
 - (v) that consideration of the application has been suspended until additional information required for the updated environmental statement has been provided and publicised;
 - (vi) that the further information, the updated environmental statement and supporting documents are available for inspection free of charge—
 - ^{F1}(aa)
 - (bb) on a website maintained by or on behalf of the relevant authority;
- [^{F2}(via) the address of the website where the updated environmental statement and supporting documents may be inspected;
- (vib) the place on the website where the updated environmental statement and supporting documents may be inspected;
 - (vic) a telephone number which can be used to contact the applicant for enquiries in relation to the updated environmental statement and supporting documents;]

- (vii) the latest date on which those documents will be available for inspection [^{F3}on the website] (being a date not earlier than the deadline referred to in paragraph (x) below);
- (viii) whether a charge will be made for copies of any of those documents and the amount of any charge;
- (ix) details of how to respond to the publicity; and
- (x) a deadline for receipt of responses being not less than 30 days following the date when the notice is last published;
- (c) publish and post the notice referred to in paragraph (3)(b) in the same manner as prescribed in regulation 20(3)(c) and (d) and, where appropriate, in regulation 20(4);
- [^{F4}(d) where a person has been notified to the applicant under regulation 11(1)(c), serve on that person a copy of that notice, at the same time as the notice is published;]
- (e) arrange for the notice to be published on a website maintained by or on behalf of the relevant authority;
- (f) send to the consultation bodies the further information and a notice setting out the information specified in sub-paragraph (b)(i) to (v);
- (g) inform those bodies—
 - (i) how and to whom they may make representations; and
 - (ii) of the deadline for making representations which must be not less than 30 days later than the last date on which the further information was sent in accordance with sub-paragraph (f); and
- (h) certify to the relevant authority in the form set out in certificate 5 in Schedule 5 that the applicant has complied with the requirements of sub-paragraphs (b) to (g).

Textual Amendments

- F1** Reg. 24(3)(b)(vi)(aa) omitted (31.12.2020 immediately before 11 p.m.) by virtue of *The Infrastructure Planning (Publication and Notification of Applications etc.) (Amendment) Regulations 2020* (S.I. 2020/1534), regs. 1, **5(5)(a)** (with reg. 7)
- F2** Reg. 24(3)(b)(via)-(vic) inserted (31.12.2020 immediately before 11 p.m.) by *The Infrastructure Planning (Publication and Notification of Applications etc.) (Amendment) Regulations 2020* (S.I. 2020/1534), regs. 1, **5(5)(b)** (with reg. 7)
- F3** Words in reg. 24(3)(b)(vii) inserted (31.12.2020 immediately before 11 p.m.) by *The Infrastructure Planning (Publication and Notification of Applications etc.) (Amendment) Regulations 2020* (S.I. 2020/1534), regs. 1, **5(5)(c)** (with reg. 7)
- F4** Reg. 24(3)(d) substituted (1.10.2018) by *The Town and Country Planning and Infrastructure Planning (Environmental Impact Assessment) (Amendment) Regulations 2018* (S.I. 2018/695), regs. 1, **6(7)**

Changes to legislation:

There are currently no known outstanding effects for the The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017, Section 24.