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STATUTORY INSTRUMENTS

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**2020 No. 1398**

**The Town and Country Planning (Local Planning,  
Development Management Procedure, Listed Buildings etc.)  
(England) (Coronavirus) (Amendment) Regulations 2020**

**PART 4**

**Amendments to the Town and Country Planning  
(Environmental Impact Assessment) Regulations 2017**

**Amendments to the Town and Country Planning (Environmental Impact Assessment)  
Regulations 2017**

**10.** In regulation 20, after paragraph (10) insert—

“(11) Paragraph (12) applies if—

- (a) an application for planning permission or a subsequent application has been made without an environmental statement and the applicant for that application proposes to submit such a statement; and
- (b) that applicant is not able to comply with the requirement to—
  - (i) post a notice under paragraph (4); or
  - (ii) publish a notice in a local newspaper under paragraph (2),because it is not reasonably practicable to do so for reasons connected to the effects of coronavirus, including restrictions on movement.

(12) In a case falling within paragraph (11), the requirements of paragraph (1) do not apply and the applicant must, before submitting an environmental statement, comply with paragraphs (13) and (14).

(13) The applicant must take reasonable steps to inform persons who are likely to have an interest in the planning application of the following information contained in a notice—

- (a) the applicant’s name;
- (b) a statement that an application is being made for planning permission or subsequent consent to the relevant planning authority;
- (c) the name and address of the relevant planning authority;
- (d) the date on which the application was made;
- (e) (if relevant) a statement that the application has been referred to the Secretary of State for determination or is the subject of an appeal to the Secretary of State;
- (f) the address or location, and the nature of the proposed development;
- (g) a statement that—
  - (i) a copy of the application for planning permission, any accompanying plan and other documents, and a copy of the environmental statement; and

- (ii) in the case of a subsequent application, a copy of the planning permission in respect of which that subsequent application has been made and supporting documents,  
may be inspected by members of the public on a website maintained by or on behalf of the authority (“the website”);
  - (h) details of the website on which the environmental statement and the other documents referred to in sub-paragraph (g) have been made available under paragraph (7);
  - (i) a statement that the information mentioned in sub-paragraph (g)(i) and (ii) will be available to be inspected by the public on the website for 30 days beginning with the day on which both—
    - (i) that information is published on the website; and
    - (ii) a statement is made under sub-paragraph (g);
  - (j) a statement that any representations to be made by a person about the application must—
    - (i) be made in writing;
    - (ii) be submitted before the expiry of the 30 days mentioned in sub-paragraph (i); and
    - (iii) be submitted to the relevant planning authority or, in the case of an appeal or an application referred to the Secretary of State, to the Secretary of State; and
  - (k) the email address to which representations must be sent.
- (14) If an applicant is notified under regulation 11(2), 12(5), 13(5) or 14(6) about any particular person as described in those regulations that applicant must serve a notice on that person containing the information specified in paragraph (13).
- (15) In paragraph (13)—
- (a) the persons who are likely to have an interest in a planning application must include the persons who live or work in, or otherwise have a direct connection with, the area in which the proposed development is located; and
  - (b) the reasonable steps that are taken by the applicant—
    - (i) may include use of social media and communication by electronic means;
    - (ii) must include posting on the site a notice containing the information set out in paragraph (13), or publishing in a local newspaper circulating in the locality in which the land is situated a notice containing the information set out in that paragraph, to the extent that it is reasonably practicable to so; and
    - (iii) must be proportionate to the scale and impact of the development.
- (16) In a case falling within paragraph (11), the requirements of paragraph (6) do not apply and the environmental statement, when submitted, must be accompanied by—
- (a) a copy of the information that is required to be provided under paragraph (13) and a statement made by or on behalf of the applicant confirming that information has been published in accordance with this regulation; and
  - (b) a statement made by or on behalf of the applicant which states the steps that were taken to bring the planning application to the attention of people who live or work in, or otherwise have a direct connection with, the area in which the proposed development is located.

(17) Where an applicant indicates that it is proposed to provide an environmental statement in the circumstances mentioned in paragraph (11), the requirements of paragraph (8) do not apply, and the relevant planning authority, the Secretary of State or the inspector, as the case may be, must (unless disposed to refuse the permission or subsequent consent sought) suspend consideration of the application or appeal until receipt of the environmental statement and the other documents mentioned in paragraph (16), and must not determine it during the period of 30 days beginning with the last date on which the environmental statement and the other documents so mentioned are published in accordance with this regulation.”.