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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (“the 2009 Regulations”), the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011 (“the 2011 Regulations”), the Infrastructure Planning (Compulsory Acquisition) Regulations 2010 (“the 2010 Regulations”) and the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (“the 2017 Regulations”) to remove the requirements to make documentation available for inspection at places including at least one address in the vicinity of the proposed development (or land, or additional land, as appropriate).

Regulation 2 amends regulations 4, 8 and 9 of the 2009 Regulations so that the documents associated with proposed and accepted applications for development consent can be made available on the applicant’s website (or on a website maintained by or on behalf of the Secretary of State, as appropriate) instead of copies being made available for inspection at places including in the vicinity of the proposed development. Regulation 2 also omits the temporary regulation 9A inserted by the Infrastructure Planning (Publication and Notification of Applications etc.) (Coronavirus) (Amendment) Regulations 2020 (“the 2020 Regulations”).

Regulation 3 amends regulations 6, 14, 19, 20, 55 and 56 of the 2011 Regulations so that the documents associated with applications for non-material changes to a development consent order (“DCO”) and proposed and actual applications to make a material change to, or revocation of, a DCO, and exceptional amendments to DCOs, can be made available on the applicant’s website (or on a website maintained by or on behalf of the Secretary of State, as appropriate), instead of copies being made available for inspection at places including in the vicinity of the proposed development (or land, as appropriate). Regulation 3 also omits the temporary regulations 6A, 20A and 56A inserted by the 2020 Regulations.

Regulation 4 amends regulations 7 and 8 of the 2010 Regulations so that proposals to include the compulsory purchase of additional land in a DCO can be made available on a website maintained by or on behalf of the Secretary of State, instead of copies being made available for inspection at places including in the vicinity of the additional land. Regulation 4 also omits the temporary regulation 8A inserted by the 2020 Regulations.

Regulation 5 amends regulations 19, 20, 22, 24 and 27 of the 2017 Regulations so that where, in relation to a DCO, a screening opinion may not have taken account of all relevant information, an environmental statement may be inadequate, a subsequent application for development requiring an environmental impact assessment (“EIA”) is made, or a subsequent application not complying with EIA requirements is made, the environmental statement (and, where appropriate, supporting documents) can be made available on a website maintained on behalf of the Secretary of State (or, where appropriate, on behalf of the relevant authority), instead of copies being made available for inspection at places including in the vicinity of the proposed development. Regulation 5 also omits the temporary regulation 27A inserted by the 2020 Regulations.

Regulation 6 omits the transitional provisions contained in the 2020 Regulations, which are restated with amendment in Regulation 7 of these Regulations.

Regulation 7 sets out transitional provisions. If, when the amendments in the 2020 Regulations came into force on 22nd July 2020, an applicant (or the Secretary of State as appropriate) had already complied in part with a provision listed in regulation 7(3) for the purpose of a particular application, provision or order, that provision will continue to apply without the amendments in the

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2020 Regulations and these Regulations for the purpose of that application, provision or order (or, in the case of section 56(2) of the Planning Act 2008, regulation 8 of the 2009 Regulations will continue to apply without the amendments in the 2020 Regulations and these Regulations).

If, in the period beginning with 22nd July 2020 and ending with 31st December 2020, an applicant (or the Secretary of State as appropriate) had already complied in part with a provision listed in regulation 7(3) for the purpose of a particular application, provision or order, that provision will continue to apply with the amendments in the 2020 Regulations but without the amendments in these Regulations for the purpose of that application, provision or order (or, in the case of section 56(2) of the Planning Act 2008, regulation 8 of the 2009 Regulations will continue to apply with the amendments in the 2020 Regulations but without the amendments in these Regulations).

These Regulations were notified to the European Commission in accordance with Article 2 of [Directive 2014/52/EU](#) OJ No. L 124, 25.4.2014, p. 1, and in line with the EU Withdrawal Agreement between the EU and the UK.

An impact assessment has not been produced for this instrument as no significant impact on business, charities, voluntary bodies and the public sector is foreseen.