
WELSH STATUTORY INSTRUMENTS

2017 No. 565

**The Environmental Impact Assessment
(Agriculture) (Wales) Regulations 2017**

PART 3

Consent

The consent application and environmental statement

- 11.**—(1) An application for consent must—
- (a) include an environmental statement; and
 - (b) be made to the Welsh Ministers.
- (2) An environmental statement is a statement which includes at least—
- (a) a description of the project comprising information on the site, design, size and other relevant features of the project;
 - (b) a description of the likely significant effects of the project on the environment;
 - (c) a description of features of the project and/or measures envisaged in order to avoid, prevent or reduce and, if possible, offset likely significant adverse effects on the environment;
 - (d) a description of the reasonable alternatives studied by the applicant, which are relevant to the project and its specific characteristics, and an indication of the main reasons for the option chosen, taking into account the significant effects of the project on the environment;
 - (e) a non-technical summary of the information referred to in sub-paragraphs (a) to (d); and
 - (f) any additional information specified in Schedule 3 relevant to the specific characteristics of the particular project or type of project and to the environmental features likely to be significantly affected.
- (3) The environmental statement must—
- (a) be prepared on behalf of the applicant by persons who, in the opinion of the Welsh Ministers, have sufficient expertise to ensure the completeness and quality of the statement;
 - (b) contain a statement by or on behalf of the applicant or appellant describing the expertise of the person who prepared the environmental statement;
 - (c) where a scoping opinion has been issued in accordance with regulation 9, be based on the most recent scoping opinion issued (so far as the project remains materially the same as the project which was the subject of that opinion);
 - (d) include the information reasonably required for reaching a reasoned conclusion on the significant effects of the project on the environment, taking into account current knowledge and methods of assessment; and

- (e) take into account the available results of other relevant environmental assessments required under [F1retained EU law] or any other provision of domestic legislation, with a view to avoiding duplication of assessment.
- (4) After receiving the application for consent, the Welsh Ministers must—
- (a) send a copy of the application to any of the consultation bodies they consider appropriate and inform them that they may make representations within 6 weeks of the date on which they receive the application; and
- (b) publish in a newspaper circulating in the locality of the relevant land and on the Welsh Government website, a notice—
- (i) stating that the application has been made;
- (ii) specifying an address at which copies of the application can be inspected free of charge and where copies of the application may be taken (for which a reasonable charge may be made), at all reasonable hours for 6 weeks from the date on which the notice is published;
- (iii) stating that representations on the likely environmental effects of the project may be made in writing to the Welsh Ministers at the address specified under paragraph (ii) for a period of 6 weeks beginning with the date on which the notice is published;
- (iv) stating that, if consent is granted, it will be subject to the conditions in regulation 17(2) and any other conditions that the Welsh Ministers think fit; and
- (v) stating, where relevant, which of the EEA States, the public concerned in the EEA State, and the consultation bodies will be consulted on the application.

Textual Amendments

- F1** Words in [reg. 11\(3\)\(e\)](#) substituted (31.12.2020) by [The Environmental Assessment of Plans and Programmes and the Environmental Impact Assessment \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) Regulations 2019 \(S.I. 2019/245\)](#), regs. 1(2)(3), [5\(5\)](#); 2020 c. 1, Sch. 5 para. 1(1)
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Commencement Information

- II** Reg. 11 in force at 16.5.2017, see [reg. 1\(3\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Environmental Impact Assessment (Agriculture) (Wales) Regulations 2017, Section 11.