
WELSH STATUTORY INSTRUMENTS

2017 No. 567

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

PART 8

Applications for planning permission made to the Welsh Ministers

Applications made without an environmental statement

32.—(1) Where an application is made and it appears to the Welsh Ministers that—

- (a) it is an EIA application; and
- (b) it is not accompanied by a statement referred to by the applicant as an environmental statement for the purposes of these Regulations,

the Welsh Ministers must notify the applicant that the submission of an environmental statement is required and send a copy of that notification to the relevant planning authority.

(2) The Welsh Ministers must notify the applicant in accordance with paragraph (1) within 28 days, beginning with the date on which the Welsh Ministers are in receipt of an application, or such longer period as the Welsh Ministers may determine.

(3) An applicant who receives a notification under paragraph (1) may, within 21 days beginning with the date of the notification, confirm to the Welsh Ministers that an environmental statement will be provided.

(4) Where the Welsh Ministers are aware that any particular person is or is likely to be affected by, or has an interest in, the application, who is unlikely to become aware of it by means of electronic publication, a site notice or by local advertisement, the Welsh Ministers must notify the applicant of any such person.

(5) If the applicant does not confirm in accordance with paragraph (3), the Welsh Ministers are under no duty to deal with the application and, at the end of the 21 day period, they must inform the applicant that no further action is being taken on the application.

(6) Where—

- (a) a notification has been given under paragraph (1); and
- (b) the applicant does not submit an environmental statement and comply with regulation 19 (publicity where an environmental statement is submitted after the planning application),

the Welsh Ministers must determine the application only by refusing planning permission.

Changes to legislation:

There are currently no known outstanding effects for the The Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017, Section 32.