
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are concerned with the implementation in England and Wales of Council Directive [85/337/EEC](#) (OJNo. L175, 5.7.85, p. 40) on the assessment of the effects of certain public and private projects on the environment. They amend the Town and Country Planning (Assessment of Environmental Effects) Regulations 1988, which apply where planning permission is sought of a local planning authority under Part III of the Town and Country Planning Act [1971 \(c. 78\)](#).

The amending Regulations are principally consequential upon the provisions of section 36 of the Electricity Act [1989 \(c. 29\)](#).

By virtue of that section the construction of certain power stations, including nuclear ones, will no longer require the consent of the Secretary of State for Energy. In consequence planning permission will have to be sought for such stations by application to the local planning authority under Part III of the 1971 Act, instead of relying on the deemed planning permission provided with the consent of the Secretary of State. These Regulations extend the 1988 Regulations accordingly. 50p net