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STATUTORY INSTRUMENTS

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**2011 No. 1824**

**TOWN AND COUNTRY PLANNING**

The Town and Country Planning (Environmental  
Impact Assessment) Regulations 2011 (revoked)<sup>F1</sup>

<i>Made</i>	- - - -	<i>19th July 2011</i>
<i>Laid before Parliament</i>		<i>26th July 2011</i>
<i>Coming into force</i>		<i>24 August 2011</i>

**THE TOWN AND COUNTRY PLANNING (ENVIRONMENTAL  
IMPACT ASSESSMENT) REGULATIONS 2011 (REVOKED)**

PART 1

General

1. Citation, commencement and application
2. Interpretation
3. Prohibition on granting planning permission or subsequent consent without consideration of environmental information

PART 2

Screening

4. General provisions relating to screening
5. Requests for screening opinions of the local planning authority
6. Requests for screening directions of the Secretary of State

PART 3

Procedures Concerning Applications for Planning Permission

7. Applications which appear to require screening opinion
8. Subsequent applications where environmental information previously provided
9. Subsequent applications where environmental information not previously provided
10. Application made to a local planning authority without an environmental statement

**Changes to legislation:** There are currently no known outstanding effects for the The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (revoked). (See end of Document for details)

- 10A Applications made directly to the Secretary of State without an environmental statement
- 11. Application referred to the Secretary of State without an environmental statement
- 12. Appeal to the Secretary of State without an environmental statement

#### PART 4

##### Preparation of Environmental Statements

- 13. Scoping opinions of the local planning authority
- 14. Scoping directions of the Secretary of State
- 15. Procedure to facilitate preparation of environmental statements

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##### Publicity and Procedures on Submission of Environmental Statements

- 16. Procedure where an environmental statement is submitted to a local planning authority
- 17. Publicity where an environmental statement is submitted after the planning application
- 18. Provision of copies of environmental statements and further information for the Secretary of State on referral or appeal
- 19. Procedure where an environmental statement is submitted to the Secretary of State
- 20. Availability of copies of environmental statements
- 21. Charges for copies of environmental statements
- 22. Further information and evidence respecting environmental statements

#### PART 6

##### Availability of Directions etc and Notification of Decisions

- 23. Availability of opinions, directions etc for inspection
- 24. Duties to inform the public and the Secretary of State of final decisions

#### PART 7

##### Development By a Local Planning Authority

- 25. Modifications where application by a local planning authority
- 26. Screening opinions and directions

#### PART 8

##### Restrictions of Grants of Permission

- 27. Old simplified planning zone schemes or enterprise orders
- 28. New simplified planning zone schemes or enterprise zone orders
- 29. Local development orders
- 29A Neighbourhood development orders

#### PART 9

##### Unauthorised Development

- 30. Interpretation

31. Prohibition on the grant of planning permission for unauthorised EIA development
32. Screening opinions of the local planning authority
33. Screening directions of the Secretary of State
34. Provision of information
35. Appeal to the Secretary of State without a screening opinion or screening direction
36. Appeal to the Secretary of State without an environmental statement
37. Procedure where an environmental statement is submitted to the Secretary of State
38. Further information and evidence respecting environmental statements
39. Publicity for environmental statements or further information
40. Public inspection of documents
41. Significant transboundary effects

#### PART 10

##### ROMP Applications

42. General application of the Regulations to ROMP applications
43. Modification of provisions on prohibition of granting planning permission or subsequent consent
44. Modification of provisions on application to local planning authority without an environmental statement
45. Disapplication of Regulations and modifications of provisions on application referred to or appealed to the Secretary of State without an environmental statement
46. Substitution of references to section 78 right of appeal and modification of provisions on appeal to the Secretary of State without an environmental statement
47. Modification of provisions on preparation, publicity and procedures on submission of environmental statements
48. Modification of provisions on application to the High Court and giving of directions
49. Suspension of minerals development
50. Determination of conditions and right of appeal on non-determination
51. ROMP application by a mineral planning authority
52. ROMP applications: duty to make a prohibition order after two years suspension of permission

#### PART 11

##### Development with Significant Transboundary Effects

53. Development in England likely to have significant effects in another EEA State
54. Projects in another EEA State likely to have significant transboundary effects

#### PART 12

##### Projects serving national defence purposes

55. Projects serving national defence purposes in Scotland
56. Projects serving national defence purposes in Wales
57. Projects serving national defence purposes in Northern Ireland

## PART 13

### Miscellaneous

58. Service of notices etc
  59. Application to the High Court
  60. Hazardous waste and material change of use
  61. Extension of the period for an authority's decision on a planning application
  62. Extension of the power to provide in a development order for the giving of directions as respects the manner in which planning applications are dealt with
  63. Application to the Crown
  64. Review
  65. Revocation of statutory instruments and transitional provisions
  66. Consequential amendments
- Signature

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### SCHEDULE 1 — Descriptions of development for the purposes of the definition of “Schedule 1 development”

#### Interpretation

#### Descriptions of development

1. Crude-oil refineries (excluding undertakings manufacturing only lubricants from crude oil)...
2. (a) Thermal power stations and other combustion installations with a...
3. (a) Installations for the reprocessing of irradiated nuclear fuel;
4. (a) Integrated works for the initial smelting of cast-iron and...
5. Installations for the extraction of asbestos and for the processing...
6. Integrated chemical installations, that is to say, installations for the...
7. (a) Construction of lines for long-distance railway traffic and of...
8. (a) Inland waterways and ports for inland-waterway traffic which permit...
9. Waste disposal installations for the incineration, chemical treatment (as defined...
10. Waste disposal installations for the incineration or chemical treatment (as...
11. Groundwater abstraction or artificial groundwater recharge schemes where the annual...
12. (a) Works for the transfer of water resources, other than...
13. Waste water treatment plants with a capacity exceeding 150,000 population...
14. Extraction of petroleum and natural gas for commercial purposes where...
15. Dams and other installations designed for the holding back or...
16. Pipelines with a diameter of more than 800 millimetres and...
17. Installations for the intensive rearing of poultry or pigs with...
18. Industrial plants for— (a) the production of pulp from timber...
19. Quarries and open-cast mining where the surface of the site...
20. Installations for storage of petroleum, petrochemical or chemical products with...
21. Any change to or extension of development listed in this...
22. Storage sites pursuant to Directive 2009/31/ EC of the European...
23. Installations for the capture of carbon dioxide streams for the...

**Changes to legislation:** There are currently no known outstanding effects for the The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (revoked). (See end of Document for details)

SCHEDULE 2 — Descriptions of development and applicable thresholds and criteria for the purposes of the definition of “Schedule 2 development”

1. In the table below— “ area of the works ”...
2. The table below sets out the descriptions of development and...

SCHEDULE 3 — Selection criteria for screening Schedule 2 development

1. Characteristics of development
2. Location of development
3. Characteristics of the potential impact

SCHEDULE 4 — Information for inclusion in environmental statements

PART 1

1. Description of the development, including in particular—
2. An outline of the main alternatives studied by the applicant...
3. A description of the aspects of the environment likely to...
4. A description of the likely significant effects of the development...
5. A description of the measures envisaged to prevent, reduce and...
6. A non-technical summary of the information provided under paragraphs 1...
7. An indication of any difficulties (technical deficiencies or lack of...

PART 2

1. A description of the development comprising information on the site,...
2. A description of the measures envisaged in order to avoid,...
3. The data required to identify and assess the main effects...
4. An outline of the main alternatives studied by the applicant...
5. A non-technical summary of the information provided under paragraphs 1...

SCHEDULE 5 — Statutory instruments revoked

SCHEDULE 6 — Consequential amendments

1. The Town and Country Planning (General Permitted Development) Order 1995
2. In article 3(10), for “the Town and Country Planning (Environmental...
3. In article 3(11) for “regulation 4(7)” substitute “ regulation 4(8)...
4. The Gas Transporter Pipe-line Works (Environmental Impact Assessment) Regulations 1999
5. In regulation 2(1), for the definition of “the 1999 EIA...
6. In regulation 4(3), for “the 1999 EIA Regulations” (at both...
7. The Environmental Impact Assessment (Forestry) (England and Wales) Regulations 1999
8. In regulation 3(1)(c)(ii), for “the Town and Country Planning (Environmental...
9. The Town and Country Planning (Major Infrastructure Project Inquiries Procedure) (England) Rules 2005
10. In regulation 2(1), for the definition of “environmental statement”, substitute...
11. The Planning (National Security Directions and Appointed Representatives) (England) Rules 2006
12. In regulation 6(8), for the definition of “ EIA application”,...
13. Environmental Impact Assessment (Agriculture) (England) (No 2) Regulations 2006
14. In regulation 3(2)(b), for “the Town and Country Planning (Environmental...

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15. The Environmental Impact Assessment and Natural Habitats (Extraction of Minerals by Marine Dredging) (England and Northern Ireland) Regulations 2007
16. In regulation 2(1), in the definition of “dredging”, for “the...
17. The Town and Country Planning (Development Management Procedure) (England) Order 2010
18. In regulation 2(1), in the definition of “ EIA development”,...
19. For regulation 25(2), substitute— (2) The Secretary of State may...
20. In regulation 34(13), for “the Town and Country Planning (Environmental...

Explanatory Note

**Changes to legislation:**

There are currently no known outstanding effects for the The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (revoked).