
STATUTORY INSTRUMENTS

2011 No. 1824

The Town and Country Planning (Environmental
Impact Assessment) Regulations 2011

PART 7

Development By a Local Planning Authority

Modifications where application by a local planning authority

25. Where the relevant planning authority is also (or would be) the applicant (whether alone or jointly with any other person), these Regulations shall apply to an EIA application (or proposed application) subject to the following modifications—

- (a) subject to regulations 26(1) and (2), regulations 5 and 6 shall not apply;
- (b) regulations 7 and 8 shall apply as if the reference to paragraph (4) of regulation 5 were omitted;
- (c) regulation 10 shall not apply;
- (d) regulations 13 and 14 shall not apply;
- (e) paragraphs (1) to (3) of regulation 15 shall not apply, and regulation 15(4) shall apply to any consultation body from whom the relevant planning authority requests assistance as it applies to a body notified in accordance with regulation 15(3);
- (f) save for the purposes of regulations 19(3) and (4), regulation 16 shall apply as if—
 - (i) for paragraph (1), there were substituted—

“(1) When a relevant planning authority making an EIA application lodge a statement, referred to as an “environmental statement” for the purposes of these Regulations, they shall—

- (a) provide a copy of—
 - (i) that statement;
 - (ii) the relevant application and any plan submitted with it; and
 - (iii) in the case of a subsequent application, the planning permission granted for the development in respect of which the subsequent application has been made and any documents or information relating to the application,to each consultation body;
- (b) inform each consultation body that representations may be made to the relevant planning authority; and
- (c) send to the Secretary of State within 14 days of lodging the statement—
 - (i) 1 copy of the statement;

- (ii) a copy of the relevant application and of any documents submitted with the application; and
- (iii) in the case of a subsequent application, the planning permission granted for the development in respect of which the subsequent application has been made and any documents or information relating to the application.”;
- (ii) paragraphs (2) and (3) were omitted;
- (g) regulation 19 shall apply as if paragraph (2) were omitted.

Screening opinions and directions

26.—(1) An authority which is minded to make a planning application or a subsequent application in relation to which it would be the relevant planning authority may adopt a screening opinion or request the Secretary of State in writing to make a screening direction, and paragraphs (3) and (4) of regulation 6 shall apply to such a request as they apply to a request made pursuant to regulation 5(7).

(2) A relevant planning authority which proposes to carry out development which they consider may be—

- (a) development of a description specified in Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995(1) other than development of a description specified in article 3(12) of that Order; or
- (b) development for which permission would be granted but for regulation 27(1),

may adopt a screening opinion or request the Secretary of State to make a screening direction, and paragraphs (3) and (4) of regulation 6 shall apply to such a request as they apply to a request made pursuant to regulation 5(7).

(3) A request under paragraph (1) or (2) shall be accompanied by—

- (a) in the case of a planning application, the documents described in regulation 5(2);
- (b) in the case of a subsequent application, the documents described in regulation 5(3).

(4) An authority making a request under paragraph (1) or (2) shall send to the Secretary of State any additional information which is requested in writing to enable the Secretary of State to make a direction.

(1) S.I. 1995/418, to which there are amendments not relevant to these Regulations.