
STATUTORY INSTRUMENTS

2017 No. 571

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

PART 8

Unauthorised development

Significant transboundary effects

46. Regulation 58 shall apply to unauthorised EIA development as if—

(a) for paragraph (1)(a) there were substituted—

“(a) on consideration of an appeal under section 174 of the Act (Appeal against enforcement notice), the Secretary of State is of the opinion that the matters which are alleged to constitute the breach of planning control comprise or include EIA development and that the development has or is likely to have significant effects on the environment in another EEA State; or”;

(b) in paragraph (3)

(i) in sub-paragraph (a) for “a copy of the application concerned” there were substituted “a description of the development concerned”; and

(ii) in sub-paragraph (b) for “application” there were substituted “appeal”;

(c) in paragraph (3)(d) the words “to which that application relates” were omitted; and

(d) in paragraph (6) for “application” there were substituted “appeal”.