
STATUTORY INSTRUMENTS

2011 No. 1824

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

PART 10

ROMP Applications

Modification of provisions on preparation, publicity and procedures on submission of environmental statements

47.—(1) In the case of a ROMP application, in regulations 13(9) and 14(6) for the words “an application for planning permission or a subsequent application for” substitute “a ROMP application which relates to another planning permission which authorises”.

(2) In the case of a ROMP application, in regulation 16 (procedure where an environmental statement is submitted to a local planning authority) for paragraph (4) substitute—

“(3A) Where an applicant submits an environmental statement to the authority in accordance with paragraph (1), the provisions of article 13 of and Schedule 3 to the Order (publicity for applications for planning permission) shall apply to a ROMP application under paragraph—

(a) 2(2) of Schedule 2 to the 1991 Act, and

(b) 6(1) of Schedule 14 to the 1995 Act(1),

as they apply to a planning application falling within paragraph 13(2) of the Order except that for the references in the notice in Schedule 3 to the Order to “planning permission” there shall be substituted “determination of the conditions to which a planning permission is to be subject” and that notice shall refer to the relevant provisions of the 1991 or 1995 Act pursuant to which the application is made.”

(3) In the case of a ROMP application, in regulation 17 (publicity where an environmental statement is submitted after the planning application)—

(a) in paragraph (2)(a) for the words “that an application is being made for planning permission or subsequent consent” substitute—

“that an application is being made for determination of the conditions to which a planning permission is to be subject, the relevant provisions of the 1991 or 1995 Act pursuant to which the application is made”;

(b) for paragraph (7) substitute—

“(7) Where an applicant indicates that it is proposed to provide such a statement and in such circumstances as are mentioned in paragraph (1), the relevant planning authority, the Secretary of State or the inspector, as the case may be, shall suspend consideration of the application or appeal until the date specified by the authority or the Secretary of State

(1) The provisions of the Order are not applied to applications under paragraph 9(1) of Schedule 13 to the 1995 Act as they are applied by paragraph 9(5) of Schedule 13 to the 1995 Act.

for submission of the environmental statement and compliance with paragraph (6); and shall not determine it during the period of 21 days beginning with the date of receipt of the statement and the other documents mentioned in paragraph (6).”

(4) In the case of a ROMP application, in regulation 18 (provision of copies of environmental statements and further information for the Secretary of State on referral or appeal), in paragraph (a) for “section 77” substitute “paragraph 7(1) of Schedule 2 to the 1991 Act, paragraph 13(1) of Schedule 13 to the 1995 Act or paragraph 8(1) of Schedule 14 to the 1995 Act”.

(5) In the case of a ROMP application, in regulation 20 (availability of copies of environmental statements) after “the Order” insert “(as applied by regulation 16(4) or by paragraph 9(5) of Schedule 13 to the 1995 Act).”.

(6) In the case of a ROMP application, in regulation 22 (further information and evidence respecting environmental statements)—

(a) in paragraph (3)(a) for the words “applicant for planning permission or subsequent consent or the appellant (as the case may be)” substitute—

“person who has applied for or who has appealed in relation to the determination of the conditions to which the planning permission is to be subject, the relevant provisions of the 1991 or 1995 Act pursuant to which the application is made”;

(b) in paragraph (7) after the words “application or appeal” insert “until the date they specify for submission of the further information”.