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STATUTORY INSTRUMENTS

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**2011 No. 1824**

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

**PART 2**

**Screening**

**Requests for screening opinions of the local planning authority**

5.—(1) A person who is minded to carry out development may request the relevant planning authority to adopt a screening opinion.

(2) A request for a screening opinion in relation to an application for planning permission shall be accompanied by—

- (a) a plan sufficient to identify the land;
- (b) a brief description of the nature and purpose of the development and of its possible effects on the environment; and
- (c) such other information or representations as the person making the request may wish to provide or make.

(3) A request for a screening opinion in relation to a subsequent application shall be accompanied by—

- (a) a plan sufficient to identify the land;
- (b) sufficient information to enable the relevant planning authority to identify any planning permission granted for the development in respect of which a subsequent application has been made;
- (c) an explanation of the likely effects on the environment which were not identified at the time that the planning permission was granted; and
- (d) such other information or representations as the person making the request may wish to provide or make.

(4) An authority receiving a request for a screening opinion shall, if they consider that they have not been provided with sufficient information to adopt an opinion, notify in writing the person making the request of the points on which they require additional information.

(5) An authority shall adopt a screening opinion within 3 weeks beginning with the date of receipt of a request made pursuant to paragraph (1) or such longer period as may be agreed in writing with the person making the request.

(6) An authority which adopts a screening opinion pursuant to paragraph (5) shall send a copy to the person who made the request.

(7) Where an authority—

- (a) fails to adopt a screening opinion within the relevant period mentioned in paragraph (5); or
- (b) adopts an opinion to the effect that the development is EIA development;

the person who requested the opinion may request the Secretary of State to make a screening direction.

(8) The person may make a request pursuant to paragraph (7) even if the authority have not received additional information which they have sought under paragraph (4).