
STATUTORY INSTRUMENTS

2017 No. 571

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

PART 5

**Publicity and procedures on submission of
environmental statements and decision making**

Further information and evidence respecting environmental statements

25.—(1) If a relevant planning authority, the Secretary of State or an inspector is dealing with an application or appeal, as the case may be, in relation to which the applicant or appellant has submitted an environmental statement, and are of the opinion that, in order to satisfy the requirements of [^{F1}regulation 18(3) and (4)], it is necessary for the statement to be supplemented with additional information which is directly relevant to reaching a reasoned conclusion on the likely significant effects of the development described in the application in order to be an environmental statement, the relevant planning authority, Secretary of State or inspector as the case may be must notify the applicant or appellant in writing accordingly, and the applicant or appellant must provide that additional information; and such information provided by the applicant or appellant is referred to in these Regulations as “further information”.

(2) [^{F2}Subject to regulations 25A and 25B,] paragraphs (3) to (11) apply in relation to further information and any other information except in so far as the further information and any other information is provided for the purposes of an inquiry or hearing held under the Act and the request for the further information made pursuant to paragraph (1) stated that it was to be provided for such purposes.

(3) The recipient of further information pursuant to paragraph (1) or any other information must publish in a local newspaper circulating in the locality in which the land is situated a notice stating—

- (a) the name of the applicant for planning permission or subsequent consent or the appellant (as the case may be) and the name and address of the relevant planning authority;
- (b) the date on which the application was made and, if it be the case, that it has been referred to the Secretary of State for determination or is the subject of an appeal to the Secretary of State;
- (c) in the case of a subsequent application, sufficient information to enable the planning permission for the development to be identified;
- (d) the address or location and the nature of the proposed development;
- (e) that further information or any other information is available in relation to an environmental statement which has already been provided;
- (f) that a copy of the further information or any other information and of any environmental statement which relates to any application for planning permission or subsequent application may be inspected by members of the public at all reasonable hours;

- (g) an address in the locality in which the land is situated at which the further information or any other information may be inspected and the latest date on which it will be available for inspection (being a date not less than 30 days later than the date on which the notice is published);
 - (h) details of a website maintained by or on behalf of the relevant planning authority on which the further information or any other information may be inspected, and the latest date on which they will be available for access (being a date not less than 30 days later than the date on which the notice is published);
 - (i) an address (whether or not the same as that given pursuant to sub-paragraph (g)) in the locality in which the land is situated at which copies of the further information or any other information may be obtained;
 - (j) that copies may be obtained there so long as stocks last;
 - (k) if a charge is to be made for a copy, the amount of the charge;
 - (l) that any person wishing to make representations about the further information or any other information should make them in writing, before the latest date specified in accordance with sub-paragraph (g) or (h), to the relevant planning authority, the Secretary of State or the inspector (as the case may be); and
 - (m) the address to which representations should be sent.
- (4) The recipient of the further information or any other information must send a copy of it to each person to whom, in accordance with these Regulations, the statement to which it relates was sent.
- (5) Where the recipient of the further information or any other information is the relevant planning authority they must send to the Secretary of State a copy of the further information or any other information.
- (6) The recipient of the further information may by notice in writing require the applicant or appellant to provide such number of copies of the further information or any other information as is specified in the notice (being the number required for the purposes of paragraph (4) or (5)).
- (7) Where further information is requested under paragraph (1) or any other information is provided, the relevant planning authority, the Secretary of State or the inspector, as the case may be, must suspend determination of the application or appeal, and must not determine it before the expiry of 30 days after the latest of—
- (a) the date on which the further information or any other information was sent to all persons to whom the statement to which it relates was sent;
 - (b) the date that notice of it was published in a local newspaper; or
 - (c) the date that notice of it was published on a website.
- (8) The applicant or appellant who provides further information, or any other information, in accordance with paragraph (1) must—
- (a) ensure that a reasonable number of copies of the information are available at the address named in the notice published pursuant to paragraph (3) at the address at which such copies may be obtained; and
 - (b) take any reasonable steps required by the relevant planning authority to ensure that copies of the further information or any other information are made available for access on the website referred to in the notice published pursuant to paragraph (3).
- (9) The relevant planning authority must make the further information or any other information available for inspection on a website maintained by or on its behalf.
- (10) A reasonable charge reflecting printing and distribution costs may be made to a member of the public for a copy of the further information or any other information made available in accordance with paragraph (8)(a).

(11) The relevant planning authority, the Secretary of State or an inspector may in writing require an applicant or appellant to produce such evidence as they may reasonably call for to verify any information in the environmental statement.

[^{F3}(12) Paragraphs (13) to (22) apply if the recipient of further information pursuant to paragraph (1) or any other information is not able to do one or more of the following—

- (a) publish a notice in a local newspaper circulating in the locality under paragraph (3);
- (b) make copies of the further information or any other information, or any environmental statement which relates to any application for planning permission or subsequent application, available for inspection at an address in the locality in which the land is situated, under paragraph (3); or
- (c) make copies of the further information or any other information available to be obtained at an address in the locality in which the land is situated, under paragraph (8)(a);

because it is not reasonably practicable to do so for reasons connected with the effects of coronavirus, including restrictions on movement.

(13) In a case falling within paragraph (12), the recipient of further information pursuant to paragraph (1) or any other information must take reasonable steps to inform persons who are likely to have an interest in the planning application of the following information contained in a notice stating—

- (a) the name of the applicant for planning permission or subsequent consent or the appellant (as the case may be) and the name and address of the relevant planning authority;
- (b) the date on which the application was made and, if it has been referred to the Secretary of State for determination or is the subject of an appeal to the Secretary of State;
- (c) in the case of a subsequent application, sufficient information to enable the planning permission for the development to be identified;
- (d) the address or location and the nature of the proposed development;
- (e) a statement that further information or any other information is available in relation to an environmental statement which has already been provided;
- (f) details of a website maintained by or on behalf of the relevant planning authority on which the further information or any other information may be inspected;
- (g) a statement that the information mentioned in sub-paragraph (f) is available to be inspected by the public on that website for 30 days beginning with the day on which that information was published on that website;
- (h) a statement that any representations to be made by a person about the further information or any other information must—
 - (i) be made in writing;
 - (ii) be submitted before the expiry of the 30 days mentioned in sub-paragraph (g); and
 - (iii) be submitted to the relevant planning authority, the Secretary of State or the inspector (as the case may be); and
- (i) the email address to which representations must be sent.

(14) The recipient of the further information or any other information must send a copy of it to each person to whom, in accordance with these Regulations, the statement to which it relates was sent.

(15) If the recipient of the further information or any other information is the relevant planning authority they must send a copy of the further information or any other information to the Secretary of State.

(16) In paragraph (13)—

- (a) the persons who are likely to have an interest in a planning application must include the persons who live or work in, or otherwise have a direct connection with, the area in which the proposed development is located; and
- (b) the reasonable steps that are taken—
 - (i) may include use of social media and communication by electronic means;
 - (ii) must include publishing in a local newspaper circulating in the locality in which the land is situated a notice containing the information set out in paragraph (13), to the extent that it is reasonably practicable to so; and
 - (iii) must be proportionate to the scale and impact of the development.

(17) Where further information is requested under paragraph (1) or any other information is provided, the relevant planning authority, the Secretary of State or the inspector, (as the case may be), must suspend determination of the application or appeal, and must not determine the application or appeal until the relevant time has elapsed.

(18) In paragraph (18) the “relevant time” means 30 days after—

- (a) the date on which the further information or any other information was sent to all persons to whom the statement to which it relates was sent; or
- (b) the date that notice of it was published on a website;

whichever is the later.

(19) The applicant or appellant who provides further information, or any other information, under paragraph (1) must take reasonable steps to ensure that copies of the further information or any other information are made available for access on the website referred to in the notice that is required under paragraph (13).

(20) The relevant planning authority must make the further information or any other information available for inspection on a website maintained by or on its behalf.

(21) The relevant planning authority, the Secretary of State or an inspector may require an applicant or appellant to produce such evidence as they may reasonably request to verify information contained in the environmental statement.

(22) For the purpose of paragraphs (14) and (15), references to sending of further information or any other information includes sending by electronic means.]

Textual Amendments

- F1** Words in reg. 25(1) substituted (1.10.2018) by [The Town and Country Planning and Infrastructure Planning \(Environmental Impact Assessment\) \(Amendment\) Regulations 2018 \(S.I. 2018/695\)](#), regs. 1, **2(3)**
- F2** Words in reg. 25(2) inserted (temp.) (24.12.2020) by [The Town and Country Planning \(Local Planning, Development Management Procedure, Listed Buildings etc.\) \(England\) \(Coronavirus\) \(Amendment\) Regulations 2020 \(S.I. 2020/1398\)](#), regs. 1(2), **12(1)** (with regs. 13, 15, 17-20)
- F3** Reg. 25(12)-(22) inserted (temp.) (14.5.2020) by [The Town and Country Planning \(Development Management Procedure, Listed Buildings and Environmental Impact Assessment\) \(England\) \(Coronavirus\) \(Amendment\) Regulations 2020 \(S.I. 2020/505\)](#), regs. 1, **17(3)** (with Pt. 5) (as substituted by S.I. 2020/1398, reg. 5)

Changes to legislation:

There are currently no known outstanding effects for the The Town and Country Planning (Environmental Impact Assessment) Regulations 2017, Section 25.