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STATUTORY INSTRUMENTS

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**2017 No. 571**

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

PART 9

ROMP Applications

**Substitution of references to section 78 right of appeal and modification of provisions on appeal to the Secretary of State without an environmental statement**

**51.**—(1) In the case of a ROMP application, in regulations 14(1) and 21(b), for each reference to “section 78 of the Act (right to appeal against planning decisions and failure to take such decisions)” substitute—

“paragraph 5(2) of Schedule 2 to the 1991 Act, paragraph 11(1) of Schedule 13 to the 1995 Act or paragraph 9(1) of Schedule 14 to the 1995 Act (right of appeal)”.

(2) In the case of a ROMP application, in regulation 14(2) (appeal to the Secretary of State without an environmental statement) omit “, except by refusing planning permission or subsequent consent,”.