WELSH STATUTORY INSTRUMENTS

2016 No. 58

The Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2016

PART 10

Unauthorised Development

Prohibition on the grant of planning permission for unauthorised EIA development

41. The Welsh Ministers or an inspector must not grant planning permission or subsequent consent under section 177(1) of the 1990 Act (grant or modification of planning permission on appeals against enforcement notices)(**1**) in respect of unauthorised EIA development unless the Welsh Ministers or inspector has first taken the environmental information into consideration, and they must state in the decision that they have done so.

(**1**) Section 177 was amended by sections 6(3) and 32 of, and paragraph 24 of Schedule 7 to, the 1991 Act; section 123(1), (6) of the Localism Act 2011 (c. 20). There is another amendment which is not relevant to this instrument.