
WELSH STATUTORY INSTRUMENTS

2016 No. 58

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

PART 10

Unauthorised Development

Screening directions

43.—(1) Any person on whom a regulation 42 notice is served may, within 21 days beginning with the date the notice is served, apply to the Welsh Ministers for a screening direction.

(2) An application for a screening direction must be accompanied by—

- (a) a copy of the regulation 42 notice;
- (b) a copy of the enforcement notice which accompanied it; and
- (c) such other information or representations as the applicant may wish to provide or make.

(3) At the same time as applying to the Welsh Ministers, the applicant must send to the authority by whom the regulation 42 notice was served, a copy of the application and of any information or representations provided or made in accordance with paragraph (2)(c).

(4) If the Welsh Ministers consider that the information provided in accordance with paragraph (2)(a) is insufficient to make a direction, they must notify the applicant and the authority of the matters in respect of which additional information is required; and the information so requested must be provided by the applicant within such reasonable period as may be specified in the notice.

(5) The Welsh Ministers must send a copy of the direction to the applicant.

(6) Where the Welsh Ministers direct that the matters which are alleged to constitute the breach of planning control do not comprise or include EIA development, they must send a copy of the direction to every person to whom a copy of the regulation 42 notice was sent.