
SCOTTISH STATUTORY INSTRUMENTS

2017 No. 101

The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017

PART 2

DETERMINING WHETHER EIA IS REQUIRED

Requests for a screening opinion

- 8.**—(1) A developer may request the Scottish Ministers to adopt a screening opinion.
- (2) A request for a screening opinion under paragraph (1) must be accompanied by—
- (a) a description of the location of the development, including a plan sufficient to identify the land;
 - (b) a description of the proposed development, including in particular—
 - (i) a description of the physical characteristics of the proposed development and, where relevant, of demolition works;
 - (ii) a description of the location of the proposed development, with particular regard to the environmental sensitivity of geographical areas likely to be affected;
 - (c) a description of the aspects of the environment likely to be significantly affected by the proposed development; and
 - (d) a description of any likely significant effects, to the extent of the information available on such effects, of the proposed development on the environment resulting from—
 - (i) the expected residues and emissions and the production of waste, where relevant;
 - (ii) the use of natural resources, in particular soil, land, water and biodiversity.
- (3) A request for a screening opinion may, in addition to the information required in accordance with paragraph (2), also be accompanied by a description of any features of the proposed development, or proposed measures, envisaged to avoid or prevent significant adverse effects on the environment.
- (4) The information referred to in paragraph (2) is to be compiled taking into account, where relevant—
- (a) the selection criteria set out in schedule 3; and
 - (b) the available results of any relevant assessment.
- (5) The Scottish Ministers, on receiving a request for a screening opinion from a developer under paragraph (1), must consult the planning authority as to the planning authority's views on whether the proposed development is EIA development unless the planning authority's views have already been conveyed to the Scottish Ministers.
- (6) Where a planning authority is consulted by the Scottish Ministers under paragraph (5) it must give its views to the Scottish Ministers within—
- (a) a period of three weeks beginning on the date on which it was so consulted; or

(b) such longer period as the Scottish Ministers may determine.

(7) The Scottish Ministers, on receiving a request for a screening opinion under paragraph (1) must, if they consider that they have not been provided with sufficient information to adopt a screening opinion, notify in writing the developer of the points on which they require further information.