
STATUTORY INSTRUMENTS

1995 No. 417

The Town and Country Planning (Environmental Assessment and Permitted Development) Regulations 1995

Opinion as to need for environmental statement

3.—(1) A prospective developer may apply to the relevant planning authority for their opinion as to whether the relevant development specified in the application is within a description mentioned in Schedule 1 or Schedule 2, and, if so, within which description, and if within a description mentioned in Schedule 2, whether it would be likely to have significant effects on the environment by virtue of factors such as its nature, size or location.

(2) An application under paragraph (1) shall be accompanied by—

- (a) a plan sufficient to identify the land;
- (b) a brief description of the nature and purpose of the development and of its possible effects on the environment;
- (c) such other information or representations as the prospective developer may wish to provide or make.

(3) An authority which receives an application under paragraph (1) shall, if they consider that they have not been provided with sufficient information to give an opinion on the questions raised, notify the prospective developer of the particular points on which they require further information; and the information so requested shall be provided within such reasonable period as may be specified in the notice or such longer period as may be agreed in writing between the authority and the prospective developer.

(4) The authority shall give to the prospective developer written notice of their opinion within the period of 3 weeks beginning with the date of receipt of the application or such longer period as may be agreed in writing with the prospective developer; and if it is their opinion that the relevant development is—

- (a) within a description mentioned in Schedule 1, or
- (b) within a description mentioned in Schedule 2 and likely to have significant effects on the environment,

they shall provide with the opinion a written statement of their reasons for being of that opinion.