
STATUTORY INSTRUMENTS

2011 No. 1824

The Town and Country Planning (Environmental
Impact Assessment) Regulations 2011

PART 9

Unauthorised Development

Screening opinions of the local planning authority

32.—(1) Where it appears to the local planning authority by whom or on whose behalf an enforcement notice is to be issued that the matters constituting the breach of planning control comprise or include Schedule 1 development or Schedule 2 development they shall, before the enforcement notice is issued, adopt a screening opinion.

(2) Where it appears to the local planning authority by whom or on whose behalf an enforcement notice is to be issued that the matters constituting the breach of planning control comprise or include EIA development they shall serve with a copy of the enforcement notice a notice (“regulation 32 notice”) which shall—

- (a) include the screening opinion required by paragraph (1) and the written statement required by regulation 4(7); and
 - (b) require a person who gives notice of an appeal under section 174(1) to submit to the Secretary of State with the notice 2 copies of an environmental statement relating to that EIA development.
- (3) The authority by whom a regulation 32 notice has been served shall send a copy of it to—
- (a) the Secretary of State;
 - (b) the consultation bodies; and
 - (c) any particular person of whom the authority is aware, who is likely to be affected by, or has an interest in, the regulation 32 notice.

(4) Where an authority provide the Secretary of State with a copy of a regulation 32 notice they shall include with it a list of the other persons to whom a copy of the notice has been or is to be sent.

(1) Section 174 was amended by the Planning and Compensation Act 1991 (c. 34), section 6(1) and Schedule 7, paragraph 22, and by S.I 2003/956. See also section 177(5) which was amended by the Planning and Compensation Act 1991, Schedule 7, paragraph 24.