
STATUTORY INSTRUMENTS

2017 No. 571

**The Town and Country Planning (Environmental
Impact Assessment) Regulations 2017**

PART 6

Availability of directions etc and notification of decisions

Availability of opinions, directions etc for inspection

28.—(1) Where particulars of an application for planning permission or of a subsequent application are placed on Part 1 of the register, the relevant planning authority must take steps to secure that there is also placed on that Part a copy of any relevant—

- (a) screening opinion;
- (b) screening direction;
- (c) scoping opinion;
- (d) scoping direction;
- (e) notification given under regulation 11(2), 12(5), 13(5) or 14(6);
- (f) direction under regulation 63;
- (g) environmental statement, including any further information and any other information; and
- (h) statement of reasons accompanying any of the above.

(2) Where the relevant planning authority adopts a screening opinion or scoping opinion, or receives a request under regulation 15(1) or 16(1), a copy of a screening direction, scoping direction, or direction under regulation 63 before an application is made for planning permission or subsequent consent for the development in question, the relevant planning authority must take steps to secure that a copy of the opinion, request, or direction and any accompanying statement of reasons is made available for public inspection at all reasonable hours at the place where the appropriate register (or relevant part of that register) is kept, and copies of those documents must remain so available for a period of 2 years.

Information to accompany decisions

29.—(1) Where an EIA application or appeal in relation to which an environmental statement has been submitted is determined by a relevant planning authority, the Secretary of State or an inspector, as the case may be, the person making that determination must provide the developer with the information specified in paragraph (2).

- (2) The information is—
- (a) information regarding the right to challenge the validity of the decision and the procedures for doing so; and
 - (b) if the decision is—
 - (i) to grant planning permission or subsequent consent—

- (aa) the reasoned conclusion of the relevant planning authority or the Secretary of State, as the case may be, on the significant effects of the development on the environment, taking into account the results of the examination referred to in regulation 26(1)(a) and (b);
 - (bb) any conditions to which the decision is subject which relate to the likely significant environmental effects of the development on the environment;
 - (cc) a description of any features of the development and any measures envisaged in order to avoid, prevent, reduce and, if possible, offset, likely significant adverse effects on the environment; and
 - (dd) any monitoring measures considered appropriate by the relevant planning authority or the Secretary of State, as the case may be; or
- (ii) to refuse planning permission or subsequent consent, the main reasons for the refusal.

Duty to inform the public and the Secretary of State of final decisions

30.—(1) Where an EIA application is determined by a local planning authority, the authority must promptly—

- (a) inform the Secretary of State of the decision in writing;
- (b) inform the consultation bodies of the decision in writing;
- (c) inform the public of the decision, by local advertisement, or by such other means as are reasonable in the circumstances; and
- (d) make available for public inspection at the place where the appropriate register (or relevant part of that register) is kept a statement containing—
 - (i) details of the matters referred to in regulation 29(2);
 - (ii) the main reasons and considerations on which the decision is based including, if relevant, information about the participation of the public; and
 - (iii) a summary of the results of the consultations undertaken, and information gathered, in respect of the application and how those results (in particular, in circumstances where regulation 58 applies, the comments received from an EEA State pursuant to consultation under that regulation) have been incorporated or otherwise addressed.

(2) Where an EIA application or appeal is determined by the Secretary of State or an inspector, the Secretary of State must—

- (a) notify the relevant planning authority of the decision; and
- (b) provide the authority with such a statement as is mentioned in paragraph (1)(d).

(3) The relevant authority must, as soon as reasonably practicable after receipt of a notification under paragraph (2)(a), comply with sub-paragraph (b) to (d) of paragraph (1) in relation to the decision so notified as if it were a decision of the authority.