
STATUTORY INSTRUMENTS

2017 No. 571

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

PART 2

Screening

Requests for screening opinions of the relevant planning authority

6.—(1) A person who is minded to carry out development may request the relevant planning authority to adopt a screening opinion.

(2) A person making a request for a screening opinion in relation to development where an application for planning permission has been or is proposed to be submitted must provide the following—

- (a) a plan sufficient to identify the land;
- (b) a description of the development, including in particular—
 - (i) a description of the physical characteristics of the development and, where relevant, of demolition works;
 - (ii) a description of the location of the 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 development;
- (d) to the extent the information is available, a description of any likely significant effects of the proposed development on the environment resulting from—
 - (i) the expected residues and emissions and the production of waste, where relevant; and
 - (ii) the use of natural resources, in particular soil, land, water and biodiversity; and
- (e) such other information or representations as the person making the request may wish to provide or make, including any features of the proposed development or any measures envisaged to avoid or prevent what might otherwise have been significant adverse effects on the environment.

(3) A request for a screening opinion in relation to development where a subsequent application has been or is proposed to be submitted must be accompanied by—

- (a) a plan sufficient to identify the land;
- (b) sufficient information to enable the relevant planning authority to identify any planning permission granted for the development in respect of which a subsequent application has been made;
- (c) the information described in paragraph (2)(c) and (d), but only to the extent that this relates to likely significant effects on the environment not previously identified; and

- (d) such other information or representations as the person making the request may wish to provide or make, including any features of the proposed development or any measures envisaged to avoid or prevent what might otherwise have been significant adverse effects on the environment.
- (4) A person compiling the information set out in paragraph (2) or (3) must, where relevant, take into account—
 - (a) the criteria set out in Schedule 3; and
 - (b) the results of any relevant EU environmental assessment which are reasonably available to the person requesting the screening opinion.
- (5) A relevant planning authority receiving a request for a screening opinion must, if they consider that they have not been provided with sufficient information to adopt an opinion, notify in writing the person making the request of the points on which they require additional information.
- (6) A relevant planning authority must adopt a screening opinion within—
 - (a) 3 weeks beginning with the date of receipt of a request made pursuant to paragraph (1); or
 - (b) such longer period, not exceeding 90 days from the date on which the person making the request submits the information required under paragraph (2) or (3) as may be agreed in writing with the person making the request.
- (7) Where the relevant planning authority considers that due to exceptional circumstances relating to the circumstances of the proposed development that it is not practicable for it to adopt a screening opinion within the relevant period specified in paragraph (6), the relevant planning authority may extend that period by notice in writing given to the person who made the request for a screening opinion.
- (8) The relevant planning authority must state in any notice given under paragraph (7) the reasons justifying the extension of time and the date when the determination is expected.
- (9) A relevant planning authority which adopts a screening opinion pursuant to paragraph (6) must send a copy to the person who made the request.
- (10) Where a relevant planning authority—
 - (a) fails to adopt a screening opinion within the relevant period mentioned in paragraph (6); or
 - (b) adopts an opinion to the effect that the development is EIA development,the person who requested the opinion may request the Secretary of State to make a screening direction.
- (11) A person may make a request pursuant to paragraph (10) even if the relevant planning authority has not received the additional information which it has sought under paragraph (5).