
STATUTORY INSTRUMENTS

2020 No. 1398

**The Town and Country Planning (Local Planning,
Development Management Procedure, Listed Buildings etc.)
(England) (Coronavirus) (Amendment) Regulations 2020**

PART 4

**Amendments to the Town and Country Planning
(Environmental Impact Assessment) Regulations 2017**

**Amendments to the Town and Country Planning (Environmental Impact Assessment)
Regulations 2017**

12.—(1) In regulation 25 (further information and evidence respecting environmental statements), in paragraph (2), at the beginning insert “Subject to regulations 25A and 25B,”.

(2) After regulation 25, insert—

**“Exceptions to requirements in relation to publication of notice, inspection of copies
and availability of copies for the period from 24th December 2020 to 30th June 2021**

25A.—(1) Paragraphs (2) to (11) apply where during the period beginning with 24th December 2020 and ending with 30th June 2021 a recipient of further information pursuant to regulation 25(1) or any other information is not able to do one or more of the following—

- (a) publish a notice in a local newspaper circulating in the locality under regulation 23(3);
- (b) make copies of the further information or any other information, or any environmental statement which relates to an application for planning permission or subsequent application, available for inspection at an address in the locality in which the land is situated, under regulation 25(3); or
- (c) make copies of further information or any other information available to be obtained at an address in the locality in which the land is situated, under regulation 25(8)(a),

because it is not reasonably practicable to do so for reasons connected with the effects of coronavirus, including restrictions on movement.

(2) In a case falling within paragraph (1), the recipient of the further information pursuant to regulation 25(1) or any other information, must take reasonable steps to inform persons who are likely to have an interest in the planning application of the following information contained in a notice—

- (a) the name of the applicant for planning permission or subsequent consent or the appellant (as the case may be) and the name and address of the relevant planning authority;

- (b) the date on which the application was made and, if it has been referred to the Secretary of State for determination or is the subject of an appeal to the Secretary of State;
 - (c) in the case of a subsequent application, sufficient information to enable the planning permission for the development to be identified;
 - (d) the address or location and the nature of the proposed development;
 - (e) a statement that further information or any other information is available in relation to an environmental statement which has already been provided;
 - (f) details of a website maintained by or on behalf of the relevant planning authority on which the further information or any other information may be inspected;
 - (g) a statement that the information mentioned in sub-paragraph (f) is available to be inspected by the public on that website for 30 days beginning with the day on which that information was published on that website;
 - (h) a statement that any representations to be made by a person about the further information or any other information must—
 - (i) be made in writing;
 - (ii) be submitted before the expiry of the 30 days mentioned in sub-paragraph (g); and
 - (iii) be submitted to the relevant planning authority, the Secretary of State or the inspector (as the case may be); and
 - (i) the email address to which representations must be sent.
- (3) The recipient of the further information or any other information must send a copy of it to each person to whom, in accordance with these Regulations, the statement to which it relates was sent.
- (4) If the recipient of the further information or any other information is the relevant planning authority they must send a copy of the further information or any other information to the Secretary of State.
- (5) In paragraph (2)—
- (a) the persons who are likely to have an interest in a planning application must include the persons who live or work in, or otherwise have a direct connection with, the area in which the proposed development is located; and
 - (b) the reasonable steps that are taken—
 - (i) may include use of social media and communication by electronic means;
 - (ii) must include publishing in a local newspaper circulating in the locality in which the land is situated a notice containing the information set out in paragraph (2), to the extent that it is reasonably practicable to do so; and
 - (iii) must be proportionate to the scale and impact of the development.
- (6) Where further information is requested under regulation 25(1) or any other information is provided, the relevant planning authority, the Secretary of State or the inspector, (as the case may be), must suspend determination of the application or appeal, and must not determine the application or appeal until the relevant time has elapsed.
- (7) In paragraph (6) the “relevant time” means 30 days after—
- (a) the date on which the further information or any other information was sent to all persons to whom the statement to which it relates was sent; or
 - (b) the date that notice of it was published on a website,

whichever is the later.

(8) The applicant or appellant who provides further information, or any other information, under regulation 25(1) must take reasonable steps to ensure that copies of the further information or any other information are made available for access on the website referred to in the notice that is required under paragraph (2).

(9) The relevant planning authority must make the further information or any other information available for inspection on a website maintained by or on its behalf.

(10) The relevant planning authority, the Secretary of State or an inspector may require an applicant or appellant to produce such evidence as they may reasonably request to verify information contained in the environmental statement.

(11) For the purpose of paragraphs (3) and (4), references to sending of further information or any other information includes sending by electronic means.

Exceptions to requirements in relation to inspection of copies and availability of copies for the period from 1st July 2021 to 31st December 2021

25B.—(1) Paragraphs (2) to (9) apply where, during the period beginning with 1st July 2021 and ending with 31st December 2021 a recipient of further information pursuant to regulation 25(1) or any other information is not able to do one or both of the following—

- (a) make copies of the further information or any other information or any environmental statement which relates to an application for permission or subsequent application, available for inspection at an address in the locality in which the land is situated, under regulation 25(3); or
- (b) make copies of the further information available to be obtained at an address in the locality in which the land is situated, under regulation 25(3),

because it is not reasonably practicable to do so for reasons connected with the effect of coronavirus, including restrictions on movement.

(2) In a case falling within paragraph (1), the recipient of the further information pursuant regulation 25(1) or any other information, must publish in a local newspaper circulating in the locality in which the land is situated a notice stating—

- (a) the name of the applicant for planning permission or subsequent consent or the appellant (as the case may be) and the name and address of the relevant planning authority;
- (b) the date on which the application was made and, if it has been referred to the Secretary of State for determination or is the subject of an appeal to the Secretary of State;
- (c) in the case of a subsequent application, sufficient information to enable the planning permission for the development to be identified;
- (d) the address or location and the nature of the proposed development;
- (e) a statement that further information or any other information is available in relation to an environmental statement which has already been provided;
- (f) details of a website maintained by or on behalf of the relevant planning authority on which the further information or any other information may be inspected;
- (g) a statement that the information mentioned in sub-paragraph (f) is available to be inspected by the public on that website for 30 days beginning with the day on which that information was published on that website;

- (h) a statement that any representations to be made by a person about the further information or any other information must—
 - (i) be made in writing;
 - (ii) be submitted before the expiry of the 30 days mentioned in sub-paragraph (g); and
 - (iii) be submitted to the relevant planning authority, the Secretary of State or the inspector (as the case may be); and
- (i) the email address to which representations must be sent.

(3) The recipient of the further information or any other information must send a copy of it to each person to whom, in accordance with these Regulations, the statement to which it relates was sent.

(4) If the recipient of the further information or any other information is the relevant planning authority they must send a copy of the further information or any other information to the Secretary of State.

(5) Where further information is requested under regulation 25(1) or any other information is provided, the relevant planning authority, the Secretary of State or the inspector, (as the case may be), must suspend determination of the application or appeal, and must not determine it before the expiry of 30 days after the latest of—

- (a) the date on which the further information or any other information was sent to all persons to whom the statement to which it relates was sent;
- (b) the date that notice of it was published in a local newspaper; or
- (c) the date that notice of it was published on a website.

(6) The applicant or appellant who provides further information, or any other information, under regulation 25(1) must take reasonable steps to ensure that copies of the further information or any other information are made available for access on the website referred to in the notice that is required under paragraph (2).

(7) The relevant planning authority must make the further information or any other information available for inspection on a website maintained by or on its behalf.

(8) The relevant planning authority, the Secretary of State or an inspector may require an applicant or appellant to produce such evidence as they may reasonably request to verify information contained in the environmental statement.

(9) For the purpose of paragraphs (3) and (4) references to sending of further information or any other information includes sending by electronic means.”.