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WELSH STATUTORY INSTRUMENTS

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**2017 No. 567**

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

**PART 5**

**Publicity and Procedures on Submission of Environmental Statements**

**Further information and evidence in respect of environmental statements**

**24.**—(1) If a relevant planning authority, the Welsh Ministers or inspector dealing with an application or appeal in relation to which the applicant or appellant has submitted an environmental statement, are of the opinion that, in order to satisfy the requirements of regulation 17(3) it is necessary for the statement to be supplemented with additional information which is directly relevant to reaching a reasoned conclusion on the likely significant effects of the development described in the application, the relevant planning authority, the Welsh Ministers or inspector must notify the applicant or appellant accordingly and the applicant or appellant must provide that additional information in paper and electronic format, unless otherwise agreed in writing; and such additional information is referred to in these Regulations as “further information” (“*gwybodaeth bellach*”).

(2) Paragraphs (3) to (9) apply in relation to further information and any other information except in so far as—

- (a) the further information and any other information is provided for the purposes of an inquiry or hearing held under the 1990 Act; and
- (b) the request for the further information made pursuant to paragraph (1) stated that it was to be provided for such purposes.

(3) The recipient of further information or any other information must publish by local advertisement 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 is the case, that it has been referred to the Welsh Ministers for determination or is the subject of an appeal to the Welsh Ministers;
- (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) that further information or any other information is available in relation to an environmental statement which has already been provided;
- (f) that a copy of the further information or any other information and of any environmental statement which relates to any planning permission or subsequent application may be inspected by members of the public at all reasonable hours;
- (g) an address in the locality in which the land is situated at which the further information or any other information may be inspected and the latest date on which it will be available

for inspection (being a date not less than 30 days later than the date on which the notice is published);

- (h) 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, and the latest date on which they will be available for access (being a date not less than 30 days later than the date on which the notice is published);
- (i) an address in the locality in which the land is situated (whether or not the same as that given pursuant to sub-paragraphs (g) and (h)) at which copies of the further information or any other information may be obtained;
- (j) that copies may be obtained there so long as stocks last;
- (k) if a charge is to be made for a copy, the amount of the charge;
- (l) that any person wishing to make representations about the further information or any other information should make them, before the date stated in accordance with sub-paragraph (g), to the relevant planning authority, the Welsh Ministers or the inspector (as the case may be); and
- (m) the address to which representations should be sent.

(4) 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.

(5) Where the recipient of the further information or any other information is the relevant planning authority they must send to the Welsh Ministers one copy of the further information.

(6) The recipient of the further information may by notice require the applicant or appellant to provide such number of copies of the further information or any other information as is specified in the notice (being the number required for the purposes of paragraph (4) or (5)).

(7) Where information is requested under paragraph (1) or any other information is provided, the relevant planning authority, the Welsh Ministers or the inspector, as the case may be,—

- (a) must suspend determination of the application or appeal; and
- (b) must not determine it before the expiry of 30 days after the latest of—
  - (i) 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;
  - (ii) the date that notice of it was published in a local newspaper; or
  - (iii) the date that notice of it was published on the website.

(8) The applicant or appellant who provides further information or any other information, in accordance with paragraph (1) must—

- (a) ensure that a reasonable number of copies of the information are available at the address named in the notice published pursuant to paragraph (3)(i) as the address at which such copies may be obtained; and
- (b) take any reasonable steps required by the authority to ensure that copies of the further information or other information are made available for access on the website referred to in the notice published pursuant to paragraph (3).

(9) A reasonable charge reflecting printing and distribution costs may be made to a member of the public for a copy of the further information or any other information, made available in accordance with paragraph (8)(a).

(10) The relevant planning authority or the Welsh Ministers or an inspector may require an applicant or appellant to produce such evidence as they may reasonably call for to verify any information in the environmental statement.

**Changes to legislation:**

There are currently no known outstanding effects for the The Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017, Section 24.