



Ein cyf/Our ref qA1263575

To Heads of Planning

26/04/2017

Dear colleague

This letter provides information on changes to the process of Environmental Impact Assessment (EIA) for town and country planning.

The Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017 (“the 2017 Regulations”) have been laid before the National Assembly and will come into force on 16 May. They are available at:

<http://www.senedd.assembly.wales/mqIssueHistoryHome.aspx?Ild=18933>.

The 2017 Regulations replace the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2016 (“the 2016 Regulations”). The main changes are listed below. The Development Management Manual will be amended to reflect the new legislation and provide further guidance in due course.

### **Screening**

The process of screening “schedule 2” development has been amended. This includes changes to the information that must be submitted with a screening request (Regulation 6) and what the local planning authority (LPA) must take into account when making a screening opinion (Regulation 5). The 21 day period for making an opinion remains, however where an extension is agreed, the maximum time before an opinion must be given is 90 days.

### **Environmental statements**

The information to be included in an environmental statement has been expanded (Regulation 17 and Schedule 4). There are also new requirements affecting who prepares and considers an environmental statement (Regulations 4 and 17).

### **Publicity and consultation**

The consultation requirements have been amended, providing a minimum public consultation period of 30 days, online publicity, and making certain information electronically accessible (Regulation 19 and amendments to the Town and Country Planning (Development Management Procedure) (Wales) Order 2012).

## **Decision making**

The 2017 Regulations make detailed provision about the procedure the LPA must follow when determining whether to grant planning permission (Regulation 25) and the information which must be provided with the decision (Regulation 28). They also require enhanced information to be provided to the public after a decision is made (Regulation 29).

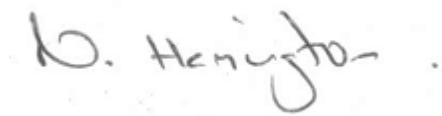
## **Transitional arrangements**

The 2017 Regulations make the following transitional provisions, so the 2016 Regulations will continue to apply in certain circumstances.

- Where an applicant has requested a scoping opinion, or submitted an environmental statement before 16 May the application, appeal, or enforcement action will continue under the 2016 Regulations.
- Where an applicant has requested a screening opinion, one has been adopted before the before 16 May Parts 1 and 2 of the 2016 Regulations continue to apply, with Parts 3 to 7 and 9 to 13 of the 2017 Regulations also applying.

Further information on the changes will be presented during the development management workshops to be held during May.

Yours sincerely

A handwritten signature in blue ink that reads "N. Hemington".

Neil Hemington  
Prif Gynllunydd / Chief Planner