

EN
E-002720/2026
Answer given by Ms Roswall
on behalf of the European Commission
(25.8.2026)

Any changes or extensions to a project listed in Annex I or II of the Environmental Impact Assessment (EIA) Directive¹ involving works or physical interventions after construction fall within the scope of that Directive and must be subject to an environmental assessment² or a determination³. The application of the Directive is without prejudice to any requirements under relevant Union environmental legislation.

As clarified by the Court of Justice of the EU, the term 'project' under the Directive refers to works and physical interventions⁴. Changes or extensions to a project after its construction that do not involve any works or interventions altering the physical aspect of a site cannot be classified as a 'project' within the meaning of that Directive⁵.

The Commission has issued a notice⁶ regarding the application of the Directive to changes and extension of projects. The Commission focuses and prioritises its enforcement efforts on the most important and structural breaches of EU law affecting the interests of its citizens and businesses⁷.

¹ Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment, OJ L 26, 28.1.2011, as amended by Directive 2014/52/EU, OJ L 124, 25.4.2014.

² In accordance with Articles 4(1), 5 - 9 of Directive 2011/92/EU.

³ In accordance with Article 4(2) - (6) of Directive 2011/92/EU.

⁴ Abraham and Others, C-2/07; Brussels Hoofdstedelijk Gewest and Others, C-275/09.

⁵ Brussels Hoofdstedelijk Gewest and Others, C-275/09; Pro-Braine and Others, C-121/11; Inter-Environnement Wallonie ASBL and Bond Beter Leefmilieu Vlaanderen, C-411/17; Friends of the Irish Environment, C-254/19; Latvijas valsts meži v Dabas aizsardzības pārvalde, C-434/22.

⁶ Commission notice regarding application of the Environmental Impact Assessment Directive (Directive 2011/92/EU of the European Parliament and of the Council, as amended by Directive 2014/52/EU) to changes and extension of projects - Annex I.24 and Annex II.13(a), including main concepts and principles related to these 2021/C 486/01, OJ C 486, 3.12.2021, pp. 1–19.

⁷ Communication from the Commission - EU law: Better results through better application, OJ C 18, 19.1.2017, p. 10–20, and Communication from the Commission - Enforcing EU law for a Europe that delivers, 13.10.2022, COM(2022) 518 final.