



C/2024/5781

7.10.2024

**Request for a preliminary ruling from the Raad van State (Belgium) lodged on 29 March 2024 –  
Provincie Oost-Vlaanderen, Sogent v KG, WA**

**(Case C-236/24, Provincie Oost-Vlaanderen and Sogent)**

(C/2024/5781)

*Language of the case: Dutch*

**Referring court**

Raad van State

**Parties to the main proceedings**

*Applicants:* Provincie Oost-Vlaanderen, Sogent

*Defendants:* KG, WA

**Question referred**

Is Article 9a of Directive 2011/92/EU <sup>(1)</sup> of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment, inserted by Directive 2014/52/EU of 16 April 2014, to be interpreted as meaning that, in cases where the competent authority is also the developer, the appropriate separation between conflicting functions when performing the duties arising from that directive must also be applied to the assessment of whether the projects referred to in Article 4(2) of the directive are subject to assessment in accordance with Articles 5 to 10 of the directive?

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<sup>(1)</sup> OJ 2012 L 26, p. 1.