



Planning (Wales) Act 2015

2015 anaw 4

PART 5

APPLICATIONS TO WELSH MINISTERS

General

24 Further provision about applications made to Welsh Ministers

In TCPA 1990, after section 62O (as inserted by section 23) insert—

“Applications made to Welsh Ministers: general

62P Applications to the Welsh Ministers: supplementary

- (1) A decision of the Welsh Ministers on an application made to them under section 62D, 62M or 62O is final.
- (2) The Welsh Ministers may give directions requiring a local planning authority to do things in relation to an application made to the Welsh Ministers under section 62D or 62M that would otherwise have been made to the authority.
- (3) The Welsh Ministers may give directions requiring a local planning authority or hazardous substances authority to do things in relation to an application made to the Welsh Ministers under section 62O that would otherwise have been made to the authority.
- (4) Directions given under this section—
 - (a) may relate to a particular application or description of application, or to applications generally;
 - (b) may be given to a particular authority or description of authority, or to authorities generally.

Status: This is the original version (as it was originally enacted).

- (5) The power to give directions under this section includes power to vary or revoke the directions.

62Q Notifying community councils of applications made to Welsh Ministers

- (1) This section applies if—
- (a) an application is made to the Welsh Ministers under section 62D, 62F, 62M or 62O, and
 - (b) a community council would be entitled under paragraph 2 of Schedule 1A to be notified of the application (requirement to notify community council of certain planning applications).
- (2) The Welsh Ministers (instead of the local planning authority) must notify the community council of the application, as specified in paragraph 2(4) of Schedule 1A.
- (3) The relevant local planning authority must comply with any request made by the Welsh Ministers for the purposes of this section to supply information to them about requests received by the authority under paragraph 2(1) of Schedule 1A.
- (4) The “relevant local planning authority”, for this purpose, is—
- (a) in the case of an application under section 62D or section 62M, the local planning authority to which (but for the section in question) the application would have been made;
 - (b) in the case of an application under section 62F or 62O which (but for the section in question) would have been made to a local planning authority, that authority.”

25 Power to make provision by development order in respect of applications to Welsh Ministers

In TCPA 1990, after section 62Q (as inserted by section 24) insert—

“62R Power to make provision by development order in respect of applications to Welsh Ministers

- (1) A development order may make provision for regulating the manner in which an application for planning permission made to the Welsh Ministers under section 62D, 62F, 62M or 62O, or an application for approval made to the Welsh Ministers under section 62F, 62M or 62O, is to be dealt with by the Welsh Ministers.
- (2) That provision may include provision about—
- (a) consultation to be carried out by the Welsh Ministers;
 - (b) the variation of an application.”

26 Developments of national significance and applications made to Welsh Ministers: exercise of functions by appointed person

- (1) In TCPA 1990, after section 62R (as inserted by section 25) insert—

“62S Exercise of functions by appointed person

Schedule 4D has effect with respect to the exercise of functions by appointed persons in connection with developments of national significance and applications made to the Welsh Ministers.”

- (2) For provision about the exercise of functions by appointed persons in connection with developments of national significance and applications made to the Welsh Ministers, see Schedule 3.

27 Applications to Welsh Ministers: further amendments

For further amendments relating to applications to the Welsh Ministers, see Schedule 4.