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WELSH STATUTORY INSTRUMENTS

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**2016 No. 56**

The Developments of National  
Significance (Wales) Regulations 2016

PART 6

Written representations

**Report**

**18.**—<sup>[F1(A1)]</sup> This regulation applies where the function of determining the application is to be exercised by the Welsh Ministers.]

(1) The appointed person must make a report in writing to the Welsh Ministers which must include the appointed person's conclusions and recommendations (or reasons for not making any recommendations).

(2) Paragraph (3) applies if the Welsh Ministers are minded to disagree with a recommendation in the appointed person's report because they—

- (a) differ from the appointed person on any matter of fact mentioned in, or appearing to them to be material to, a conclusion reached by the appointed person, or
- (b) have taken into consideration any new evidence or new matter of fact (not being a matter of policy).

(3) The Welsh Ministers must not come to a decision which is at variance with the appointed person's recommendation without first—

- (a) notifying the applicant, the local planning authority and those persons who submitted written representations of their disagreement and the reasons for their disagreement; and
- (b) affording them an opportunity of making written representations to the Welsh Ministers.

(4) Those making written representations must ensure that such representations are received by the Welsh Ministers within such time as the Welsh Ministers state in notification under paragraph (2).

(5) The Welsh Ministers may cause a hearing or inquiry to be held if they have taken into consideration any new evidence or new matter of fact, not being a matter of policy.

(6) Where a hearing or inquiry is to be held the Welsh Ministers must send to the applicant, the local planning authority and persons submitting written representations a written statement of the matters with respect to which further representations are invited for the purposes of the Welsh Ministers' further consideration of the application.

(7) Regulation 15(2) to (6) apply to any evidence or representation in writing submitted to the Welsh Ministers in accordance with paragraph (3) of this regulation.

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**Textual Amendments**

- F1** Reg. 18(A1) inserted (1.4.2019) by The Developments of National Significance (Wales) (Amendment) Regulations 2019 (S.I. 2019/288), regs. 1, 2(4)

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**Status:** Point in time view as at 01/04/2019.

**Changes to legislation:** There are currently no known outstanding effects for the The Developments of National Significance (Wales) Regulations 2016, Section 18. (See end of Document for details)

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**Commencement Information**

**II** [Reg. 18](#) in force at 1.3.2016, see [reg. 1\(2\)](#)

**Status:**

Point in time view as at 01/04/2019.

**Changes to legislation:**

There are currently no known outstanding effects for the The Developments of National Significance (Wales) Regulations 2016, Section 18.