

*Status: Point in time view as at 02/08/2023.*

*Changes to legislation: Town and Country Planning Act 1990, Paragraph 2 is up to date with all changes known to be in force on or before 12 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

## SCHEDULES

### [<sup>F1</sup>SCHEDULE 1A

#### DISTRIBUTION OF LOCAL PLANNING AUTHORITY FUNCTIONS: WALES

##### Textual Amendments

**F1** Sch. 1A inserted (1.4.1996) by 1994 c. 19, s. 18(7), **Sch. 4** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1995/3198, art. 4, **Sch. 2**

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- (1) A local planning authority who have the function of determining applications for planning permission shall, if requested to do so by the council for any community or group of communities situated in their area, notify that council of—
    - (a) any relevant planning application; and
    - (b) any alteration to that application accepted by the authority.
  - (2) In sub-paragraph (1) “relevant planning application” means an application which—
    - (a) relates to land in the community or (as the case may be) one of the communities concerned; and
    - (b) is an application for—
      - (i) planning permission; or
      - (ii) approval of a matter reserved under an outline planning permission within the meaning of section 92.
  - (3) Any request made for the purposes of sub-paragraph (1) shall be in writing and shall state that the community council wishes to be notified of all relevant applications or all applications of a description specified in the request.
  - (4) An authority shall comply with the duty to notify a community council of an application by—
    - (a) sending the council a copy of the application; or
    - (b) indicating to the council the nature of the development which is the subject of the application and identifying the land to which it relates,and any notification falling within paragraph (b) shall be in writing.
  - (5) An authority shall comply with their duty to notify a community council of an alteration by—
    - (a) sending a copy of the alteration to the council; or
    - (b) informing the council in writing of its general effect,but they need not notify a community council of an alteration which in their opinion is trivial.
  - (6) A development order may require a local planning authority who are dealing with an application of which a community council is entitled to be notified—
    - (a) to give to the council an opportunity to make representations to them as to the manner in which the application should be determined;

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- (b) to take into account any such representations;
- (c) to notify the council of the terms of their decision or, where the application is referred to the Secretary of State, the date when it was so referred and, when notified to them, the terms of his decision.]

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