



Town and Country Planning Act 1990

1990 CHAPTER 8

PART III

CONTROL OVER DEVELOPMENT

[^{F1}Wales: appeal against notice that application is not valid

[^{F1}62ZA Wales: notice that application is not valid

- (1) This section applies where an application is made to a local planning authority in Wales—
 - (a) for planning permission, or
 - (b) for any consent, agreement or approval required by any condition or limitation subject to which planning permission has been granted.
- (2) In the case of an application for planning permission, if the authority think the application (or anything accompanying it) does not comply with a validation requirement imposed under section 62, they must give the applicant notice to that effect.
- (3) The notice must—
 - (a) identify the requirement in question, and
 - (b) set out the authority's reasons for thinking the application does not comply with it.
- (4) In the case of an application for a consent, agreement or approval mentioned in subsection (1)(b), the authority must give notice to the applicant if they think that—
 - (a) the application does not comply with the terms of the planning permission in question, or
 - (b) a period prescribed under section 74(1)(e) or 78(2) does not begin to run in relation to the application,by virtue of a failure to include information in the application or to provide documents or other materials with it (whether at all or in a particular manner).

Status: Point in time view as at 16/05/2017.

Changes to legislation: *Town and Country Planning Act 1990, Section 62ZA is up to date with all changes known to be in force on or before 29 June 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)*

- (5) The notice must identify—
- (a) the information, documents or materials in question, and
 - (b) the paragraph of subsection (4) which the authority think applies.
- (6) A development order may make provision about the giving of notice under this section (including provision about information to be included in the notice and how and when the notice is to be given).
- (7) A requirement imposed under section 62 is a validation requirement in relation to an application for planning permission if the effect of the application failing to comply with the requirement is that—
- (a) the local planning authority must not entertain the application (see section 327A), or
 - (b) the period prescribed under section 78(2) does not begin to run in relation to the application.]

Textual Amendments

- F1** Ss. 62ZA-62ZD and cross-heading inserted (6.9.2015 for specified purposes, 16.3.2016 in so far as not already in force) by [Planning \(Wales\) Act 2015 \(anaw 4\)](#), **ss. 29(2)**, 58(2)(b)(4)(b); S.I. 2016/52, [art. 5\(a\)](#) (with [art. 9](#))

Status:

Point in time view as at 16/05/2017.

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