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WELSH STATUTORY INSTRUMENTS

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**2016 No. 55**

The Developments of National Significance  
(Procedure) (Wales) Order 2016

**PART 7**

Determination and notification of initiation of development

**Representations to be taken into account**

**28.**—(1) The Welsh Ministers must, in determining an application, take into account any representation made in response to—

- (a) notice given by site display under article 16 or 19;
- (b) notice served on—
  - (i) an owner of the land or tenant under article 16; or
  - (ii) an adjoining owner or occupier under article 18;
- (c) notice or information published in a newspaper under article 16 or 18 or on a website under article 18.

(2) The requirement in paragraph (1) applies only where the representations in question are received during the representation period.

(3) The Welsh Ministers may disregard any representation made after the expiry of the representation period.

(4) The representations and periods referred to in this article are representations and periods prescribed for the purposes of section 71(2)(a) of the 1990 Act (consultations in connection with determinations under section 70).

**Written notice of decision relating to an application**

**29.**—(1) Subject to paragraph (2), where the Welsh Ministers accept an application in accordance with article 15, they must give the applicant and local planning authority notice of their decision.

(2) Paragraph (1) does not apply in a case where an application is withdrawn or deemed to be withdrawn<sup>M1</sup>.

(3) When the Welsh Ministers give notice of a decision on an application and planning permission is either granted subject to conditions or the application is refused, the notice must state clearly and precisely the full reasons for the refusal or for any condition imposed specifying all policies and proposals in the development plan which are relevant to the decision.

<sup>F1</sup>(4) .....

<sup>F1</sup>(5) .....

**Textual Amendments**

- F1** Art. 29(4)(5) omitted (W.) (16.5.2017) by virtue of [The Town and Country Planning \(Environmental Impact Assessment\) \(Wales\) Regulations 2017 \(S.I. 2017/567\)](#), reg. 1(2), **Sch. 9 para. 2(7)** (with regs. 1(4), 55(2)(3), 63, 65)

**Marginal Citations**

- M1** See regulations 10(9) and 12(8) of the [Developments of National Significance \(Fees\) \(Wales\) Regulations 2016 \(S.I. 2016/57\)](#) (W.27) in respect of the deemed withdrawal of applications.

**Revised notice of decision to grant planning permission**

**30.**—(1) The person specified for the purposes of section 71ZA(5) of the 1990 Act (decision notices) is the applicant.

(2) For the purposes of section 71ZA(6) the details to be included in the revised version of the notice of a decision to grant planning permission are—

- (a) the reference number;
- (b) the date and effect of the decision;
- (c) the name of the body that made the decision; and
- (d) the revision number.

**Notification of initiation of development and display of notice**

**31.**—(1) A planning permission for development of national significance is specified for the purposes of section 71ZB(6) of the 1990 Act.

(2) The notice to be given to a local planning authority before beginning any development to which a relevant planning permission relates, in accordance with section 71ZB(1) of the 1990 Act, must be in the form set out in Schedule 6 (or in a form substantially to the like effect).

(3) The notice to be displayed at all times when development to which a relevant planning permission relates is being carried out in accordance with section 71ZB(2) of the 1990 Act must—

- (a) be in the form set out in Schedule 7 (or in a form substantially to the like effect);
- (b) be firmly affixed and displayed in a prominent place at or near the place where the development is being carried out;
- (c) be legible and easily visible to the public without having to enter the site; and
- (d) be printed on durable material.

(4) Where the notice to be displayed is, without any fault or intention of the person carrying out development, removed, obscured or defaced, the person will be treated as having complied with the requirements of sub-paragraphs (b) and (c) of paragraph (3) if they have taken reasonable steps to protect the notice and, if need be, replace it.

**Changes to legislation:**

There are currently no known outstanding effects for the The Developments of National Significance (Procedure) (Wales) Order 2016, PART 7.