
WELSH STATUTORY INSTRUMENTS

2016 No. 58

The Town and Country Planning (Environmental
Impact Assessment) (Wales) Regulations 2016

PART 11

ROMP Applications

General application of the Regulations to ROMP applications

52.—(1) In this regulation and in Schedule 7—

“relevant mineral planning authority” (“*awdurdod cynllunio mwynau perthnasol*”) means the body to whom it falls, fell, or would, but for a direction under—

- (a) paragraph 7 of Schedule 2 to the 1991 Act;
 - (b) paragraph 13 of Schedule 13 to the 1995 Act; or
 - (c) paragraph 8 of Schedule 14 to the 1995 Act,
- fall to determine the ROMP application in question;

“ROMP” (“*ROMP*”) means review of old mineral permission;

“ROMP application” (“*cais ROMP*”) means an application to a relevant mineral planning authority to determine the conditions to which a planning permission is to be subject under—

- (a) paragraph 2(2) of Schedule 2 to the 1991 Act (registration of old mining permissions);
- (b) paragraph 9(1) of Schedule 13 to the 1995 Act (review of old mineral planning permissions); or
- (c) paragraph 6(1) of Schedule 14 to the 1995 Act (periodic review of mineral planning permissions)(**1**);

“ROMP development” (“*datblygiad ROMP*”) means development which has yet to be carried out and which is authorised by a planning permission in respect of which a ROMP application has been or is to be made;

“ROMP subsequent application” (“*cais dilynol ROMP*”) means an application for approval of a matter where the approval—

- (a) is required by or under a condition to which a planning permission is subject following determination of a ROMP application; and
- (b) must be obtained before all or part of the minerals development permitted by the planning permission may be begun or continued;

“ROMP subsequent consent” (“*caniatâd dilynol ROMP*”) means consent granted pursuant to a ROMP subsequent application.

(2) Subject to paragraph (2) and to the modifications and additions set out in Schedule 7, these Regulations apply to—

(1) Paragraph 6 was amended by [S.I. 2004/3156 \(W. 273\)](#). There is another amendment which is not relevant to these Regulations.

- (a) a ROMP application as they apply to an application for planning permission;
 - (b) a ROMP subsequent application as they apply to a subsequent application;
 - (c) ROMP development as they apply to development in respect of which an application for planning permission is, has been, or is to be made;
 - (d) a relevant mineral planning authority as they apply to a relevant planning authority;
 - (e) a person making a ROMP application as they apply to an applicant for planning permission;
 - (f) a person making a ROMP subsequent application as they apply to a person making a subsequent application;
 - (g) the determination of a ROMP application as they apply to the granting of a planning permission; and
 - (h) the granting of ROMP subsequent consent as they apply to the granting of subsequent consent.
- (3) These Regulations do not apply to—
- (a) any undetermined ROMP application to which the Town and Country Planning (Environmental Impact Assessment) (Undetermined Reviews of Old Mineral Permissions) (Wales) Regulations 2009⁽²⁾ apply;
 - (b) to any appeal in relation to such an application.

(2) S.I. 2009/3342 (W. 293).