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WELSH STATUTORY INSTRUMENTS

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**2016 No. 59**

**The Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016**

**Amendments relating to consultation in respect of certain applications**

8. After article 15B, insert—

**“Consultation in respect of certain applications relating to planning permission; time periods**

**15C.** The period specified for the purposes of section 100A(3)(a) of the 1990 Act is the period of 21 days beginning with the day on which —

- (a) the document on which the views of the consultees are sought; or
- (b) where there is more than one document and they are sent on different days, the last of those documents, is received by the consultee.

**Information to be provided by local planning authority**

**15D.** The local planning authority must provide the following information to a statutory consultee for the purposes of or in connection with the consultation—

- (a) a copy of the application form relating to a relevant application<sup>(1)</sup>;
- (b) the reference number allocated by the local planning authority to the original application<sup>(2)</sup>;
- (c) any drawings in connection with the relevant application; and
- (d) any report in connection with the relevant application which is issued to the local planning authority.

**Substantive response to consultation**

**15E.** A substantive response for the purposes of section 100A(2) of the 1990 Act is a response which —

- (a) states that the consultee has no comment to make;
- (b) states that the consultee has no objection to the matters which are the subject of the consultation and refers the person consulting to current standing advice by the consultee on the subject of the consultation;
- (c) advises the person consulting of any concerns identified in relation to the matters which are the subject of the consultation and how those concerns can be addressed by the applicant; or
- (d) advises that the consultee objects to the matters which are the subject of the consultation and sets out the reasons for the objection.

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(1) “Relevant application” is defined in section 100A(1) of the 1990 Act.

(2) See section 100A(7) of the 1990 Act for “original application”.

### **Annual reports – compliance with consultation requirements**

**15F.**—(1) Each statutory consultee who is consulted about a relevant application must give to the Welsh Ministers, not later than 1 July in each calendar year beginning with 1 July 2017, a report as to that consultee’s compliance with sections 100A(2) and (3) of the 1990 Act and article 15C.

(2) The report must relate to the period of 12 months commencing on 1 April in the preceding calendar year (“the report year”).

(3) The report must contain, in respect of the report year in question, a statement as to—

- (a) the number of occasions on which the consultee was consulted;
- (b) the number of occasions on which a substantive response was provided;
- (c) the number of occasions on which the consultee gave a substantive response outside the period prescribed for the purposes of section 100A(3) of the 1990 Act and a summary of the reasons why.