
WELSH STATUTORY INSTRUMENTS

2017 No. 542

The Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2017

Reference of applications to the Welsh Ministers

4. For article 13 (notice of reference of applications to the Welsh Ministers) and its heading substitute—

“Reference of applications to the Welsh Ministers

13.—(1) On referring any application to the Welsh Ministers pursuant to a direction under section 77 of the 1990 Act (reference of applications to the Secretary of State), a local planning authority must as soon as reasonably practicable—

- (a) serve on the applicant a notice of reference; and
- (b) send to the Welsh Ministers a copy of the application file.

(2) The local planning authority must send a copy of the notice of reference to the Welsh Ministers at the same time as the notice is sent to the applicant.

(3) An applicant upon whom a notice of reference is served may choose to submit a full statement of case to the Welsh Ministers.

(4) An applicant who so chooses must send—

- (a) the full statement of case so that it is received by the Welsh Ministers within 4 weeks beginning with the day on which the notice of reference is served;
- (b) a copy of the full statement of case to the local planning authority at the same time as it is sent to the Welsh Ministers.

(5) In this article—

(a) “application file” (*“ffeil y cais”*) means the application together with accompanying documents and all correspondence with the local planning authority relating to the application; and

(b) “notice of reference” (*“hysbysiad o atgyfeirio”*) means a notice—

(i) informing the applicant that the application has been referred to the Welsh Ministers;

(ii) setting out the reasons given by the Welsh Ministers for issuing the direction; and

(iii) notifying the applicant that—

(aa) if the applicant so chooses, the applicant may submit a full statement of case to the Welsh Ministers;

(bb) if the applicant so chooses, the full statement of case must be received by the Welsh Ministers within 4 weeks beginning with the day on which the notice of reference is served; and

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(cc) a copy of the full statement of case (if applicable) must be sent to the local planning authority at the same time as it is sent to the Welsh Ministers.”