

## SCHEDULE 8

### ROMP Applications

#### Suspension of minerals development

7.—(1) Where the authority, the Welsh Ministers or an inspector are dealing with a ROMP application or an appeal arising from a ROMP application and notify the applicant or appellant, as the case may be, that—

- (a) the submission of an environmental statement is required under regulation 11(1), 12(3) or 13(5), then such notification must specify the period within which the environmental statement and compliance with regulation 19(6) are required; or
- (b) a statement should contain additional information under regulation 24(1), then such notification must specify the period within which that information is to be provided.

(2) Subject to paragraph (3), the planning permission to which the ROMP application relates may only authorise any minerals development (unless the Welsh Ministers have made a screening direction to the effect that ROMP development is not EIA development) if the applicant or the appellant has—

- (a) written to the relevant mineral planning authority or Welsh Ministers within the 6 week or other period agreed pursuant to regulations 11(3) and 11(4), 12(4) and 12(6) or 13(7);
- (b) submitted an environmental statement and complied with regulation 19(6) within the period specified by the authority or the Welsh Ministers in accordance with paragraph (1) or within such extended period as is agreed in writing;
- (c) provided additional information within the period specified by the authority, the Welsh Ministers or an inspector in accordance with paragraph (1) or within such extended period as is agreed in writing; or
- (d) where a notification under regulation 6(5), 7(3), 14(3) or 15(3) has been received, provided the additional information requested within 21 days beginning with the date of the notification, or within such extended period as may be agreed in writing.

(3) Where paragraph (2) applies, the planning permission may not authorise any minerals development from the end of—

- (a) the relevant period specified in or agreed pursuant to regulations 11(3) and 11(4), 12(4) and 12(6) or 13(7); and
- (b) the period specified or agreed in writing as referred to in paragraph (2)(b), (c), and (d),

until the applicant has complied with all of the provisions referred to in paragraph (2) which are relevant to the application or appeal in question.

(4) Particulars of the suspension of minerals development and the date when that suspension ends must be entered in the appropriate part of the register <sup>M1</sup> as soon as reasonably practicable.

(5) Paragraph (2) does not affect any minerals development carried out under the planning permission before the date of suspension of minerals development.

(6) For the purposes of paragraphs (2) to (5), “minerals development” (“*datblygiad mwynau*”) means development consisting of the winning and working of minerals, or involving the depositing of mineral waste.

#### Marginal Citations

**M1** See [paragraph 8\(2\)](#) of this Schedule.

**Changes to legislation:**

There are currently no known outstanding effects for the The Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017, Paragraph 7.