
EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (“the 2012 Order”) and the Developments of National Significance (Procedure) (Wales) Order 2016 (“the 2016 Order”). It inserts provisions into those Orders which modify or disapply certain requirements in relation to the period starting on 19 May 2020 and ending on 18 September 2020.

Article 2 inserts a new article 2G into the 2012 Order. Article 2G modifies Part 1A of the 2012 Order, which makes provision about the consultation that must be carried out before making an application for planning permission for major development.

The new article 2G(3) modifies article 2C of the 2012 Order so that the requirement to make information associated with a proposed planning application available locally for inspection, is replaced with a requirement to make the documents available on a website and in hard copy on request. To reflect that, a modified form of the notice that must be placed on or near the land to which the proposed application relates and sent to owners and occupiers of adjoining land is provided. The same modified form of notice is to be used to notify community consultees under article 2D of the 2012 Order.

The new article 2G(4) modifies article 2C of the 2012 Order to provide that if hard copies of any documents have been requested, an application must not be submitted before the end of the period of 14 days beginning with the day on which the last document is sent.

The new article 2G(7) modifies article 2F of the 2012 Order to require a pre-application consultation report to include confirmation that the modified requirements to make information about the proposed application available on a website and to provide hard copies of such information where requested have been discharged. A statement confirming whether hard copies have been requested is also to be included.

Article 3 makes changes to article 16 of the 2012 Order to extend the time that community councils have to respond when notified of a planning application, from 14 days to 21 days.

Article 4 disapplies the requirement in article 12 of the 2016 Order for a person to deposit a hard copy of an application for planning permission for development of national significance with the Welsh Ministers and the Local Planning Authority when making the application using electronic communications.

The Welsh Ministers’ Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to this Order. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with this Order. A copy can be obtained from the Welsh Government at Cathays Park, Cardiff, CF10 3NQ and is published on the Welsh Government website at www.gov.wales.