



Planning (Wales) Act 2015

2015 anaw 4

PART 5

APPLICATIONS TO WELSH MINISTERS

Developments of national significance

19 Developments of national significance: applications for planning permission

In TCPA 1990, after section 62C insert—

“Wales: developments of national significance

62D Developments of national significance: applications to be made to Welsh Ministers

- (1) A nationally significant development application is to be made to the Welsh Ministers instead of to the local planning authority.
- (2) A nationally significant development application is an application for planning permission for the development of land in Wales, where the development to which the application relates is of national significance.
- (3) Development is of national significance for this purpose if it meets criteria specified in regulations made by the Welsh Ministers for the purposes of this section.
- (4) Development is also of national significance for this purpose if it is development that the National Development Framework for Wales specifies, under section 60(3) of the Planning and Compulsory Purchase Act 2004, is to constitute development of national significance for the purposes of this section.

Changes to legislation: There are currently no known outstanding effects for the Planning (Wales) Act 2015, Section 19. (See end of Document for details)

- (5) The planning permission that may be granted on an application under this section does not include outline planning permission (and for this purpose “outline planning permission” has the meaning given in section 92).
- (6) An application within subsection (7) is not to be treated as being a nationally significant development application, unless it is an application of a description prescribed in regulations made by the Welsh Ministers.
- (7) An application is within this subsection if it is an application for planning permission for the development of land without complying with conditions subject to which a previous planning permission was granted.

62E Notification of proposed application under section 62D

- (1) A person who proposes to make an application to the Welsh Ministers under section 62D must notify the following of the proposed application—
 - (a) the Welsh Ministers, and
 - (b) the local planning authority to which, but for section 62D, the application would be made.
- (2) The notification must comply with any requirements specified in a development order.
- (3) Those requirements may include requirements as to—
 - (a) the form and content of a notification;
 - (b) information that is to accompany the notification (including information about secondary consents in respect of which the person considers a decision should be made by the Welsh Ministers under section 62F, or otherwise relating to secondary consents);
 - (c) the way in which and time in which the notification is to be given.
- (4) On receiving notification of an application from a person in accordance with this section, the Welsh Ministers must give notice to the person that the notification has been accepted.
- (5) Any step taken in respect of an application that is proposed to be made under section 62D, if taken before the date on which notice is given under subsection (4) in respect of the application, is not to be treated for the purposes of this Act as constituting consultation with any person about the application.
- (6) A development order may make provision about the giving of notice by the Welsh Ministers under subsection (4).
- (7) That provision may include provision—
 - (a) about the form and content of the notice to be given under subsection (4);
 - (b) about the way in which it is to be given;
 - (c) about the period within which it is to be given (including provision about circumstances in which the Welsh Ministers may extend that period in a particular case).
- (8) In this section and sections 62F and 62G, “secondary consent” has the meaning given in section 62H.”

Changes to legislation: There are currently no known outstanding effects for the Planning (Wales) Act 2015, Section 19. (See end of Document for details)

Annotations:

Commencement Information

- I1** S. 19 partly in force; s. 19 in force for specified purposes at 6.9.2015, see s. 58(2)(b)(4)(b)
- I2** S. 19 in force at 1.3.2016 in so far as not already in force by S.I. 2016/52, **art. 2(a)** (with art. 7)

Changes to legislation:

There are currently no known outstanding effects for the Planning (Wales) Act 2015, Section 19.