
WELSH STATUTORY INSTRUMENTS

2009 No. 3342

The Town and Country Planning (Environmental Impact Assessment) (Undetermined Reviews of Old Mineral Permissions) (Wales) Regulations 2009

PART 5

Determination of Conditions

Deemed determination of conditions under the 1991 and 1995 Acts

42.—(1) Paragraph 2(6)(b) of Schedule 2 to the 1991 Act, paragraph 9(9) of Schedule 13 to the 1995 Act and paragraph 6(8) of Schedule 14 to the 1995 Act do not apply to an undetermined ROMP application unless the Welsh Ministers have made a screening direction under regulation 9 or 11 to the effect that the development in question is not EIA development.

(2) In determining for the purposes of paragraphs 2(6)(b) of Schedule 2 to the 1991 Act, 9(9) of Schedule 13 to the 1995 Act and 6(8) of Schedule 14 to the 1995 Act (determination of conditions) the time which has elapsed without the mineral planning authority giving the applicant written notice of its determination in a case where the Welsh Ministers have made a direction under regulation 9 to the effect that ROMP development is exempt development, or regulation 11 to the effect that the development in question is not EIA development, the period prior to the issue of the direction is to be disregarded.

Changes to legislation:

There are currently no known outstanding effects for the The Town and Country Planning (Environmental Impact Assessment) (Undetermined Reviews of Old Mineral Permissions) (Wales) Regulations 2009, Section 42.