
WELSH STATUTORY INSTRUMENTS

2012 No. 801

**The Town and Country Planning (Development
Management Procedure) (Wales) Order 2012**

PART 3

Consultation

Consultations before the grant of planning permission: urgent Crown development

15.—(1) This article applies in relation to applications made to the Welsh Ministers under section 293A of the 1990 Act (urgent Crown development: application).

(2) Before granting planning permission for development which in the opinion of the Welsh Ministers, falls within a category set out in the Table in Schedule 4, the Welsh Ministers must consult the authority, body or person mentioned in relation to that category, except where—

- (a) the Welsh Ministers are required to consult the authority so mentioned under section 293A(9)(a) of the 1990 Act;
- (b) the authority, body or person so mentioned has advised the Welsh Ministers that they do not wish to be consulted; or
- (c) the development is subject to any standing advice provided by the authority, body or person so mentioned to the Welsh Ministers in relation to the category of development.

(3) The exception in paragraph (2)(b) does not apply where in the opinion of the Welsh Ministers, development falls within paragraph (x) of the Table in Schedule 4.

(4) The exception in paragraph (2)(c) does not apply where—

- (a) the development is an EIA development; or
- (b) the standing advice was issued more than 2 years before the date of the application for planning permission for the development and the guidance has not been amended or confirmed as being extant by the authority, body or person within that period.

(5) Where, by or under this article, the Welsh Ministers are required to consult any person or body (“the consultee”) before granting planning permission—

- (a) the Welsh Ministers must, unless an applicant has served a copy of an application for planning permission on the consultee, give notice of the application to the consultee; and
- (b) the Welsh Ministers must not determine the application until at least 14 days after the date on which notice is given under sub-paragraph (a) or, if earlier, 14 days after the date of service of a copy of the application on the consultee by the applicant.

(6) The Welsh Ministers must in determining the application, take into account any representations received from a consultee.