
WELSH STATUTORY INSTRUMENTS

2015 No. 1330

The Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2015

Amendments relating to appeals

8.—(1) In article 26(1)(b), for the words “paragraph (3)(e)” substitute “paragraph (3)(a)(ii) or (3)(b)(v)”.

(2) In article 26(2)—

(a) after the words “in paragraph (1) is” omit “ six months from”;

(b) for sub-paragraphs (a), (b) and (c) substitute—

“(a) in the case of a householder appeal or a minor commercial appeal, twelve weeks from the date of the notice of the decision or determination giving rise to the appeal;

(b) in the case of any other appeal under section 78(1), six months from—

(i) the date of the notice of the decision or determination giving rise to the appeal; or

(ii) in a case in which the local planning authority have served a notice on the applicant in accordance with article 3(2) that they require further information and the applicant has not provided the information, the date of service of that notice;”.

(3) For article 26(3) substitute—

“(3) The documents mentioned in paragraph (1) are—

(a) in the case of a householder appeal or a minor commercial appeal—

(i) a copy of the application which was sent to the local planning authority which has occasioned the appeal;

(ii) any other plans, documents or drawings relating to the application which were not sent to the local planning authority, except any plans, documents or drawings relating to amendments to the application proposed after the local planning authority have made their determination; and

(iii) the notice of the decision or determination;

(b) in the case of any other appeal made under section 78—

(i) the application made to the local planning authority which has occasioned the appeal;

(ii) all plans, drawings and documents sent to the authority in connection with the application;

(iii) all correspondence with the authority relating to the application;

(iv) any certificate provided to the authority under article 11;

(v) any other plans, documents or drawings relating to the application which were not sent to the authority;

- (vi) the notice of the decision or determination, if any;
 - (vii) if the appeal relates to an application for approval of certain matters in accordance with a condition on a planning permission, the application for that permission, the plans submitted with that application and the planning permission granted.”
- (4) After article 26(6) insert—
- “(7) In this article—
- “householder appeal” (“*apêl deiliad tŷ*”) means an appeal under section 78(1)(a) of the 1990 Act in relation to a householder application but does not include—
- (a) an appeal against the grant of any planning permission which is granted subject to conditions; or
 - (b) an appeal which is accompanied by an appeal under section 174(1) of the 1990 Act or under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990(2);
- “minor commercial appeal” (“*apêl fasnachol fach*”) means an appeal under section 78(1)(a) of the 1990 Act in relation to a minor commercial application but does not include—
- (a) an appeal against the grant of any planning permission which is granted subject to conditions; or
 - (b) an appeal which is accompanied by an appeal under section 174 of the 1990 Act or under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990.”

(1) Section 174 was amended by the 1991 Act, section 63 of, and Schedule 17 to, the Enterprise and Regulatory Reform Act 2013 (c. 24) and S.I. 2004/3156 (W. 273).

(2) 1990 c. 9. Section 20 was amended by S.I. 2014/2773 (W. 280).