
WELSH STATUTORY INSTRUMENTS

2016 No. 56

The Developments of National
Significance (Wales) Regulations 2016

PART 1

Preliminary

Title, commencement and application

1.—(1) The title of these Regulations is the Developments of National Significance (Wales) Regulations 2016.

(2) These Regulations come into force on 1 March 2016.

(3) These Regulations apply where an application is made or proposed to be made to the Welsh Ministers under section 62D of the 1990 Act (Developments of national significance: applications to be made to the Welsh Ministers)(1).

Commencement Information

II Reg. 1 in force at 1.3.2016, see [reg. 1\(2\)](#)

Interpretation

2. In these Regulations—

“the 1990 Act” (“*Deddf 1990*”) means the Town and Country Planning Act 1990;

“the 2016 Order” (“*Gorchymyn 2016*”) means the Developments of National Significance (Procedure) (Wales) Order 2016(2);

“appointed person” (“*person penodedig*”) means the person appointed in accordance with regulation 10 to exercise the functions specified in [F1regulations 11 and 11A];

“assessor” (“*asesydd*”) means a person appointed to sit with an appointed person at a hearing or inquiry or re-opened hearing or inquiry to assist the appointed person;

“document” (“*dogfen*”) includes a photograph, map or plan;

“electronic communication” (“*cyfathrebiad electronig*”) has the meaning given in section 15(1) of the Electronic Communications Act 2000(3);

“local planning authority” (“*awdurdod cynllunio lleol*”) means the local planning authority to which but for section 62D of the 1990 Act an application for planning permission would have been made;

(1) Section 62D was inserted by section 19 of the Planning (Wales) Act 2015.

(2) S.I. 2016/ 55 (W. 25).

(3) 2000 c. 7. Section 15(1) was amended by section 406(1) of and paragraph 158 of Schedule 17 to the Communications Act 2003 (c. 21).

“notice of acceptance” (“*hysbysiad derbyn*”) means notice under article 6 of the 2016 Order that the application is accepted;

“representation” (“*sylw*”) includes evidence, explanation, information and comments;

“representation period” (“*cyfnod sylwadau*”) means the period provided for in article 4 of the 2016 Order(4);

“working day” (“*diwrnod gwaith*”) means a day which is not a Saturday, Sunday, Bank Holiday or other public holiday in Wales; and

“written representations” (“*sylwadau ysgrifenedig*”) includes supporting documents.

F1 Words in [reg. 2](#) substituted (1.4.2019) by [The Developments of National Significance \(Wales\) \(Amendment\) Regulations 2019 \(S.I. 2019/288\)](#), regs. 1, **2(2)**

Commencement Information

I2 [Reg. 2](#) in force at 1.3.2016, see [reg. 1\(2\)](#)

Electronic communications

3.—(1) In these Regulations, and in relation to the use of electronic communications for any purpose of these Regulations which is capable of being effected electronically—

- (a) the expression “address” (“*cyfeiriad*”) includes any number or address used for the purposes of such communications;
- (b) references to notices, representations or other documents, or to copies of such documents, include references to such documents or copies of them in electronic form.

(2) Paragraphs (3) to (7) apply where an electronic communication is used by a person for the purpose of fulfilling any requirement in these Regulations to give or send any statement, notice or other document to any other person (“the recipient”).

(3) The requirement is taken to be fulfilled where the notice or other document transmitted by means of the electronic communication is—

- (a) capable of being accessed by the recipient;
- (b) legible in all material respects; and
- (c) sufficiently permanent to be used for subsequent reference.

(4) In paragraph (3), “legible in all material respects” (“*darllenadwy ym mhob modd perthnasol*”) means that the information contained in the notice or other document is available to the recipient to no lesser extent than it would be if sent or given by means of a document in printed form.

(5) Where the electronic communication is received by the recipient outside the recipient’s business hours, it will be taken to have been received on the next working day.

(6) A requirement in these Regulations that any document should be in writing is fulfilled where that document meets the criteria in paragraph (3), and “written” (“*ysgrifenedig*”) and cognate expressions are to be construed accordingly.

(7) A requirement in these Regulations to send more than one copy of a statement or other document is complied with by sending one copy only of the statement or other document in question in electronic form.

(4) Article 4 provides that the representation period is five weeks but the Welsh Ministers may by direction extend this in any particular case.

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Commencement Information

I3 [Reg. 3](#) in force at 1.3.2016, see [reg. 1\(2\)](#)

Allowing further time

4. The Welsh Ministers may in any particular case give directions which extend the time limits prescribed by these Regulations.

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Commencement Information

I4 [Reg. 4](#) in force at 1.3.2016, see [reg. 1\(2\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Developments of National Significance (Wales) Regulations 2016, PART 1.