

*These notes refer to the Planning (Wales) Act 2015
(c.4) which received Royal Assent on 6 July 2015*

PLANNING (WALES) ACT 2015

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Schedule 4

238. This Schedule makes various further amendments (consequential on other provision made by the Act or otherwise) to the TCPA 1990. They include amendments which:
- a) enable the Welsh Ministers by means of development order to apply, with or without modifications, any applicable enactment or requirements imposed by legislation, to applications made to the Welsh Ministers under sections 62D, 62M or 62O. Applicable enactments which may be modified may include for example section 62 TCPA 1990, which allows a development order to make provision in relation to applications made to local planning authorities;
 - b) provide that neither a simplified planning zone nor an enterprise scheme has the effect of granting planning permission for development that is DNS;
 - c) extinguish any right of appeal against a decision on a secondary consent or connected application, unless that appeal may be made to a person other than the Welsh Ministers;
 - d) provide that where an application is both a DNS and urgent Crown development, the application follows the procedure used for determining applications for urgent Crown development;
 - e) allow fees to be charged for applications made to the Welsh Ministers (including for any pre-application services provided);
 - f) extend section 319B TCPA 1990 to applications made under sections 62D, 62M and 62O to the Welsh Ministers and thus require the Welsh Ministers to determine the applicable procedure by which any such application is to be determined; and
 - g) provide rights of entry for the Welsh Ministers onto land which is subject to a DNS application or a connected application.