

PLANNING (WALES) ACT 2015

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 5 Applications to the Welsh Ministers

Section 21 – Developments of national significance: local impact reports

88. This section inserts sections 62I, 62J and 62K into the TCPA 1990 and makes provision for local impact reports. A local impact report describes the impact of a proposed development on the area (see section 62K and paragraph 92 below).
89. Section 62I makes provision about the submission of a local impact report in relation to DNS applications under section 62D. The Welsh Ministers must give notice to each relevant local planning authority, requiring a local impact report in respect of an application for DNS. An authority to which notice is given must submit a report. A local planning authority is a ‘relevant local planning authority’ if all or part of the land to which the application relates is in the authority’s area.
90. Section 62J places a duty on the Welsh Ministers to have regard to the contents of any local impact report submitted to them by a relevant local planning authority.
91. Any other local planning authority and any community council may submit a voluntary local impact report in relation to an application for DNS. The Welsh Ministers must have regard to any such report in dealing with an application. The Welsh Ministers may make provision in a development order about the submission of voluntary local impact reports. For example, provision could be made to the manner in which a voluntary local impact report is to be submitted to the Welsh Ministers, or about the timescales within such report is to be submitted.
92. Section 62K provides that a local impact report is a report in writing that gives details of the likely impact of the proposed development on the area of the authority or community council and complies with any requirements set out in a development order. For example, provision could be made specifying the form and content of such a report, such as information to be provided to the Welsh Ministers in relation to the land in question.