

PLANNING (WALES) ACT 2015

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 6 Development Management etc

Section 33 – Decision notices

125. This section inserts section 71ZA into the TCPA 1990.
126. Section 71ZA enables the Welsh Ministers by development order to specify the form that notices of decisions on applications for planning permission should take, the manner in which they are to be given, and the particulars to be contained in them. These notices are referred to as “decision notices”.
127. The new section requires a decision notice to specify any plans or other documents that form part of the planning permission. The planning permission is deemed to be granted subject to the condition that the development must be carried out in accordance with the plans and documents specified in the decision notice.
128. Section 71ZA also requires the local planning authority to issue a revised version of the decision notice where consents are given or conditions changed. The revised version of the decision notice must contain matters specified in a development order, which might include a requirement to state whether a condition has been discharged or approved and, if it has, the date of the approval and reference number relating to the details submitted.
129. The provision applies whether planning permission is granted by local planning authorities or the Welsh Ministers. The provision also applies to planning permission granted under section 90 (development with government authorisation), section 102 (orders requiring discontinuance of use or alteration or removal of buildings or works) and section 141 (action by Welsh Ministers in relation to purchase notice) of the TCPA 1990.