

SCHEDULE 1

Articles 8 and 28

Acknowledgement of Application

TOWN AND COUNTRY PLANNING ACT 1990

Letter to be sent by a local planning authority when they receive an application for planning permission or for a certificate of lawful use or development.

Thank you for your application dated..... which I received on

I am still examining your application form and the accompanying plans and documents to see whether they comply with the law.*

If I find that your application is invalid because it does not comply with the statutory requirements I will write to you again as soon as I can.*

If, by (*insert date being the end of the period of 8 weeks beginning with the date on which the application was received*)

you have not been given a decision in writing and:

- you have not been told that your application is invalid; or
- you have not been told that your fee cheque has been dishonoured; or
- you have not agreed in writing to extend the period in which the decision may be given,

then you can appeal to the Welsh Ministers under section 78/section 195* of the Town and Country Planning Act 1990. (This does not apply if your application has already been referred to the Welsh Ministers.)

To appeal you must use a form which you can get online at www.planningportal.gov.uk/pes or from the Planning Inspectorate at Crown Buildings, Cathays Park, Cardiff CF10 3NQ*.

If you appeal, you must appeal within 6 months from [*insert date at end of period of 8 weeks, beginning with the date when the application was received ("the relevant date")*].....

*delete where inappropriate

Status: This is the original version (as it was originally made).

SCHEDULE 2

Articles 10 and 25

Notices under Articles 10 and 25

Town and Country Planning (Development Management Procedure) (Wales) Order 2012

NOTICE UNDER ARTICLE 10 OF APPLICATION FOR PLANNING PERMISSION

(to be served on an owner* or a tenant** or to be published in a newspaper (and, where the local planning authority maintain one, on their website))

Proposed development at (a).....

I give notice that (b).....

is applying to the (c)[Local Planning Authority] [Welsh Ministers]+

for planning permission to (d).....

Members of the public may inspect copies of:

- the application
- the plans
- and other documents submitted with it

at (e)

during all reasonable hours until (f)

+ and, online at (g).....

Anyone who wishes to make representations about this application should write to the [Local Planning Authority] [Welsh Ministers]+ at (e).....

by (f)

* "owner" means a person having a freehold interest or a leasehold interest the unexpired term of which is not less than seven years, or, in the case of development consisting of the winning or working of minerals, a person entitled to an interest in a mineral in the land (other than oil, gas, coal, gold or silver).

** "tenant" means an agricultural tenant, as defined in section 65(8) of the Town and Country Planning Act 1990, of land any part of which is comprised in the land to which the application relates.

Signed.....

+ On behalf of.....

Date.....

Statement of owners' rights

The grant of planning permission does not affect owners' rights to retain or dispose of their property, unless there is some provision to the contrary in an agreement or in a lease.

Statement of agricultural tenants' rights

The grant of planning permission for non-agricultural development may affect agricultural tenants' security of tenure.

+ delete where inappropriate

Insert:

- (a) address or location of the proposed development
- (b) applicant's name
- (c) name of Local Planning Authority, if appropriate
- (d) description of the proposed development
- (e) address of the Local Planning Authority or the Welsh Ministers as appropriate
- (f) date giving a period of 21 days beginning with the date of service, or 14 days beginning with the date of publication, of the notice (as the case may be)
- (g) local planning authority website address (url)

Status: This is the original version (as it was originally made).

Town and Country Planning (Development Management Procedure) (Wales) Order 2012
NOTICE UNDER ARTICLE 10(2) OF APPLICATION FOR PLANNING PERMISSION FOR
THE WINNING AND WORKING OF MINERALS BY UNDERGROUND OPERATIONS

(to be posted in the case of an application for planning permission for development consisting of the winning and working of minerals by underground operations (in addition to the service or publication of any other requisite notices in this Schedule))

Proposed development at (a).....

I give notice that (b).....

is applying to the (c)[Local Planning Authority] [Welsh Ministers]+

for planning permission to (d).....

Members of the public may inspect copies of:

- the application
- the plans
- and other documents submitted with it

at (e)

during all reasonable hours until (f)

+ and, online at (g).....

Anyone who wishes to make representations about this application should write to the [Local Planning Authority] [Welsh Ministers]+ at (h)

by (f).....

Signed.....

+ On behalf of.....

Date.....

+ delete where inappropriate

Insert:

- (a) address or location of the proposed development
- (b) applicant's name
- (c) name of Local Planning Authority, if appropriate
- (d) description of the proposed development
- (e) address at which the application may be inspected (the applicant is responsible for making the application available for inspection within the area of the local planning authority)
- (f) date giving a period of 21 days, beginning with the date when the notice is posted
- (g) local planning authority website address (url)
- (h) address of Local Planning Authority or the Welsh Ministers as appropriate

Town and Country Planning (Development Management Procedure) (Wales) Order 2012

NOTICE OF APPEAL UNDER ARTICLES 10 AND 25

(to be served on an owner* or a tenant** or to be published in a newspaper (and, where the local planning authority maintain one, on their website))

Proposed development at (a)

I give notice that (b)

having applied to the (c) Local Planning Authority

to (d)

is appealing to the Welsh Ministers

against the decision of the Local Planning Authority +

on the failure of the Local Planning Authority to give notice of a decision +

Members of the public may inspect copies of:

— the application

— the plans

— and other documents submitted with it

at (e)

during all reasonable hours until (f)

+ and, online at (g).....

Anyone who wishes to make representations about this appeal must write to the Welsh Ministers at the Planning Inspectorate at Crown Buildings, Cathays Park, Cardiff CF10 3NQ, or using the website at www.planningportal.gov.uk/pcs

by (f).....

* "owner" means a person having a freehold interest or a leasehold interest the unexpired term of which is not less than seven years, or, in the case of development consisting of the winning or working of minerals, a person entitled to an interest in a mineral in the land (other than oil, gas, coal, gold or silver).

** "tenant" means an agricultural tenant, as defined in section 65(8) of the Town and Country Planning Act 1990, of land any part of which is comprised in the land to which the application relates.

Signed.....

+On behalf of.....

Date.....

Statement of owners' rights

The grant of planning permission does not affect owners' rights to retain or dispose of their property, unless there is some provision to the contrary in an agreement or in a lease.

Statement of agricultural tenants' rights

The grant of planning permission for non-agricultural development may affect agricultural tenants' security of tenure.

+delete where inappropriate

Status: This is the original version (as it was originally made).

Insert:

- (a) address or location of the proposed development
- (b) applicant's name
- (c) name of Local Planning Authority
- (d) description of the proposed development
- (e) address at which the application may be inspected
- (f) date giving a period of 21 days beginning with the date of service, or 14 days beginning with the date of publication, of the notice (as the case may be)
- (g) local planning authority website address (url)

Town and Country Planning (Development Management Procedure) (Wales) Order 2012

NOTICE OF APPEAL UNDER ARTICLE 25

(to be posted in the case of an application for planning permission for development consisting of the winning and working of minerals by underground operations (in addition to the service or publication of any other requisite notices in this Schedule))

Proposed development at (a).....

I give notice that (b)

having applied to the (c)..... Local Planning Authority

to (d).....

is appealing to the Welsh Ministers

against the decision of the Local Planning Authority +

on the failure of the Local Planning Authority to give notice of a decision +

Members of the public may inspect copies of:

— the application

— the plans

— and other documents submitted with it

at (e)

during all reasonable hours until (f).....

+ and, online at (g).....

Anyone who wishes to make representations about this appeal must write to the Welsh Ministers at the Planning Inspectorate, Crown Buildings, Cathays Park, Cardiff CF10 3NQ, or online at www.planningportal.gov.uk/pcs

by (f).....

Signed.....

+On behalf of.....

Date.....

+ delete where inappropriate

Insert:

- (a) address or location of the proposed development
- (b) applicant's name
- (c) name of Local Planning Authority
- (d) description of the proposed development
- (e) address of Local Planning Authority
- (f) date giving a period of 21 days, beginning with the date when the notice is posted
- (g) local planning authority website address (url)

Status: This is the original version (as it was originally made).

SCHEDULE 3

Article 12

Publicity for applications for planning permission
Town and Country Planning (Development Management Procedure) (Wales) Order 2012
NOTICE UNDER ARTICLE 12(4) OR (5) OF APPLICATION FOR PLANNING
PERMISSION

(to be displayed on or near the site, or served on owners and/or occupiers of adjoining land; and, where the local planning authority maintain one, published on their website; and where required published in a newspaper)

Proposed development at (a)

I give notice that (b).....

is applying to the (c).....Local Planning Authority

for planning permission to (d)

Members of the public may inspect copies of:

- the application
- the plans
- and other documents submitted with it

at (e).....

during all reasonable hours until (f)

+ and, online at (g)

Anyone who wishes to make representations about this application must write to the Local Planning Authority at

(h).....

by (f)

Signed.....(Local Planning Authority's authorised officer)

On behalf of.....Local Planning Authority

Date.....

+delete where inappropriate

Insert:

- (a) address or location of the proposed development
- (b) applicant's name
- (c) name of the Local Planning Authority
- (d) description of the proposed development
- (e) address at which the application may be inspected
- (f) date giving a period of 21 days, beginning with the date when the notice is first displayed on or near the site or served on an owner and/or occupier of adjoining land, or a period of 14 days, beginning with the date when the notice is published in a newspaper (as the case may be)
- (g) local planning authority website address (url)
- (h) address of the Local Planning Authority

Town and Country Planning (Development Management Procedure) (Wales) Order 2012
NOTICE UNDER ARTICLE 12(3) OF APPLICATION FOR PLANNING PERMISSION

(to be published in a newspaper (and, where the local planning authority maintain one, on their website) and displayed on or near the site)

Proposed development at (a)

I give notice that (b)

is applying to the (c)Local Planning Authority

for planning permission to (d)

The application is accompanied by an environmental statement.*

The proposed development does not accord with the provisions of the development plan in force in the area in which the land to which the application relates is situated.*

The proposed development would affect a right of way to which Part 3 of the Wildlife and Countryside Act 1981 applies.*

Members of the public may inspect copies of:

- the application
- the plans
- the environmental statement*
- and other documents submitted with the application

at (e)

during all reasonable hours until (f)

Members of the public may obtain copies of the environmental statement from (g)*.....

so long as stocks last, at a charge of (h)*

Anyone who wishes to make representations about this application must write to the Local Planning Authority at (i)

by (f)

Signed.....(Local Planning Authority's authorised officer)

On behalf of.....Local Planning Authority

Date.....

*delete where inappropriate

Insert:

- (a) address or location of the proposed development
- (b) applicant's name
- (c) name of the Local Planning Authority
- (d) description of the proposed development
- (e) address at which the application may be inspected
- (f) date giving a period of 21 days, beginning with the date when the notice is first displayed on or near the site, or a period of 14 days, beginning with the date when the notice is published in a newspaper (as the case may be)
- (g) address from where copies of the environmental statement may be obtained (whether or not the same as (e))

Status: This is the original version (as it was originally made).

- (h) amount of charge, if any
- (i) address of the Local Planning Authority

SCHEDULE 4

Article 14 and 15

Consultations before the grant of permission

TABLE

<i>Paragraph</i>	<i>Description of Development</i>	<i>Consultee</i>
(a)	Development likely to affect land in the area of another local planning authority	The local planning authority concerned
(b)	Development, in relation to which an application for planning permission has been made to the Welsh Ministers under section 293A of the 1990 Act (urgent Crown development: application)(1), where that development is likely to affect land in the area of a community council	The community council
(c)	Development within an area which has been notified to the local planning authority by the Health and Safety Executive for the purpose of this provision because of the presence within the vicinity of toxic, highly reactive, explosive or inflammable substances and which involves the provision of— <ul style="list-style-type: none"> (i) residential accommodation; (ii) more than 250 square metres of retail floor space; 	The Health and Safety Executive

(1) Section 293A was inserted by section 82(1) of the 2004 Act.

<i>Paragraph</i>	<i>Description of Development</i>	<i>Consultee</i>
	(iii) more than 500 square metres of office floor space; or	
	(iv) more than 750 square metres of floor space to be used for an industrial process, or which is otherwise likely to result in a material increase in the number of persons working within or visiting the notified area	
(d)	Development likely to result in a material increase in the volume or a material change in the character of traffic— (i) entering or leaving a trunk road; or (ii) using a level crossing over a railway	The Welsh Ministers The operator of the network which includes or consists of the railway in question and the Welsh Ministers
(e)	Development likely to result in a material increase in the volume or a material change in the character of traffic entering or leaving a classified road or proposed highway	The local highway authority concerned
(f)	Development likely to prejudice the improvement or construction of a classified road or proposed highway	The local highway authority concerned
(g)	Development involving— (i) the formation, laying out or alteration of any means of access to a highway (other than a trunk road); or (ii) the construction of a highway or private means of access to premises affording access to a road in relation to which a toll order is in force	The local highway authority concerned The local highway authority concerned The local highway authority concerned, and in the case of a road subject to a concession, the concessionaire
(h)	Development which consists of or includes the laying out or construction of a new street	The local highway authority

Status: This is the original version (as it was originally made).

<i>Paragraph</i>	<i>Description of Development</i>	<i>Consultee</i>
(i)	Development which involves the provision of a building or pipe-line in an area of coal working notified by the Coal Authority to the local planning authority	The Coal Authority
(j)	Development involving or including mining operations	The Environment Agency
(k)	Development likely to affect the site of a scheduled monument	The Welsh Ministers
(l)	Development involving the carrying out of works or operations in the bed of or on the banks of a river or stream	The Environment Agency
(m)	Development for the purpose of refining or storing mineral oils and their derivatives	The Environment Agency
(n)	Development involving the use of land for the deposit of refuse or waste	The Environment Agency
(o)	Development relating to the retention, treatment or disposal of sewage, trade-waste, slurry or sludge (other than the laying of sewers, the construction of pumphouses in a line of sewers, the construction of septic tanks and cesspools serving single dwellinghouses or single caravans or single buildings in which not more than ten people will normally reside, work or congregate, and works ancillary thereto)	The Environment Agency
(p)	Development relating to the use of land as a cemetery	The Environment Agency
(q)	Development— (i) in or likely to affect a site of special scientific interest; or (ii) within an area which has been notified to the local planning authority by the Countryside Council for Wales, and which is within two kilometres, of	The Countryside Council for Wales

<i>Paragraph</i>	<i>Description of Development</i>	<i>Consultee</i>
	a site of special scientific interest, of which notification has been given, or has effect as if given, to the local planning authority by the Countryside Council for Wales, in accordance with section 28 of the Wildlife and Countryside Act 1981 (sites of special scientific interest)(2)	
(r)	Development involving any land on which there is a theatre	The Theatres Trust
(s)	Development which is not for agricultural purposes and is not in accordance with the provisions of a development plan and involves— (i) the loss of not less than 20 hectares of grades 1, 2 or 3a agricultural land which is for the time being used (or was last used) for agricultural purposes; or (ii) the loss of less than 20 hectares of grades 1, 2 or 3a agricultural land which is for the time being used (or was last used) for agricultural purposes, in circumstances in which the development is likely to lead to a further loss of agricultural land amounting cumulatively to 20 hectares or more	The Welsh Ministers
(t)	Development within 250 metres of land which— (i) is or has, at any time in the 30 years before the relevant application, been used for the deposit of refuse or waste; and (ii) has been notified to the local planning authority by the Environment	The Environment Agency

(2) 1981 (c. 69); section 28 was substituted by section 75(1) of, and paragraph 1 of Schedule 9 to, the Countryside and Rights of Way Act 2000 (c. 37).

Status: This is the original version (as it was originally made).

<i>Paragraph</i>	<i>Description of Development</i>	<i>Consultee</i>
	Agency for the purposes of this provision	
(u)	Development for the purposes of fish farming	The Environment Agency
(v)	Development which— (i) is likely to prejudice the use, or lead to the loss of use, of land being used as a playing field; or (ii) is on land which has been: (aa) used as a playing field at any time in the 5 years before the making of the relevant application and which remains undeveloped; or (bb) allocated for use as a playing field in a development plan or in proposals for such a plan or its alteration or replacement; or (iii) involves the replacement of the grass surface of a playing pitch on a playing field with an artificial, man-made or composite surface	The Sports Council for Wales.
(w)	Development likely to affect— (i) any inland waterway (whether natural or artificial) or reservoir owned or managed by the British Waterways Board ⁽³⁾ ; or (ii) any canal feeder channel, watercourse, let off or culvert, which is within an area which has been notified for the purposes of this provision to the local planning authority by the British Waterways Board	The British Waterways Board
(x)	Development—	The Health and Safety Executive and the

⁽³⁾ See sections 1 and 10 of the Transport Act 1962 (c. 46).

<i>Paragraph</i>	<i>Description of Development</i>	<i>Consultee</i>
	(i) involving the siting of new establishments; or	Environment Agency, and, where it appears to the local planning authority that an area of particular natural sensitivity or interest may be affected, the Countryside Council for Wales
	(ii) consisting of modifications to existing establishments which could have significant repercussions on major accident hazards; or	
	(iii) including transport links, locations frequented by the public and residential areas in the vicinity of existing establishments, where the siting or development is such as to increase the risk or consequences of a major accident.	

Interpretation of Table

In the above Table—

- (a) in paragraph (c)(iv), “industrial process” (“*proses ddiwydiannol*”) means a process for or incidental to any of the following purposes—
- (i) the making of any article or part of any article (including a ship or vessel, or a film, video or sound recording);
 - (ii) the altering, repairing, maintaining, ornamenting, finishing, cleaning, washing, packing, canning, adapting for sale, breaking up or demolition of any article; or
 - (iii) the getting, dressing or treatment of minerals in the course of any trade or business other than agriculture, and other than a process carried out on land used as a mine or adjacent to and occupied together with a mine (and in this sub-paragraph, “mine” (“*mwynglawdd*”) means any site on which mining operations are carried out);
- (b) in paragraph (d)(ii), “network” (“*rhwydwaith*”) and “operator” (“*gweithredwr*”) have the same meaning as in Part I of the Railways Act 1993 (the provision of railway services)⁽⁴⁾;
- (c) in paragraphs (e) and (f), “classified road” (“*ffordd ddosbarthiadol*”) means a highway or proposed highway which—
- (i) is a classified road or a principal road by virtue of section 12(1) of the Highways Act 1980 (general provision as to principal and classified roads)⁽⁵⁾; or
 - (ii) is classified for the purposes of any enactment by the Welsh Ministers by virtue of section 12(3) of that Act;
- (d) in paragraph (g), “concessionaire” (“*consesiynydd*”), “road subject to a concession” (“*ffordd sy'n ddarostyngedig i gonsesiwn*”) and “toll order” (“*gorchymyn tollau*”) have the same meaning as in Part I of the New Roads and Street Works Act 1991 (new roads in England and Wales)⁽⁶⁾;

⁽⁴⁾ 1993 c. 43; see section 83.

⁽⁵⁾ 1980 c. 66.

⁽⁶⁾ 1991 c. 22.

Status: This is the original version (as it was originally made).

- (e) in paragraph (h), “street” (“*stryd*”) has the same meaning as in section 48(1) of the New Roads and Street Works Act 1991 (streets, street works and undertakers), and “new street” (“*stryd newydd*”) includes a continuation of an existing street;
- (f) in paragraph (k), “scheduled monument” (“*heneb gofrestredig*”) has the same meaning as in section 1(11) of the Ancient Monuments and Archaeological Areas Act 1979 (schedule of monuments)(7);
- (g) in paragraph (o), “slurry” (“*slyri*”) means animal faeces and urine (whether or not water has been added for handling), and “caravan” (“*carafán*”) has the same meaning as for the purposes of Part I of the Caravan Sites and Control of Development Act 1960 (caravan sites)(8);
- (h) in paragraph (q), “site of special scientific interest” (“*safle o ddiddordeb gwyddonol arbennig*”) means land to which section 28(1) of the Wildlife and Countryside Act 1981 (sites of special scientific interest) applies;
- (i) in paragraph (r), “theatre” (“*theatr*”) has the same meaning as in section 5 of the Theatres Trust Act 1976 (interpretation)(9);
- (j) in paragraph (v)—
 - (i) “playing field” (“*maes chwarae*”) means the whole of a site which encompasses at least one playing pitch;
 - (ii) “playing pitch” (“*llain chwarae*”) means a delineated area which, together with any run-off area, is of 0.2 hectares or more, and which is used for association football, American football, rugby, cricket, hockey, lacrosse, rounders, baseball, softball, Australian football, Gaelic football, shinty, hurling, polo or cycle polo; and
- (k) the expressions used in paragraph (x) have the same meaning as in Council Directive [96/82/EC](#) on the control of major accident hazards involving dangerous substances(10) as amended by Council Directive [2003/105/EC](#)(11).

SCHEDULE 5

Article 24

Notification where planning permission refused or granted subject to conditions

TOWN AND COUNTRY PLANNING ACT 1990

Notification to be sent to an applicant when a local planning authority refuse planning permission or grant it subject to conditions (to be endorsed on notices of decision)

Appeals to the Welsh Ministers

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Welsh Ministers under section 78 of the Town and Country Planning Act 1990.
- If you want to appeal against your local planning authority’s decision then you must do so within 6 months of the date of this notice.

(7) [1979 c. 46.](#)

(8) [1960 c. 62.](#)

(9) [1976 c. 27.](#)

(10) OJ No. L10, 14.01.1997, p.3.

(11) OJ No. L.345, 03.12.2003, p.97.

- Appeals must be made using a form which you can get from the Welsh Ministers, Planning Inspectorate at Crown Buildings, Cathays Park, Cardiff CF10 3NQ, or online at www.planningportal.gov.uk/pcs.
- The Welsh Ministers can allow a longer period for giving notice of an appeal, but are not normally prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Welsh Ministers need not consider an appeal if it seems to them that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Welsh Ministers do not refuse to consider appeals solely because the local planning authority based their decision on a direction given by them.

Purchase Notices

- If either the local planning authority or the Welsh Ministers refuse permission to develop land or grant it subject to conditions, the owner may claim that the owner can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the local planning authority in whose area the land is situated. This notice will require the local planning authority to purchase the owner's interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990. (The local planning authority may accept the notice and proceed to acquire the land; or reject the notice in which case they must refer the notice to the Welsh Ministers.)

Status: This is the original version (as it was originally made).

SCHEDULE 6

Article 27

Notice under Article 27

Town and Country Planning (Development Management Procedure) (Wales) Order 2012
NOTICE UNDER ARTICLE 27 OF PROPOSAL FOR LOCAL DEVELOPMENT ORDER
GRANTING PLANNING PERMISSION

(to be displayed on or near the site to which the order relates and to be served on an owner* or a tenant**)

Proposed development at (a).....

I give notice that the (b)..... Local Planning Authority proposes to make a local development order granting planning permission to (c).....

A copy of the draft order and a statement of the Local Planning Authority's reasons for making the order are available for inspection at(d)

and are published on the Local Planning Authority's website at.....(e)

Anyone who wishes to make representations about this proposed local development order should write to the Local Planning Authority at (f).....

by (g)

* "owner" means a person having a freehold interest or a leasehold interest the unexpired term of which is not less than seven years, or, in the case of development consisting of the winning or working of minerals, a person entitled to an interest in a mineral in the land (other than oil, gas, coal, gold or silver).

** "tenant" means an agricultural tenant, as defined in section 65(8) of the Town and Country Planning Act 1990, of land any part of which is comprised in the site.

Signed.....(Local Planning Authority's authorised officer)

+ On behalf of.....Local Planning Authority

Date.....

Statement of owners' rights

The grant of planning permission does not affect owners' rights to retain or dispose of their property, unless there is some provision to the contrary in an agreement or in a lease.

Statement of agricultural tenants' rights

The grant of planning permission for non-agricultural development may affect agricultural tenants' security of tenure.

Insert:

- (a) address or location of the proposed development
- (b) name of the Local Planning Authority
- (c) description of the proposed development
- (d) places where and times when the documents are available for inspection
- (e) website address where the documents are published
- (f) address of the Local Planning Authority
- (g) date giving a period of not less than 28 days beginning with the [date the notice is first displayed on or near the site, or the date of service of the notice (as the case may be)].

SCHEDULE 7

Article 28

Certificate of Lawful Use or Development

Town and Country Planning Act 1990: Sections 191 and 192

Town and Country Planning (Development Management Procedure) (Wales) Order 2012

CERTIFICATE OF LAWFUL USE OR DEVELOPMENT

The (a) Local Planning Authority hereby certify that on (b) the use*/operations*/matter* described in the First Schedule to this certificate in respect of the land specified in the Second Schedule to this certificate and edged*/hatched*/coloured* (c) on the plan attached to this certificate, was*/were*/would have been* lawful within the meaning of section 191 of the Town and Country Planning Act 1990, for the following reason(s):

.....
.....

Signed.....(Local Planning Authority's authorised officer)

On behalf of (a).....Local Planning Authority

Date.....

First Schedule.....(d)

Second Schedule.....(e)

Notes

1 This certificate is issued solely for the purpose of section 191 */192* of the Town and Country Planning Act 1990.

2 It certifies that the use*/operations*/matter* specified in the First Schedule taking place on the land described in the Second Schedule was*/were*/would have been* lawful, on the specified date and, therefore, was not*/were not*/would not have been* liable to enforcement action under section 172 of the 1990 Act on that date.

3 This certificate applies only to the extent of the use*/operations*/matter* described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any use*/operations*/matter* which is*/are* materially different from that*/those* described or which relate/s* to other land may render the owner or occupier liable to enforcement action.

*4 The effect of the certificate under section 192 of the 1990 Act (certificate of lawfulness of proposed use or development) is also qualified by the proviso in section 192(4) of that Act, which states that the lawfulness of a described use or operation is only conclusively presumed where there has been no material change, before the use is instituted or the operations begun, in any of the matters relevant to determining such lawfulness.

*delete where inappropriate

Insert:

- (a) name of Local Planning Authority
- (b) date of application to the Local Planning Authority
- (c) colour used on the plan
- (d) full description of use, operations or other matter, if necessary, by reference to details in the application or submitted plans, including a reference to the use class, if any, specified in an order under section 55(2)(f) of the 1990 Act, within which the certificated use falls
- (e) address or location of the site

SCHEDULE 8

Article 33

STATUTORY INSTRUMENTS REVOKED

<i>Title of Instrument</i>	<i>Reference</i>	<i>Extent of revocation</i>
The Town and Country Planning (General Development Procedure) Order 1995(12)	SI 1995/419	The whole of the Order(13)
The Town and Country Planning (General Development Procedure) (Welsh Forms) Order 1995	SI 1995/3336	The whole of the Order
National Park Authorities (Wales) Order 1995	SI 1995/2803	Paragraph 21 of Schedule 5 and article 18 in so far as it relates to that paragraph
The Town and Country Planning (General Development Procedure) (Amendment) Order 1996(14)	SI 1996/1817	The whole of the Order
Local Government Reorganisation (Wales) (Consequential Amendments) Order 1996	SI 1996/525	Paragraph 20 of the Schedule and article 3 in so far as it relates to that paragraph
The Town and Country Planning (General Development Procedure) (Amendment) Order 1997(15)	SI 1997/858	The whole of the Order
The Town and Country Planning (General Development Procedure) (Amendment) (Wales) Order 2002	SI 2002/1877 (W.186)	The whole of the Order
The Town and Country Planning (General Development Procedure) (Amendment) (Wales) Order 2004	SI 2004/1434 (W.147)	The whole of the Order
The Town and Country Planning (Electronic Communications) (Wales) (No. 1) Order 2004	SI 2004/3156 (W.273)	Article 11 and Schedule 1

(13) See article 33 for savings.

(12) Revoked in so far as it applied to England by the Town and Country Planning (Development Management Procedure) Order 2010 (S.I. 2010/2184).

(14) Revoked in so far as it applied to England by the Town and Country Planning (Development Management Procedure) Order 2010 (S.I. 2010/2184).

(15) Revoked in so far as it applied to England by the Town and Country Planning (Development Management Procedure) Order 2010 (S.I. 2010/2184).

<i>Title of Instrument</i>	<i>Reference</i>	<i>Extent of revocation</i>
The Town and Country Planning (General Development Procedure) (Amendment) (Wales) Order 2006	SI 2006/3390 (W.310)	The whole of the Order
The Town and Country Planning (Miscellaneous Amendments and Modifications relating to Crown Land) (Wales) Order 2006	SI 2006/1386 (W.136)	Article 4
The Town and Country Planning (General Development Procedure) (Amendment) (Wales) Order 2008	SI 2008/2336 (W.199)	The whole of the Order
The Town and Country Planning (General Development Procedure) (Amendment) (Wales) Order 2009	SI 2009/1024 (W.87)	The whole of the Order