
WELSH STATUTORY INSTRUMENTS

2016 No. 55

The Developments of National Significance
(Procedure) (Wales) Order 2016

PART 3

Applications

Acceptance of applications

15.—(1) The Welsh Ministers are to be taken as having received a “valid application” when they are in receipt of each of the following—

- (a) an application which is in accordance with article 12(1);
- (b) any fee required to be paid in respect of pre-application services provided under the Developments of National Significance (Wales) Regulations 2016(1);
- (c) the fee referred to in article 5(3); and
- (d) the fees referred to in article 12(8)(a).

(2) Where the Welsh Ministers receive a valid application, they must give notice of their acceptance of the application (“notice of acceptance”) (“*hysbysiad derbyn*”) to the applicant and the local planning authority in accordance with paragraph (4).

(3) It is the giving of such notice in accordance with paragraph (2) that constitutes acceptance of the application for the purposes of section 62L(3) of the 1990 Act (timetable for determining applications) (and the date the notice is given constitutes the date of acceptance).

(4) Notice of acceptance —

- (a) must be given in writing within the relevant period;
- (b) must confirm that the application is accepted; and
- (c) may include such other information related to the application as the Welsh Ministers consider appropriate.

(5) Where the Welsh Ministers consider that an application they have received is not a valid application, they must within the relevant period notify the following that the application is not accepted—

- (a) the applicant;
- (b) the local planning authority; and
- (c) any other persons that the Welsh Ministers consider appropriate.

(6) Notification given under paragraph (5) must include the reasons why the Welsh Ministers consider that the application received is not a valid application.

(7) In this article, “the relevant period” (“*y cyfnod perthnasol*”) is—

- (a) in a case where the application is accompanied by an environmental statement, 42 days, beginning with the day on which the Welsh Ministers are in receipt of an application, or such longer period as the Welsh Ministers may determine; or
- (b) in a case where the application is not accompanied by an environmental statement, 28 days, beginning with the day on which the Welsh Ministers are in receipt of an application, or such longer period as the Welsh Ministers may determine.