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WELSH STATUTORY INSTRUMENTS

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**2017 No. 544**

**The Town and Country Planning (Referred Applications and Appeals Procedure) (Wales) Regulations 2017**

**PART 2**

**Initial Procedure**

**Notification of receipt of appeal**

**15.**—(1) Paragraph (2) applies where—

- (a) the Welsh Ministers have received all the documents they require to enable them to consider an appeal;
- (b) the requisite fee (where applicable) has been paid in respect of the appeal; and
- (c) in the case of a referred application, either the full statement of case and the application file have been received, or the period of 4 weeks beginning with the date on which the notice of reference is served<sup>(1)</sup> has expired.

(2) The Welsh Ministers must, as soon as reasonably practicable advise the appellant and the local planning authority in writing—

- (a) of the starting date;
- (b) of the reference number allocated to the appeal;
- (c) of the address to which written communications to the Welsh Ministers about the appeal are to be sent; and
- (d) in the case of enforcement appeals, the grounds on which the appeal is being made.

(3) In the case of an appeal under section 208 of the Planning Act the Welsh Ministers must, as soon as reasonably practicable after receipt, send to the local planning authority a copy of the notice of appeal and full statement of case.

**Questionnaire**

**16.**—(1) The local planning authority must send to the Welsh Ministers, and copy to the appellant, so as to be received within 5 working days of the starting date—

- (a) a completed questionnaire;
- (b) a copy of each of the documents referred to in it; and
- (c) in the case of enforcement appeals, a copy of the enforcement notice.

(2) Paragraph (1) does not apply to referred applications.

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<sup>(1)</sup> See article 13 of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (S.I. 2012/801 (W. 110)); regulation 11A of the Planning (Listed Buildings and Conservation Areas) (Wales) Regulations 2012 (S.I. 2012/793 (W. 108)) and regulation 12 of the Planning (Hazardous Substances) Regulations 2015 (S.I. 2015/1597 (W. 196)).

### **Notice to interested persons**

17.—(1) The local planning authority must give written notice of the appeal, so as to be received within 5 working days of the starting date, to interested persons.

(2) A notice under paragraph (1) must—

- (a) state the name of the appellant and the address of the site to which the appeal relates;
- (b) describe the subject matter of the appeal;
- (c) set out the matters notified to the appellant and the local planning authority under regulation 15(2);
- (d) state that copies of any representations made by interested persons to the local planning authority will be sent to the Welsh Ministers and the appellant;
- (e) state that any such representations will be considered by the Welsh Ministers when determining the appeal unless they are withdrawn within 4 weeks of the starting date;
- (f) state that in relation to appeals other than householder, advertisement consent and minor commercial appeals further representations may be sent to the Welsh Ministers so as to be received within 4 weeks of the starting date and that any representations must be accompanied by two copies.