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WELSH STATUTORY INSTRUMENTS

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**2020 No. 514**

**The Planning Applications (Temporary Modifications and Disapplication) (Wales) (Coronavirus) Order 2020**

**Title and commencement**

1.—(1) The title of this Order is the Planning Applications (Temporary Modifications and Disapplication) (Wales) (Coronavirus) Order 2020.

(2) This Order comes into force on 19 May 2020.

**Pre-application consultation: making information available**

2.—(1) The Town and Country Planning (Development Management Procedure) (Wales) Order 2012(1) is amended as follows.

(2) After article 2F insert—

**“Coronavirus: temporary modifications of this Part**

**2G.**—(1) This Part applies with the modifications set out in this article where—

- (a) each of the notices that articles 2C(1)(a) and 2D(2) require an applicant to give in relation to a proposed application is given after the start of the emergency period, and
- (b) at least one of those notices is given before the end of the emergency period.

(2) In this article, “the emergency period” means the period—

- (a) beginning with 19 May 2020, and
- (b) ending with 18 September 2020.

(3) Article 2C(1) has effect as if—

- (a) in sub-paragraph (b), for “making the following information available for inspection at a location in the vicinity of the proposed development” there were substituted “making the following information available on a website”;
- (b) after sub-paragraph (b) there were inserted—

“and

- (c) sending hard copies of the documents referred to in sub-paragraph (b) to any person who requests them, where the request is made within the period of 28 days mentioned in that sub-paragraph.”

(4) Article 2C has effect as if after paragraph (3) there were inserted—

“(3A) If hard copies of any documents have been requested as mentioned in paragraph (1) (c), an application must not be submitted before the end of the period of 14 days beginning with the day on which the last document is sent in accordance with that paragraph.”

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(1) *S.I. 2012/801 (W. 110)*, amended by *S.I. 2016/59 (W. 29)* and *S.I. 2017/567 (W. 136)*; there are other amending instruments but none is relevant.

(5) Article 2C(5) has effect in relation to each notice given by the applicant under article 2C(1)(a) as if the reference to Schedule 1B were to Schedule 1D.

(6) Article 2D(5)(a) has effect in relation to each notice given by the applicant under article 2D(2) as if the reference to Schedule 1B were to Schedule 1D.

(7) Article 2F(2) has effect as if after sub-paragraph (c) there were inserted—

“(ca) a declaration that the information referred to in sub-paragraph (b) of article 2C(1) was made available in accordance with that sub-paragraph;

(cb) a statement setting out whether hard copies of any documents were requested as mentioned in sub-paragraph (c) of article 2C(1) and, if so, a declaration that the hard copies were sent in accordance with that sub-paragraph;”.

(3) After Schedule 1C insert Schedule 1D set out in the Schedule to this Order.

### **Period for community councils to make representations on applications**

**3.** In article 16 of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, after paragraph (3) insert—

“(4) Where the council of a community are notified of an application during the emergency period, paragraphs (1) and (2)(c) have effect as if the references to 14 days were to 21 days.

(5) In paragraph (4), “the emergency period” has the meaning given by article 2G(2).”

### **Developments of national significance: making applications**

**4.** In article 12 of the Developments of National Significance (Procedure) (Wales) Order 2016(2), after paragraph (6) insert—

“(6A) Paragraphs (5) and (6) do not apply to an application made during the period—

(a) beginning with 19 May 2020, and

(b) ending with 18 September 2020.”

15 May 2020

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one of the Welsh Ministers