
WELSH STATUTORY INSTRUMENTS

2020 No. 1004 (W. 223)

TOWN AND COUNTRY PLANNING, WALES

The Planning Applications (Temporary Modifications and Disapplication) (No. 2) (Wales) (Coronavirus) Order 2020

<i>Made</i>	- - - -	<i>16 September 2020</i>
<i>Laid before Senedd Cymru</i>		<i>17 September 2020</i>
<i>Coming into force</i>	- -	<i>18 September 2020</i>

The Welsh Ministers, in exercise of the powers conferred on them by sections 61Z(8) and (9), 62(11), 62R and 333(4B) of the Town and Country Planning Act 1990⁽¹⁾, and in exercise of the powers conferred on the Secretary of State by sections 59, 62(1) and (2), 71(1), (2)(a) and (2A) and 333(7) of that Act⁽²⁾ now

exercisable by them⁽³⁾ (as applied in the case of section 62(1) with modifications by the Development of National Significance (Application of Enactments) (Wales) Order 2016⁽⁴⁾), make the following Order.

Title and commencement

1.—(1) The title of this Order is the Planning Applications (Temporary Modifications and Disapplication) (No. 2) (Wales) (Coronavirus) Order 2020.

(2) This Order comes into force on 18 September 2020.

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- (1) 1990 c. 8. Section 61Z was inserted by section 17(2) of the Planning (Wales) Act 2015 (anaw 4) (“the 2015 Act”). Section 62(11) was inserted by section 17(3) of the 2015 Act (see also section 59(4) of the Town and Country Planning Act 1990 (“the 1990 Act”) (referred to in the next footnote) which provides a development order in relation to Wales means a development order made by the Welsh Ministers). Section 62R was inserted by section 25 of the 2015 Act. Section 333(4B) was substituted by section 55 of, and paragraph 6(3) of Schedule 7 to, the 2015 Act. There are other amendments which are not relevant to this instrument.
- (2) Section 59(2) was amended by section 1 of, and paragraph 4 of Schedule 1 to, the Growth and Infrastructure Act 2013 (c. 27) and by section 27 of, and paragraph 3 of Schedule 4 to, the 2015 Act. Section 59(4) was inserted by section 55 of, and paragraph 5 of Schedule 7 to, the 2015 Act. For the meaning of “prescribed” see section 71(4). Section 71 was amended by section 16(2) of the Planning and Compensation Act 1991 (c. 34). There are other amendments which are not relevant to this instrument.
- (3) The functions of the Secretary of State so far as exercisable in relation to Wales, were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672); see the entry in Schedule 1 for the 1990 Act. The functions of the National Assembly for Wales were transferred to the Welsh Ministers by virtue of section 162 of, and paragraphs 30 and 32 of Schedule 11 to, the Government of Wales Act 2006 (c. 32).
- (4) S.I. 2016/54 (W. 24).

Pre-application consultation: making information available

2.—(1) The Town and Country Planning (Development Management Procedure) (Wales) Order 2012⁽⁵⁾ is amended as follows.

(2) In article 2G(2)(b), for “18 September 2020” substitute “8 January 2021”.

Developments of national significance: making applications

3.—(1) The Developments of National Significance (Procedure) (Wales) Order 2016⁽⁶⁾ is amended as follows.

(2) In article 12(6A)(b), for “18 September 2020” substitute “8 January 2021”.

16 September 2020

Julie James
Minister for Housing and Local Government,
one of the Welsh Ministers

(5) S.I. 2012/801 (W. 110), amended by S.I. 2016/59 (W. 29), S.I. 2017/567 (W. 136) and S.I. 2020/514 (W. 121); there are other amending instruments but none is relevant.

(6) S.I. 2016/55 (W. 25), amended by S.I. 2020/514 (W. 121); there are other amending instruments but none are relevant.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (“the 2012 Order”) and the Developments of National Significance (Procedure) (Wales) Order 2016 (“the 2016 Order”). It amends provisions in those Orders to extend the period during which certain requirements are modified or disapplied.

Article 2 amends article 2G(2)(b) of the 2012 Order to extend the emergency period during which the publicity and notice requirements for pre-application consultation are modified. It also extends the emergency period for the purposes of the time which community councils have to make representations on applications notified to them. The emergency period ends on 8 January 2021.

Article 3 amends article 12(6A)(b) of the 2016 Order to extend the period during which hard copies of applications for developments of national significance are not required. That period ends on 8 January 2021.

The Welsh Ministers’ Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to this Order. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with this Order. A copy can be obtained from the Welsh Government at Cathays Park, Cardiff, CF10 3NQ and is published on the Welsh Government website at www.gov.wales.