

Rebecca Evans AS/MS
Y Gweinidog Cyllid a'r Trefnydd
Minister for Finance and Trefnydd



Llywodraeth Cymru
Welsh Government

Elin Jones AS/MS
Llywydd
Senedd Cymru
Bae Caerdydd
Caerdydd
CF99 1SN

18 May 2020

Dear Llywydd,

The Planning Applications (Temporary Modifications and Disapplication) (Wales) (Coronavirus) Order 2020 (“the Order”)

In accordance with section 11A(4) of the Statutory Instruments Act 1946, as inserted by Sch.10 para 3 of the Government of Wales Act 2006, I am notifying you that this Statutory Instrument has come into force less than 21 days from the date of laying. The explanatory memorandum which accompanies the Order is attached for your information.

The travel restrictions and closure of premises necessary to slow the spread of COVID-19 have prevented the submission of certain planning applications because it is not possible to comply with pre-application procedures. The order is intended to temporarily modify planning procedures in relation to the period beginning with 19 May and ending with 18 September (the temporary period) to remove these barriers and enable the subsequent submission of planning applications for these developments.

The Order modifies the pre-application consultation requirements of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (“DMPWO”) to remove the requirement for information to be made available at a local place during the temporary period. Instead all information must be hosted online and those people without internet access will be able to request hard copies of the information.

The Order also modifies the DMPWO during the temporary period to extend the period during which community councils must make representations from 14 days to 21 days to account for difficulties in scheduling and undertaking regular meetings due to COVID-19 restrictions.

The requirement to deposit a hard copy of a Development of National Significance (DNS) application with the Welsh Ministers and the local planning authority in the Developments of National Significance (Procedure) (Wales) Order 2016 is disapplied for the temporary

period. This is intended to overcome the closure of non-essential public buildings and the restrictions on non-essential travel.

The Order is required to come into force as soon as possible, so adjustments to planning procedures can mitigate the effects of COVID-19 restrictions on travel and the opening of premises, contributing to a functioning planning system. It will enable planning permissions to be submitted so that, if granted, the construction sector can implement them as soon as the restrictions are eased.

Not bringing the Order into force straight away will cause an increasing backlog of planning applications waiting to be submitted, which would have consequential impacts for the construction sector, and economy, at a time when rapid reversal of financial losses is important to lessen the longer term economic and social damage being caused. Not adhering to the 21-day convention is thought necessary and justifiable in this case.

Due to the immediate need for the Order it has not been subject to consultation, however, an Explanatory Memorandum has been prepared and this has been laid, together with the Regulations, in Table Office.

A copy of this letter goes to Mick Antoniw MS, Chair of the Legislation, Justice and Constitution Committee Sian Wilkins, Head of Chamber and Committee Services and Julian Luke, Head of Policy and Legislation Committee Service.

Yours sincerely,

A handwritten signature in black ink that reads "Rebecca Evans". The signature is written in a cursive style with a large initial 'R'.

Rebecca Evans AS/MS
Y Gweinidog Cyllid a'r Trefnydd
Minister for Finance and Trefnydd