WELSH STATUTORY INSTRUMENTS

2006 No. 1388 (W.138)

TOWN AND COUNTRY PLANNING, WALES

The Planning (Listed Buildings, Conservation Areas and Hazardous Substances) (Amendments relating to Crown Land) (Wales) Regulations 2006

Made - - - -	*23 May 2006*
Coming into force - -	*7 June 2006*

The National Assembly for Wales ("the National Assembly"), in exercise of the powers conferred upon the Secretary of State by sections 82B(8) and 93 of the Planning (Listed Buildings and Conservation Areas) Act 1990(**1**) and by section 30B(2), (3) and (8)(b) of the Planning (Hazardous Substances) Act 1990(**2**), makes the following Regulations(**3**):

Title, commencement and application

1.—(1) The title of these Regulations is the Planning (Listed Buildings, Conservation Areas and Hazardous Substances)) (Amendments relating to Crown Land) (Wales) Regulations 2006 and come into force on 7 June 2006.

(2) These Regulations apply in relation to Wales.

Amendment of the Planning (Listed Buildings and Conservation Areas) Regulations 1990

2.—(1) The Planning (Listed Buildings and Conservation Areas) Regulations 1990(**4**)are amended as follows.

(2) After regulation 5A (publicity for applications affecting setting of listed buildings) insert–

(**1**) 1990 c. 9. Section 82B was inserted by the Planning and Compulsory Purchase Act 2004 (c. 5), section 83(1). See section 91 for the meaning of "prescribed".

(**2**) 1990 c. 10.. Section 30B was inserted by the Planning and Compulsory Purchase Act 2004, section 79(3). See section 39(2) for the meaning of "prescribed".

(**3**) The relevant functions of the Secretary of State under the Planning (Listed Buildings and Conservation Areas) Act 1990 and the Planning (Hazardous Substances) Act 1990, were, insofar as exercisable in relation to Wales, transferred to the National Assembly for Wales by article 2 of and Schedule 1 to the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) as extended by section 118(3) of the 2004 Act.

(**4**) S.I. 1990/1519.

"**Advertisement of applications for urgent works relating to Crown development in Wales**

5B.—(1) Subject to paragraph (2), where an application under section 82B(2)(**5**)(urgent works relating to Crown development) of the Act is made to the National Assembly in respect of any building the National Assembly must–

(a) publish in a local newspaper circulating in the locality in which the building is situated a notice–

(i) indicating the nature of the works which are the subject of the application, and

(ii) naming a place within the locality where a copy of the application, and of all plans and other documents submitted with it, will be open to inspection by the public at all reasonable hours during the period of 21 days beginning with the date of publication of the notice, and

(iii) stating the address of the website where a copy of the application, and of all plans and other documents submitted with it, will be open to inspection by the public during that period, together with the place on the website where such documents may be accessed, and how they may be accessed, and

(b) for not less than 7 days display on or near the said building a notice containing the same particulars as are required to be contained in the notice to be published in accordance with sub-paragraph (a).

(2) Paragraph (1) does not apply to any application for listed building consent to carry out works affecting only the interior of a Grade II (unstarred) listed building which when last notified to the authority by the National Assembly as a building of special architectural or historic interest was classified as a Grade II (unstarred) listed building.".

Amendment of the Planning (Hazardous Substances) Regulations 1992

3.—(1) The Planning (Hazardous Substances) Regulations 1992(**6**)are amended as follows.

(2) In regulation 14 (claim for deemed consent), after "section 11" insert "or 30B".

(3) In regulation 15 (conditions on deemed consent), after "section 11(7)(b)" insert "and section 30B(8)(b)".

(4) In Schedule 2 (prescribed forms, notices and certificates) in Form 8–

(a) in the heading, after "Section 11"add "and 30B";

(b) in the notes to Part 2, after "1999"in note (c) insert "or, in the case of applications for deemed consent under section 30B, 7 June, 2006"; and

(c) in the note to Part 5, after "section 11(7)"insert ", or, as the case may be, section 30B(8)".

(**5**) Section 82B was inserted by the Planning and Compulsory Purchase Act 2004 (c. 5), section 83(1).
(**6**) S.I. 1992/656. Relevant amendments were made by S.I. 1999/981.