

WELSH STATUTORY INSTRUMENTS

2016 No. 58

The Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2016 (revoked)

[^{F1}PART 11

ROMP Applications

Textual Amendments

- F1** Regulations revoked (16.5.2017) by [The Town and Country Planning \(Environmental Impact Assessment\) \(Wales\) Regulations 2017 \(S.I. 2017/567\)](#), **regs. 1(2), 65(1)** (subject to savings and transitional provisions in **regs. 63, 65(2)-(10)**) (as amended (1.4.2019) by [The Town and Country Planning \(Environmental Impact Assessment\) \(Wales\) \(Amendment\) Regulations 2019 \(S.I. 2019/299\)](#)), **reg. 2(2)**

General application of the Regulations to ROMP applications

52.—(1) In this regulation and in Schedule 7—

“relevant mineral planning authority” (“*awdurdod cynllunio mwynau perthnasol*”) means the body to whom it falls, fell, or would, but for a direction under—

- (a) paragraph 7 of Schedule 2 to the 1991 Act;
- (b) paragraph 13 of Schedule 13 to the 1995 Act; or
- (c) paragraph 8 of Schedule 14 to the 1995 Act,

fall to determine the ROMP application in question;

“ROMP” (“*ROMP*”) means review of old mineral permission;

“ROMP application” (“*cais ROMP*”) means an application to a relevant mineral planning authority to determine the conditions to which a planning permission is to be subject under—

- (a) paragraph 2(2) of Schedule 2 to the 1991 Act (registration of old mining permissions);
- (b) paragraph 9(1) of Schedule 13 to the 1995 Act (review of old mineral planning permissions); or
- (c) paragraph 6(1) of Schedule 14 to the 1995 Act (periodic review of mineral planning permissions) ^{M1};

“ROMP development” (“*datblygiad ROMP*”) means development which has yet to be carried out and which is authorised by a planning permission in respect of which a ROMP application has been or is to be made;

“ROMP subsequent application” (“*cais dilynol ROMP*”) means an application for approval of a matter where the approval—

- (a) is required by or under a condition to which a planning permission is subject following determination of a ROMP application; and
- (b) must be obtained before all or part of the minerals development permitted by the planning permission may be begun or continued;

“ROMP subsequent consent” (“*caniatâd dilynol ROMP*”) means consent granted pursuant to a ROMP subsequent application.

(2) Subject to paragraph (2) and to the modifications and additions set out in Schedule 7, these Regulations apply to—

- (a) a ROMP application as they apply to an application for planning permission;
- (b) a ROMP subsequent application as they apply to a subsequent application;
- (c) ROMP development as they apply to development in respect of which an application for planning permission is, has been, or is to be made;
- (d) a relevant mineral planning authority as they apply to a relevant planning authority;
- (e) a person making a ROMP application as they apply to an applicant for planning permission;
- (f) a person making a ROMP subsequent application as they apply to a person making a subsequent application;
- (g) the determination of a ROMP application as they apply to the granting of a planning permission; and
- (h) the granting of ROMP subsequent consent as they apply to the granting of subsequent consent.

(3) These Regulations do not apply to—

- (a) any undetermined ROMP application to which the Town and Country Planning (Environmental Impact Assessment) (Undetermined Reviews of Old Mineral Permissions) (Wales) Regulations 2009^{M2} apply;
- (b) to any appeal in relation to such an application.]

Marginal Citations

M1 Paragraph 6 was amended by S.I. 2004/3156 (W. 273). There is another amendment which is not relevant to these Regulations.

M2 S.I. 2009/3342 (W. 293).

Changes to legislation:

There are currently no known outstanding effects for the The Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2016 (revoked), PART 11.