



Ein Cyf/Our ref: ATISN 11560
Eich Cyf/Your ref:
Dyddiad/Date: 13 October 2017

Dear ,

ATISN 11560 – REQUEST FOR INFORMATION
LIST OF ALL DEPARTURE APPLICATIONS NOTIFIED TO THE WELSH GOVERNMENT
BY CONWY COUNTY BOROUGH COUNCIL SINCE THE ADOPTION OF THEIR LOCAL
DEVELOPMENT PLAN.

Thank you for your request for information which I received on 15 September. You requested the following information:

“Please provide a list of all departure applications notified to the Welsh Government by Conwy County Borough Council since the adoption of its LDP, to include the application reference details and date submitted”.

In 2012 there was a change in the requirements under which Local Planning Authorities are required to notify certain applications to the Welsh Ministers. The Departure Direction 1999, which contained the requirement for departure applications to be notified to the Welsh Ministers was withdrawn in 2012 and replaced with provisions contained in “The Town and Country Planning (Notification) (Wales) Direction 2012”. This sets out the criteria which Local Planning Authorities are required to use to determine whether planning applications should be referred to the Welsh Ministers. It identifies certain types of development which may raise issues of more than local importance and which the Welsh Ministers may wish to call in. These include:

- a) Flood Risk Area Development, incorporating emergency services or highly vulnerable development (10 or more dwellings for residential schemes), where the entire site is within flood zone C2;
- b) Significant Residential Development – residential development of more than 150 units or residential development on more than 6 hectares of land, not in accordance with the provisions of the development plan in force in the area;



- c) Minerals Development – development consisting of or including the winning and working of minerals on new sites or extensions to existing sites, not in accordance with the provisions of the development plan in force in the area;
- d) Waste Development – development which is intended for use wholly or mainly for the deposit of waste into or on to land, not in accordance with the provisions of the development plan in force in the area;
- e) Aggregates Development in National Parks and Areas of Outstanding Natural Beauty – development involving the extraction of aggregates on new sites or extensions to existing sites in these statutorily designated areas;
- f) Unconventional Oil and Gas Development – development involving the onshore exploration, appraisal or production of coal bed methane or shale oil or gas using Unconventional extraction techniques, including hydraulic fracturing (but does not include the making of exploratory boreholes which do not involve the carrying out of such unconventional extraction techniques);
- g) Underground Coal Gasification – development connected to the gasification of coal in the strata (but does not include the drilling of boreholes solely for the purpose of core sampling).

As the departure direction is no longer extant, I have used the provisions of the 2012 Notification Direction as the basis for the search for the information you have requested. Following a search of our paper and electronic records, I have established the information you require is not held by the Welsh Government as the Welsh Ministers have not received any referrals from Conwy County Borough Council since the adoption of their Local Development Plan in 2013.

If you are dissatisfied with the Welsh Government's handling of your request, you can ask for an internal review within 40 working days of the date of this response. Requests for an internal review should be addressed to the Welsh Government's Freedom of Information Officer at: Information Rights Unit, Welsh Government, Cathays Park, Cardiff, CF10 3NQ or Email: FreedomOfInformationOfficer@wales.gsi.gov.uk

Please remember to quote the ATISN reference number above.

You also have the right to complain to the Information Commissioner. The Information Commissioner can be contacted at:

Information Commissioner's Office,
Wycliffe House,
Water Lane,
Wilmslow,
Cheshire,
SK9 5AF

However, please note that the Commissioner will not normally investigate a complaint until it has been through our own internal review process.

Yours sincerely

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.