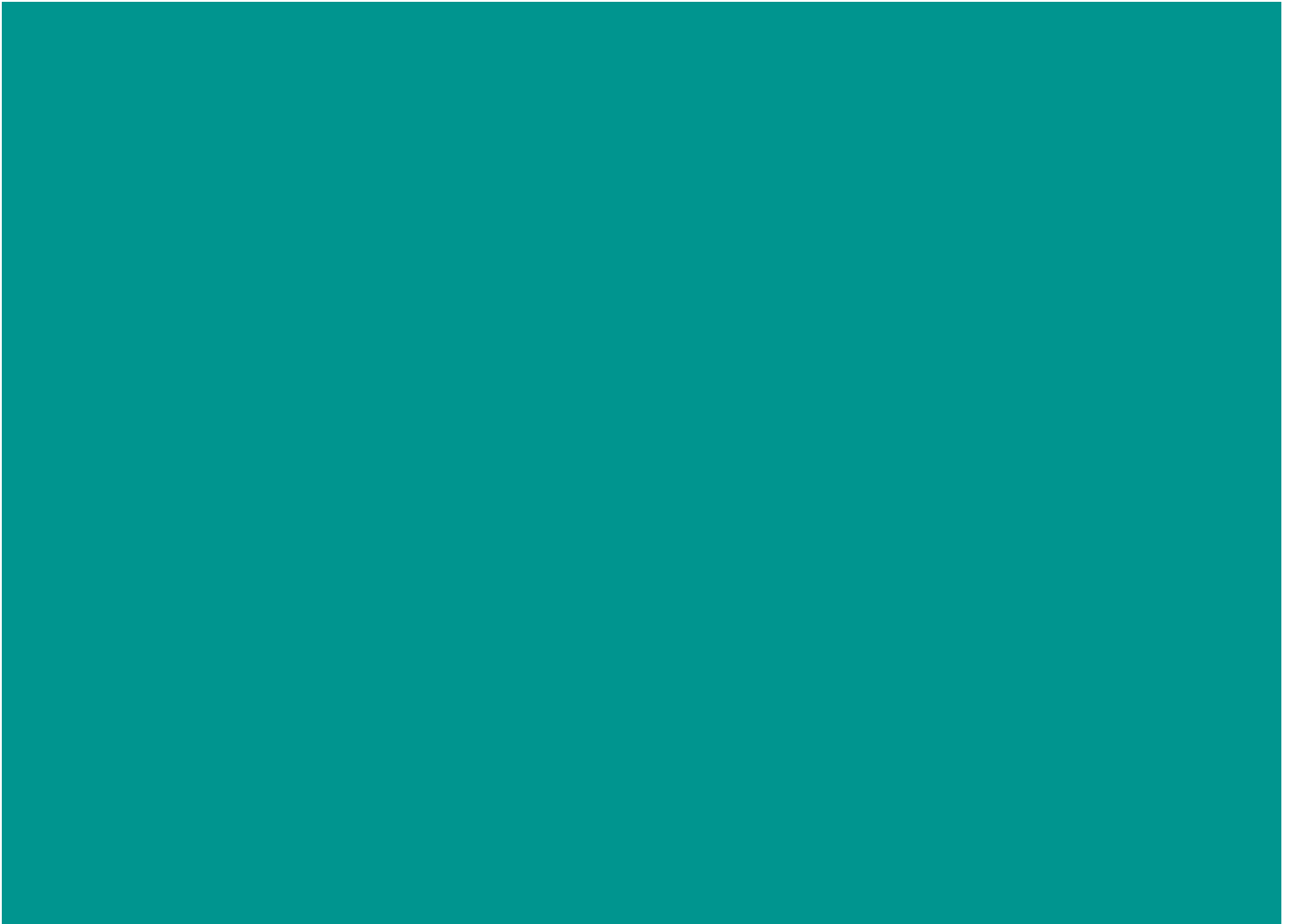




The Planning Inspectorate
Yr Arolygiaeth Gynllunio

Developments of National Significance

Examination



5. Examination

- 5.1 Following acceptance of a valid DNS submission, an Inspector will be appointed to examine the application. Depending on the type and scale of project, the Inspector may be assisted by a Planning Officer, an Assistant Inspector or an Assessor.

How long will the examination take?

- 5.2 The determination period for the Welsh Ministers to make a decision on a DNS application is 36 weeks from the date of acceptance of the valid application.
- 5.3 In order to meet this timescale, the Inspectorate must deliver its report to the Welsh Ministers within 24 weeks. This allows a 17 week period for the DNS examination.
- 5.4 If the examination requires a Hearing, this must be held within 10 weeks of the end of the representation period (by week 15). If an Inquiry is necessary, this must be held within 13 weeks of the end of the representation period (by week 18).
- 5.5 In exceptional circumstances the Welsh Ministers can extend these timescales.
- 5.6 If the DNS application involves overhead electric lines, the timescale for examination will be reduced to 24 weeks, if determined by The Inspector alone. The Welsh Ministers could also decide on such applications, and if this is the case, the statutory 36-week determination period would apply.

What is the procedure for the examination?

- 5.7 The Inspectorate will confirm the procedure in writing no later than 7 weeks from the date of validation.
- 5.8 The examination could proceed by written representations, a Hearing or Inquiry, or a combination of all three.

Hearings and Inquiries

- 5.9 A Hearing or Inquiry session will focus only on the matters raised by the Inspector, with all other matters being addressed through written representations.
- 5.10 A Hearing provides an informal setting for addressing the issues identified by the Inspector. Those attending may bring professional advisors with them, however there will be no formal presentation of evidence, cross-examination or formal submissions.
- 5.11 An Inquiry is only likely to be arranged where there are complex issues or technical evidence. Witnesses will present evidence, be cross examined and re-examined where necessary.

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- 5.12 Only those people the Inspector considers will assist them on certain matters will be invited to participate in a Hearing or Inquiry. All those invited to attend will be notified directly.
- 5.13 Those invited to participate at a Hearing or Inquiry may submit a further representation in response to the matters raised by the Inspector, which should be no longer than 3,000 words.
- 5.14 Any statements that are excessively long or contain irrelevant or repetitious material may be returned. Any technical evidence should be limited to appendices, and should be clearly related to the case.
- 5.15 Participants should adhere to the timetable set by the Inspector for submitting written statements. Late submissions and additional papers are unlikely to be accepted on the day and may lead to an event being adjourned.
- 5.16 The times and venues for all Hearings and Inquiries will be publicised and are open to all to observe. Those not invited to participate may speak at the discretion of the Inspector, but this will be limited to matters explored at the Hearing or Inquiry.

Will the Inspector visit the site?

- 5.17 The Inspector will always visit the site. Where everything can be seen from a public place the Inspector will be unaccompanied. If this is not possible, arrangements will be made for the Inspector to be given access.
- 5.18 There will be no discussion of the merits of the application at any site visit.
- 5.19 Should anyone think that the visit should not be accompanied or wishes the Inspector to view the site from their property they should present their reasons to the Case Officer.

Can the examination be suspended?

- 5.20 In certain circumstances the examination may be suspended by the Inspectorate. The end date of the suspension period can be extended.
- 5.21 The Inspectorate may issue more than one suspension notice where multiple delays are caused to a DNS application.
- 5.22 Examples of the circumstances under which a suspension may be considered are summarised below.
- *Where legal undertakings between local planning authorities, third parties and the applicants require resolution*
 - *Where there is a significant change or review of policy*
 - *Where an applicant requests to make an amendment to a scheme*
 - *Where supporting documents are found to be deficient*

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- *Where essential parties fail to attend a Hearing or Inquiry*
- *Where a new secondary consent is 'called in' by the Welsh Ministers*

Openness and transparency during the examination

5.23 All application documents, representations and other submissions will be published along with any requests for further information and any matters to be discussed at a Hearing or Inquiry.