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Welsh Government

Consultation – summary of responses

Positive Planning

Proposals to reform the planning system in Wales

October 2014

Overview

This document provides a summary of the responses received by the Welsh Government to the draft Planning (Wales) Bill and Positive Planning - Proposals to reform the planning system in Wales – consultation.

Audience

Businesses, consultants, local planning authorities, government agencies and other public sector bodies, professional bodies, interest groups, the voluntary sector, representative bodies and individuals with an interest in the planning system.

Action Required

For information only

Further Information

Enquires about this document should be directed to:

Planning Bill Team
Planning Division
Welsh Government
Cathays Park
Cardiff
CF10 3NQ

Email: planningbill@wales.gsi.gov.uk

Additional Copies

This document can be accessed from the Welsh Government website at:
www.wales.gov.uk/consultations/planning/draft-planning-wales-bill/?lang=en



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Chapter 1

Introduction

- 1.1 Consultation on the draft Planning (Wales) Bill and Positive Planning - Proposals to reform the planning system in Wales – took place for 12 weeks between 4 December 2013 and 26 February 2014. The consultation was issued to over 200 stakeholders with a direct interest in the planning system and was also made available on the Welsh Government website. The Planning Bill web pages received approximately 15,000 views.
- 1.2 In support of the consultation, a number of opportunities were provided for stakeholders to discuss the proposals with Ministers and Welsh Government officials. These events included Ministerial led consultation events and events in association with the Young Planners Network Cymru. The Royal Town Planning Institute also organised consultation events for built environment professionals, providing further opportunity to discuss the proposals with Welsh Government officials. A number of commercial events focussing on the draft Bill and Positive Planning have also taken place.

Table (i): Outline of consultation events

Event	Location	Dates	No. of delegates (in total)
Ministerial Consultation Events on the draft Planning (Wales) Bill and Positive Planning	Llandudno and Cardiff	23 and 27 January 2014	122
The Royal Town Planning Institute Consultation Events	Llandudno and Swansea	24 and 30 January 2014	170
Young Planners Network Cymru Consultation Events	Llandudno and Cardiff	23 and 27 January 2014	50

- 1.3 The consultation proposals were informed by a comprehensive suite of evidence which allowed a broad range of views to inform the proposals and built widespread consensus on the areas in need of change.
- 1.4 The evidence base documents used to inform the proposals include an extensive report prepared by an Independent Advisory Group who were invited to undertake a comprehensive 'MOT' of the planning system. The

Group received over 100 responses to their call for evidence and held a wide ranging programme of discussions with stakeholders.

- 1.5 We are grateful to everyone who took part in the preparation of the evidence base and has responded to our consultation proposals. The responses represent an invaluable source of views, information and ideas, which have been used to inform the Planning (Wales) Bill and associated programme of improvements to the planning system.

Chapter 2

Overview and summary of consultation responses

- 2.1 On 4 December 2013, the draft Planning (Wales) Bill and supporting paper 'Positive Planning – Proposals to reform the Planning System in Wales' were published for public consultation. The consultation period lasted 12 weeks and closed on 26 February 2014.
- 2.2 A total number of 405 responses were received and considered including those submitted up to two weeks after the closing date. Of the 405 responses to the consultation a number were identical using templates provided by Friends of the Earth Cymru and Cymdeithas yr Iaith Gymraeg accounting for 19 and 94 responses respectively.
- 2.3 A statistical summary of each question is provided below. A list of respondents to the consultation is provided in Annex 1. A compact disk containing consultation responses is available from:
planning.division@wales.gsi.gov.uk
- 2.4 The majority of respondents answered each question with some providing additional comments to build on their responses. Any additional comments were analysed and noted.
- 2.5 Each respondent was asked to assign themselves to one of six categories. Below is a summary table of respondents by sector.

Table (ii): Breakdown of responses by sector

Respondent Sector Type	Number of Responses from the Sector	Percentage of Responses from the Sector
1. Business/Consultants	59	15%
2. Local Planning Authority	24	6%
3. Government Agency Other Public Sector	54	13%
4. Professional Body/Interest Group	47	12%
5. Voluntary Sector	36	9%
6. Other	185	46%
Total	405	100%

2.6 Of the 405 responses 46% were categorised as sector type ‘other’, 15% as a ‘business / consultant’ and 13% as ‘government agency or other public sector’.

2.7 Each question had a ‘yes/no’ option for respondents to give their view. Some respondents provided comments but chose not to provide a direct answer; this had been noted as ‘did not indicate a conclusive view’. Below is a summary of whether a respondent answered yes or no or did not indicate a conclusive view. The columns represent the number of respondents and their percentage

Table (iii): Summary of ‘yes’ and ‘no’ responses

Summary of ‘yes’ and ‘no’ responses and those responses which did not indicate a conclusive view.		
Question 1		
Do you agree that the proposed remit for a Planning Advisory and Improvement Service will help local planning authorities and stakeholders to improve performance?		
Option	Number of respondents	Percentage
Yes	152	91.6%
No	14	8.4%
An additional 239 respondents did not indicate a conclusive view; including 113 identical campaign respondents		

Question 2

Do you agree that existing Welsh Government support arrangements for the built environment sector in Wales should be reviewed?

Option	Number of respondents	Percentage
Yes	129	95.6%
No	6	4.4%

An additional 270 respondents did not indicate a conclusive view; including 113 identical campaign respondents.

Question 3

Do you agree that competency frameworks should be prepared for planning practitioners and elected representatives to describe the skills, knowledge and behaviours necessary to deliver planning reform?

Option	Number of respondents	Percentage
Yes	153	87.4%
No	22	12.6%

An additional 230 respondents did not indicate a conclusive view; including 113 identical campaign respondents.

Question 4

Do you agree that the National Development Framework will provide a robust framework for setting national priorities and aid delivery?

Option	Number of respondents	Percentage
Yes	145	91.8%
No	13	8.2%

An additional 247 respondents did not indicate a conclusive view; including 113 identical campaign respondents.

Question 5

Do you agree that Planning Policy Wales and Minerals Planning Policy Wales should be integrated to form a single document?

Option	Number of respondents	Percentage
Yes	126	88.1%
No	17	11.9%

An additional 262 respondents did not indicate a conclusive view; including 113 identical campaign respondents.

Question 6

Do you agree that a core set of development management policies should be prepared for consistent application by all local planning authorities?

Option	Number of respondents	Percentage
Yes	127	85.2%
No	22	14.8%

An additional 256 respondents did not indicate a conclusive view; including 113 identical campaign respondents.

Question 7

Do you agree that the proposed development hierarchy will help to ensure that planning applications are dealt with in a proportionate way dependent on their likely benefits and impacts?

Option	Number of respondents	Percentage
Yes	99	70.7%
No	41	29.3%

An additional 265 respondents did not indicate a conclusive view; including 113 identical campaign respondents.

Question 8

Do you agree with the proposed categories and thresholds for Developments of National Significance (DNS) set out in Annex B?

Option	Number of respondents	Percentage
Yes	89	72.4%
No	34	27.6%

An additional 282 respondents did not indicate a conclusive view; including 113 identical campaign respondents.

Question 9

Do you agree with the proposed categories and thresholds for Major Developments of set out in Annex B?

Option	Number of respondents	Percentage
Yes	92	69.7%
No	40	30.3%

An additional 273 respondents did not indicate a conclusive view; including 113 identical campaign respondents.

Question 10

Do you agree Developments of National Significance (DNS) applications should be subject to mandatory pre-application notification, and consultation?

Option	Number of respondents	Percentage
Yes	144	97.3%
No	4	2.7%

An additional 257 respondents did not indicate a conclusive view; including 113 identical campaign respondents.

Question 11

Do you agree that a fee should be charged for pre-application advice for prospective Developments of National Significance (DNS) applications?

Option	Number of respondents	Percentage
Yes	108	81.8%
No	24	18.2%

An additional 273 respondents did not indicate a conclusive view; including 113 identical campaign respondents.

Question 12

Do you agree that the Planning Inspectorate Wales is the most appropriate body to undertake the processing of a Developments of National Significance (DNS) application?

Option	Number of respondents	Percentage
Yes	130	89.0%
No	16	11.0%

An additional 259 respondents did not indicate a conclusive view; including 113 identical campaign respondents.

Question 13

Do you agree that only one round of amendments to an application for Developments of National Significance (DNS) should be permitted after it has been formally registered?

Option	Number of respondents	Percentage
Yes	61	46.9%
No	69	53.1%

An additional 275 respondents did not indicate a conclusive view; including 113 identical campaign respondents.

Question 14

Do you agree with the proposals for handling connected consents?

Option	Number of respondents	Percentage
Yes	111	88.1%
No	15	11.9%

An additional 279 respondents did not indicate a conclusive view; including 113 identical campaign respondents.

Question 15

Do you agree that examination should follow a similar procedure to that proposed for call-ins and appeals?

Option	Number of respondents	Percentage
Yes	108	84.4%
No	20	15.6%

An additional 277 respondents did not indicate a conclusive view; including 113 identical campaign respondents.

Question 16

Do you agree with the proposed division of responsibilities between the Welsh Ministers and the local planning authority at the post-determination stage?

Option	Number of respondents	Percentage
Yes	88	72.7%
No	33	27.3%

An additional 284 respondents did not indicate a conclusive view; including 113 identical campaign respondents.

Question 17

Do you agree that the statement of case and draft statement of common ground should be produced when submitting an appeal?

Option	Number of respondents	Percentage
Yes	104	75.4%
No	34	24.6%

An additional 267 respondents did not indicate a conclusive view; including 113 identical campaign respondents.

Question 18

Do you agree that the Planning Inspectorate should decide how to handle the examination of an appeal?

Option	Number of respondents	Percentage
Yes	108	73.5%
No	39	26.5%

An additional 258 respondents did not indicate a conclusive view; including 113 identical campaign respondents.

Question 19

Do you agree no changes should be made to the content of an application once an appeal has been submitted?

Option	Number of respondents	Percentage
Yes	105	68.2%
No	49	31.8%

An additional 251 respondents did not indicate a conclusive view; including 113 identical campaign respondents.

Question 20

Do you agree with the proposal for the Welsh Ministers to initiate awards of costs?

Option	Number of respondents	Percentage
Yes	91	73.4%
No	33	26.6%

An additional 281 respondents did not indicate a conclusive view; including 113 identical campaign respondents.

Question 21

Should fees be introduced to cover the costs of the Welsh Ministers associated with an appeal?

Option	Number of respondents	Percentage
Yes	59	46.1%
No	69	53.9%

An additional 277 respondents did not indicate a conclusive view; including 113 identical campaign respondents.

Question 22

Do you agree that a Commercial Appeals Service (CAS) should be introduced?

Option	Number of respondents	Percentage
Yes	98	86.7%
No	15	13.3%

An additional 292 respondents did not indicate a conclusive view; including 113 identical campaign respondents.

Question 23

Do you agree that local planning authorities should be merged to create larger units?

Option	Number of respondents	Percentage
Yes	78	56.9%
No	59	43.1%

An additional 268 respondents did not indicate a conclusive view; including 113 identical campaign respondents.

Question 24

Do you think that a National Park Authority should continue to have responsibility for planning in its area?

Option	Number of respondents	Percentage
Yes	100	67.6%
No	48	32.4%

An additional 257 respondents did not indicate a conclusive view; including 113 identical campaign respondents.

Question 25

Do you agree that strategic development plans should only be prepared in certain areas?

Option	Number of respondents	Percentage
Yes	98	73.7%
No	35	26.3%

An additional 272 respondents did not indicate a conclusive view; including 113 identical campaign respondents.

Question 26

Do you agree that the scope of Strategic Development Plans should be limited to the key issues identified in paragraph 5.29?

Option	Number of respondents	Percentage
Yes	73	57.5%
No	54	42.5%

An additional 278 respondents did not indicate a conclusive view; including 113 identical campaign respondents.

Question 27

Do you agree that a partnership between local planning authorities and social, economic and environmental stakeholders should oversee preparation of Strategic Development Plans?

Option	Number of respondents	Percentage
Yes	110	76.4%
No	34	23.6%

An additional 261 respondents did not indicate a conclusive view; including 113 identical campaign respondents.

Question 28

Do you agree that a light touch Local Development Plan focussing on matters of local significance should be prepared in areas where there is a Strategic Development Plan?

Option	Number of respondents	Percentage
Yes	94	64.8%
No	51	35.2%

An additional 260 respondents did not indicate a conclusive view; including 113 identical campaign respondents.

Question 29

Do you agree with the essential elements of a good planning service identified in Annex A?

Option	Number of respondents	Percentage
Yes	102	66.2%
No	52	33.8%

An additional 251 respondents did not indicate a conclusive view; including 113 identical campaign respondents.

Question 30

Do you agree that each local planning authority should produce and publish an annual performance report to agreed standards?

Option	Number of respondents	Percentage
Yes	143	94.1%
No	9	5.9%

An additional 253 respondents did not indicate a conclusive view; including 113 identical campaign respondents.

Question 31

Do you agree that where a local planning authority is designated as poorly performing there should be an option to submit planning applications for major development to Welsh Ministers?

Option	Number of respondents	Percentage
Yes	87	59.2%
No	60	40.8%

An additional 258 respondents did not indicate a conclusive view; including 113 identical campaign respondents.

Question 32

Do you agree that Welsh Ministers should be able to direct preparation of a joint Local Development Plan?

Option	Number of respondents	Percentage
Yes	102	72.3%
No	39	27.7%

An additional 264 respondents did not indicate a conclusive view; including 113 identical campaign respondents.

Question 33

Do you agree that Local Development Plans should plan for at least 15 years ahead and have a set end date beyond which they cease to be the development plan?

Option	Number of respondents	Percentage
Yes	112	78.3%
No	31	21.7%

An additional 262 respondents did not indicate a conclusive view; including 113 identical campaign respondents.

Question 34

Do you agree that local planning authorities should work with town and community councils to produce place plans which can be adopted as supplementary planning guidance?

Option	Number of respondents	Percentage
Yes	104	77.6%
No	30	22.4%

An additional 271 respondents did not indicate a conclusive view; including 113 identical campaign respondents.

Question 35

Do you agree that where a development proposal accords with an allocation in an adopted development plan a new planning application process should be introduced, to ensure that only matters of detail such as design and layout are considered?

Option	Number of respondents	Percentage
Yes	78	55.3%
No	63	44.7%

An additional 264 respondents did not indicate a conclusive view; including 113 identical campaign respondents.

Question 36

Do you support the proposal to allow a right of appeal against a local planning authority not registering a planning application?

Option	Number of respondents	Percentage
Yes	112	76.7%
No	34	23.3%

An additional 259 respondents did not indicate a conclusive view; including 113 identical campaign respondents.

Question 37

Should the requirement for mandatory design and access statements be removed?

Option	Number of respondents	Percentage
Yes	95	57.6%
No	70	42.4%

An additional 240 respondents did not indicate a conclusive view; including 113 identical campaign respondents.

Question 38

Should the requirement to advertise planning applications for certain developments in a local newspaper be removed?

Option	Number of respondents	Percentage
Yes	69	46.9%
No	78	53.1%

An additional 258 respondents did not indicate a conclusive view; including 113 identical campaign respondents.

Question 39

Should there be any local variation within a national scheme of delegation for decision making on applications?

Option	Number of respondents	Percentage
Yes	69	53.5%
No	60	46.5%

An additional 276 respondents did not indicate a conclusive view; including 113 identical campaign respondents.

Question 40

Do you agree that a minor material change should be restricted to "one whose scale and nature results in a development which is not substantially different from that which has been approved"?

Option	Number of respondents	Percentage
Yes	117	85.4%
No	20	14.6%

An additional 268 respondents did not indicate a conclusive view; including 113 identical campaign respondents.

Question 41

Do you agree that the proposals strike a balance between the need to preserve land used as town and village greens and providing greater certainty for developers?

Option	Number of respondents	Percentage
Yes	94	72.3%
No	36	27.7%

An additional 275 respondents did not indicate a conclusive view; including 113 identical campaign respondents.

Question 42

Do you agree that the proposals will reduce delay in the planning enforcement system?

Option	Number of respondents	Percentage
Yes	105	86.8%
No	16	13.2%

An additional 284 respondents did not indicate a conclusive view; including 113 identical campaign respondents.

Question 43

Do you agree with the introduction of temporary stop notices to the planning enforcement system in Wales?

Option	Number of respondents	Percentage
Yes	121	89.6%
No	14	10.4%

An additional 270 respondents did not indicate a conclusive view; including 113 identical campaign respondents

Chapter 3

Summary of key themes

- 3.1 The consultation gave rise to a wide range of issues from which several key themes can be identified. Further details are provided in the summary to each question, as set out in Chapter 2.

Potential impacts on local democratic accountability

- 3.2 A number of respondents viewed the combined effect of the consultation proposals as reducing local democratic accountability with regard to planning. Two proposals were identified as potentially having the greatest impact. Firstly, the proposed governance arrangements for Strategic Planning Panels which include one third unelected economic, social and environmental interests. Secondly, proposals designed to increase the consistency of decision making by local planning authorities including controls on the size of planning committees and the introduction of a national delegation scheme to identify planning applications to be dealt with by officers.
- 3.3 Some respondents expressed concerns with regards to particular aspects of the proposals, including Developments of National Significance, allowing the Planning Inspectorate to decide how to handle the examination of an appeal and providing a mechanism for merger of local planning authorities.
- 3.4 Conversely, aspects of the consultation were viewed positively with regards to local accountability; for example, some respondents viewed the merger of national park authority planning functions into local authorities as increasing democratic accountability. Also, the proposals for place plans were viewed positively in terms of enabling local community involvement in the plan making process.

Compatibility of the proposals with public service delivery recommendations

- 3.5 The implications of the Report of the Commission on Public Service Governance and Delivery were commented on by a large number of respondents, particularly with regards to the consultation proposals that would facilitate joint working between local planning authorities. In this context it was cited by many respondents that the report had superseded the consultation proposals. For example, respondents commented on the need to take into account the outcomes of the report or to reconsider the consultation proposals for the Welsh Ministers to be able to direct preparation of a joint Local Development Plan and to allow for preparation of Strategic Development Plans in certain areas.

Clarity of the proposals and costs

- 3.6 A number of respondents commented that for some areas the consultation provided insufficient detail to assess the likely impacts and costs associated with the draft proposals.

- 3.7 Respondents sought clarity and requested further information across a range of the consultation proposals, including asking for further detail on some of the proposed thresholds and criteria that will be used to define applications determined under the 'Developments of National Significance' planning application regime, clarity on the evidence that will be used to designate a local planning authority as 'poorly performing' and for further information on specific aspects of the proposals for a Planning Advisory and Improvement Service.
- 3.8 With regards to the costs of the proposals, particular concerns were raised on how new duties would be funded. In this regard, it was considered by a number of respondents that local planning authorities should be able to charge a fee for carrying out a new or improved service. For example, some respondents suggested that a proportion of the fee for the processing of Developments of National Significance planning applications should go to local planning authorities to facilitate their input into the application process.
- 3.9 Respondents also commented on the need to ensure a fair distribution of fees to cover costs incurred in the planning process; in particular, some respondents considered that all those incurring costs and involved in the decision making on an appeal against a refusal to grant planning permission should receive a proportion of any fees received for work undertaken during this process.

Relationship to other legislation

- 3.10 A general theme emerging from the consultation was the relationship between the provisions in the draft Planning (Wales) Bill and other existing and proposed legislation, including the Well-being of Future Generations, Environment and Heritage Bills. In this context, respondents raised concerns and comments that linkages should be made between specific elements of the proposals and other Bills.
- 3.11 Further emphasis was placed by respondents on the relationship between the land use planning regime and emerging marine and natural resource planning arrangements. For example, respondents requested clarity on the impacts of the proposals for Strategic Development Plans on those arrangements, whilst some respondents considered that the proposed performance indicators should be extended in order to measure the performance of Natural Resources Wales.

Incorporation of aspects of planning policy into legislation

- 3.12 The Positive Planning consultation document confirmed that the draft Planning (Wales) Bill is a tool to improve planning delivery structures and procedures and that planning policy is outside the scope of the Bill, with extensive planning policy and guidance being provided by Planning Policy Wales and Technical Advice Notes. These can be updated more readily than legislation.

3.13 Several respondents sought to include various aspects of planning policy in legislation. This was particularly evident in relation to the topics of the Welsh language, gypsy and travellers and sustainable development considerations. As an example, various respondents commented on a wish to see a reference to the Welsh language on the face of the Bill.

Chapter 4

Analysis of responses by individual question

- 4.1 The following chapter presents an analysis of the responses to each individual question. As outlined in chapter 1, where the consultation questions invite yes/no responses, basic quantitative assessment is summarised below. It should however be noted that this is not reflective of the overall number of respondents. Instead it is based on the respondents who directly answered 'yes' or 'no' to the questions (as outlined in Table (iii)). Many respondents chose not to provide a direct answer but provided comments. Wherever possible, comments and views have been incorporated into the analysis if they related to the subject matter of the question even if they were not explicitly presented as answers to the question. Most of the questions invited respondents to expand on their views; therefore much of the following analysis is qualitative in nature.

Chapter 5

Summary of responses by question

Supporting Culture Change

Question 1: Do you agree that the proposed remit for a Planning Advisory and Improvement Service will help local planning authorities and stakeholders to improve performance?

- 5.1 There was considerable support for the establishment of a Planning Advisory and Improvement Service with 152 respondents (91.6% of those who directly answered the question) saying that they support the proposed approach. Respondents were of the view that the Planning Advisory and Improvement Service would drive professionalism and consistency, and enable a more joined up approach to development in Wales; delivering training, bringing about improvements in performance, encouraging collaboration, sharing of good practice, and enabling mediation. In this regard, some respondents considered that the Planning Advisory and Improvement Service should host shared IT systems/databases and maintain case law database on enforcement and other planning issues.
- 5.2 Respondents identified the need for the Planning Advisory and Improvement Service to add value and to be transparent, efficient and responsive in operation. Some respondents were of the view that the Planning Advisory and Improvement Service should be independent of Welsh Government, commenting that consideration should be given to the hosting of the Planning Advisory and Improvement Service by an external body.
- 5.3 Most respondents considered that the composition of the Advisory Board membership was key to the operation of the Planning Advisory and Improvement Service, commenting that it needs to have multi disciplinary and balanced representation including social, economic and environmental interests.
- 5.4 A number of respondents identified the need for the Planning Advisory and Improvement Service to be properly resourced. Respondents suggested that the Planning Advisory and Improvement Service could link with the Planning Advisory Service in England to reduce cost. Respondents also identified the importance of the Planning Advisory and Improvement Service being free,

particularly to local planning authorities and noted that local planning authorities also need to be adequately resourced and should be required to respond to advice and recommendations made by the Planning Advisory and Improvement Service.

- 5.5 Many respondents felt that it was important to monitor the effectiveness of the work of the Planning Advisory and Improvement Service by setting aims and objectives with key performance indicators, milestones, and outcomes, to drive improvements. Some respondents suggested that the monitoring of Planning Advisory and Improvement Service' performance should be carried out by the Welsh Government and that the Planning Advisory and Improvement Service should work with stakeholders including local planning authorities to scope and review a targeted annual work programme. Respondents sought clarification on how the monitoring role of the Planning Advisory and Improvement Service relates to the local planning authority performance framework.
- 5.6 A number of respondents considered that it is important for the Planning Advisory and Improvement Service to draw on the experience of the Planning Advisory Service in England and other similar examples. Respondents commented that the Planning Advisory and Improvement Service needs to engage with key stakeholders from all sectors with some respondents of the view that local planning authorities should be compelled to engage with the Planning Advisory and Improvement Service.
- 5.7 Many respondents considered that the Planning Advisory and Improvement Service should provide training for Members, planning officers, town and community councillors and statutory consultees. Most respondents also considered that the role of the Planning Advisory and Improvement Service should be the provision of specialist technical advice (working with relevant professionals). Respondents suggested that the remit of the Planning Advisory and Improvement Service should include an Advisory Team for Large Applications (ATLAS) type role and the provision of advice on Developments of National Significance applications and projects which cross local planning authority boundaries. Some respondents commented on the possibly of the Planning Advisory and Improvement Service having a research role.
- 5.8 Respondents saw the benefits of having regular skills audits but considered this to be potentially burdensome for local planning authorities. Respondents queried how local planning authorities would access the Planning Advisory and Improvement Service support. Some respondents suggested that the emphasis should be on ensuring that local planning authorities have sufficient resources and that existing bodies such as the Planning Officers Society for Wales, the Royal Town Planning Institute Cymru and Design Commission for Wales could undertake the proposed the Planning Advisory and Improvement Service role instead.

Question 2: Do you agree that existing Welsh Government support arrangements for the built environment sector in Wales should be reviewed?

- 5.9 There was overwhelming agreement for the need to review the support arrangements for the built environment sector. 129 respondents (95.6 % of those who directly answered the question) supported a review in particular, in terms of reducing duplication and increasing efficiency. The role of the Welsh Government in the built environment sector was noted by some respondents, and in particular the lead role to ensure essential strategic infrastructure is identified at the outset when areas for growth are proposed. It was also suggested that the review should be undertaken as a matter of urgency and Welsh Government could lead by example in changing planning cultures across local planning authorities.
- 5.10 A number of respondents made reference to the existing support arrangements, including the work of the Design Commission for Wales, Constructing Excellence and Centre for Regeneration Excellence in Wales. Strongest support was received for the role of the Design Commission for Wales; however, it was considered that these organisations all have a contribution to make and that their services should be retained. Some respondents considered a need for increased co-operative working between these organisations and also the merit of drawing on their knowledge to upskill planners and elected members.
- 5.11 The relationship between the Planning Advisory and Improvement Service and this sector was noted by a number of respondents, with some commenting on the need for a clear remit for the Planning Advisory and Improvement Service and considered that the existing support arrangements could complement the service.
- 5.12 Some respondents commented on the need to support local planning authorities in service delivery in terms of the former Planning Improvement Fund and reviewing the support provided by Welsh Government in light of new planning legislation.
- 5.13 Concerns were raised on the emphasis on the built environment generally in the consultation, considering that links should be made to the Environment Bill, Well-being of Future Generations Bill, natural environment and green infrastructure. A number of respondents felt that there was an emphasis on the speed of decision making at the expense of quality and that design and the natural environment should also be taken into account in the decision making process. Also, some respondents felt that the question was not clear and questioned the scope of the term 'built environment'.
- 5.14 Whilst there was general support for a review, other respondents considered that there was not a compelling case for reviewing current arrangements in advance of the outcome of the Planning Bill.

Question 3: Do you agree that competency frameworks should be prepared for planning practitioners and elected representatives to describe the skills, knowledge and behaviours necessary to deliver planning reform?

- 5.15 Overall, there was broad support for these proposals with 153 respondents (87.4% of those who directly answered the question) supporting the introduction of a competency framework. In particular, some respondents stated that competency frameworks would improve delivery with a 'can do attitude' which would be beneficial.
- 5.16 Many respondents raised queries on the detailed aspects within the framework. In particular, use of the framework across local planning authorities, how practitioners would be judged against the framework, enforcing of the framework, how it would work in relation to existing professional bodies / frameworks, measurement of outcomes and the quality of the framework were all queried. Several respondents gave consideration to the role bodies such as the Royal Town Planning Institute and Planning Advisory Improvement Service should have in the development of this framework. Some respondents considered that one framework would not work and considered such frameworks should complement those already provided by relevant professional bodies.
- 5.17 A range of views were received on the role of elected members in the planning process and the role of competency frameworks. Some considered they could assist in achieving competent and consistent decision making whilst others were concerned over implications for decision making on planning applications. The use of incentives and sanctions as part of a competency framework was raised by some respondents, who also questioned how sanctions would work in practice.
- 5.18 Various respondents commented that frameworks should be rolled out beyond local planning authority officials and planning committee members to include (amongst others) statutory consultees, Assembly Ministers and Welsh Government officials involved with the planning system. Views were expressed on the need to consider the role and context of frameworks, for example considering the nature of communities including those that are Welsh speaking.
- 5.19 The inclusion of required skills within the framework to deliver planning reforms was a common theme highlighted by various respondents. Linked to this, comments and support was provided for the inclusion within the framework of training courses for planning officers, elected members, statutory consultees and town & community councils, amongst others who interact with the planning service. Others considered thought should be given to an accreditation scheme for those stakeholders who have successfully undertaken competency training.

Active Stewardship

Question 4: Do you agree that the National Development Framework will provide a robust framework for setting national priorities and aid delivery?

- 5.20 Overall, there was broad support for a National Development Framework, although a significant number of respondents sought further clarification regarding the process of producing the Framework and the proposed content. 145 respondents (91.8% of those who directly answered the question) agreed that the National Development Framework will provide a robust framework for setting national priorities.
- 5.21 Many respondents provided suggestions as to what the National Development Framework should cover. These suggestions included providing linkages to other national plans (such as the National Transport Plan) and Government Bills, reinforcing the status of the Welsh language at a national level and the inclusion of topic areas such as energy and green infrastructure. There was a split of opinion on the inclusion of some matters in the National Development Framework, such as housing targets and whether the National Development Framework needed development plan status.
- 5.22 Some respondents provided comments on the timing of the National Development Framework, including querying the sequence between this plan and other development plan documents such as the proposed Strategic Development Plans.
- 5.23 A number of respondents raised concerns and queries regarding the consultation process for National Development Framework. It was considered by some that a 12 week consultation period is not long enough, whilst concerns were also raised on public/stakeholder engagement in this process.
- 5.24 Sustainability appraisal was raised by some who considered that the National Development Framework should be subject to Strategic Environmental Assessment / appropriate assessment. Others considered that a Welsh language appraisal should be undertaken.
- 5.25 Scrutiny of the National Development Framework was raised by many respondents. There was strong support from all sectors that the National Development Framework should be examined in public rather than through the National Assembly. However others disagreed, considering that the Planning Inspectorate or advisory group can provide support or advice to the Assembly in the scrutiny process. Monitoring and review of the framework, review of national policy and requirement for a robust evidence base were some of the other matters raised by respondents with regards to ensuring appropriate scrutiny.

- 5.26 Some respondents raised more general guidance / policy matters, requesting clarification in most cases on policy areas such as Community Infrastructure Levy and Infrastructure.
- 5.27 Those respondents that did not support the proposals for a National Development Framework raised concerns on matters including that it would result in a centralising of decisions away from local areas and that it would increase complexity by adding extra layers to the planning system. Others that did not support the proposal raised queries on various issues including whether there would be enough resources to bring the National Development Framework forward.

Question 5: Do you agree that Planning Policy Wales and Minerals Planning Policy Wales should be integrated to form a single document?

- 5.28 There was notable support for these proposals. The majority of those who directly answered the question (126 respondents or 88.1%) agreed that Planning Policy Wales and Minerals Planning Policy Wales should be integrated to form a single document.
- 5.29 Many of the same issues were used both in favour and against the proposal. The themes which have emerged range from practical issues, such as reducing the volume of information, duplication, the need for up to date policy through to policy related questions and comments around the integration, simplification and clarity of policy and whether this could mean better policy or loss of depth of policy content from Minerals Planning Policy Wales.
- 5.30 It was argued by some that keeping the documents separate would ensure they continued to be user friendly and the frequency at which different elements of policy should be updated did not necessarily coincide.
- 5.31 Several respondents felt that minerals planning was specialised and combining it with Planning Policy Wales would not add value to Planning Policy Wales, rather it would make Planning Policy Wales more cumbersome. Others felt that merging the documents would result in a loss of detail on minerals and that the Minerals Planning Policy Wales elements of policy would be overlooked. Those in support felt that the simplification offered by a streamlined and integrated policy document could be advantageous. It was considered by some that due to the specialist and technical nature of Minerals Planning Policy Wales, this would mean more detailed coverage of issues would be needed.
- 5.32 A significant proportion of respondents, whether they agreed or disagreed with the proposal or did not specifically answer either way, considered that the need for a transparent, clear, accessible, up to date, reliant and robust national planning policy framework was the most important consideration. Generally, respondents placed great importance on being able to easily ascertain at any time what was relevant in terms of policy, guidance and background material. Many felt that if the proposed mergers of Planning Policy Wales and Minerals Planning Policy Wales were to happen then the opportunity should be taken to review the policies, to ensure they are up to date and fit for purpose and suitably deliver on the proposals in the consultation document. As a result, there was a feeling that the merger of both policy documents would introduce inertia into the planning system at a time when development should be encouraged to come forward.
- 5.33 Many respondents were keen to ensure further consultation and stakeholder involvement takes place if working collaboratively in the future development of policy.

5.34 A number of respondents took the opportunity to make general comments about areas of policy interest, suggesting that these should not be diluted as part of any integration or that policy should be improved in various aspects. Matters raised in this regard include the number and relevance of Technical Advice Notes and other areas of interest.

Question 6: Do you agree that a core set of development management policies should be prepared for consistent application by all local planning authorities?

- 5.35 There was overwhelming agreement that there is a need for the preparation of a core set of development management policies for consistent application by all local planning authorities. 127 respondents (85.2% of those who directly answered the question) supported the proposal.
- 5.36 Many respondents commented on the importance of delivering planning in a uniform manner and identified that a core set of development management policies, consistently applied by all local planning authorities would provide greater consistency and clarity of policy helping to streamline the planning system. Respondents were of the view that this approach was in line with the findings of the report of the Commission on Public Service Governance and Delivery; and that there was no justification for individual local planning authorities to have separate policies on generic issues which are of relevance across Wales. Some respondents commented that this approach would be of benefit to applicants, communities and practitioners and would reduce cost and wasted resource. Respondents considered that this approach would encourage development in Wales by providing developers with a clear understanding of the planning policies that apply across Wales that will inform decisions on their development proposals and reduce the number of planning appeals. It was also widely considered by respondents that this approach would result in a reduction in the length, complexity and cost of Local Development Plans and help to ensure that future Local Development Plans are prepared and reviewed quickly.
- 5.37 A number of respondents suggested that the set of national development control policies set out in Planning Policy Wales can already be used for development management purposes. However a number of respondents identified that inclusion within Planning Policy Wales would not give the policies equivalent weight to statutory Local Development Plan policies.
- 5.38 A number of respondents suggested that a way of achieving statutory weight for the core policies would be to widen the scope of the National Development Framework. A number of respondents commented that the core set of policies should be included within Local Development Plans in order to ensure they have development plan status, only examining the policies as part of the Local Development Plan examination process, where local variation is proposed.
- 5.39 A number of respondents considered that there was a need to ensure that the core policies are kept up to date. In particular comments were made regarding the need for guidance on the relationship between the already adopted Local Development Plans and the set of core policies and how the current development management policies within Local Development Plans should be applied. Respondents commented on the need for regular monitoring to ensure that there is consistency in the way in which local planning authorities apply the core set of development management policies and suggested that the Planning Advisory and Improvement Service should undertake this role.

- 5.40 A significant number of respondents sought clarification on who would be involved in defining and preparing the core set of policies and suggested that they must be developed in close conjunction with local planning authorities and stakeholders across Wales. Respondents also queried how the core set of policies would be consulted upon and scrutinised before being published in their final or adopted form.
- 5.41 Respondents highlighted the need for detailed consideration of what topics should be included within the 'core set' including the need to ensure that the core set of policies reflect sustainable development principles and treat environmental, economic and social considerations equally.
- 5.42 A significant number of respondents identified a need for flexibility in the set of core policies to ensure that local issues and specific circumstances are recognised. A consistent theme was a need to ensure that the core set of policies could be modified or supplemented to reflect local circumstances where a locally distinct approach is justified.

Question 7: Do you agree that the proposed development hierarchy will help to ensure that planning applications are dealt with in a proportionate way dependent on their likely benefits and impacts?

- 5.43 Overall, there was broad agreement that the development hierarchy will help to ensure that planning applications are dealt with in a proportionate way dependent on their likely benefits and impacts. 99 respondents (70.7% of those who directly answered the question) supported the proposal noting that it allows applications to be determined in an appropriate and proportionate manner which should provide flexibility and a coherent approach to addressing development at different levels of government.
- 5.44 Respondents considered the proposal would provide benefits to applicants, local planning authorities and communities. Applicants applying for planning permission would be clear at the outset about the level of information required to be submitted with the planning application and how and when the application would be determined, making it easier to navigate the planning system. It would allow prioritisation of the resources of local planning authorities and statutory consultees towards applications which have the greatest potential benefits and impacts; and communities would have more opportunities to become involved.
- 5.45 Whilst there was overwhelming support, a number of respondents felt unable to comment further until information was provided on the number of applications in each tier of the hierarchy and reassurance given that community views will be taken into account and that schemes are subject to environment scrutiny. A number of respondents considered that the hierarchy should be applied flexibly in order to allow local discretion, recognising that small-scale development and differing contexts, for example, urban and rural can generate different impacts. It was also suggested that the hierarchy appears to facilitate large development whilst smaller schemes are still subject to local planning authority processes and that a more effective way of securing a more consistent and proportionate approach to dealing with planning applications would be to reduce the number of local planning authorities.
- 5.46 Many respondents provided detailed comments on Developments of National Significance. A small number of respondents considered that the proposals for a separate Developments of National Significance application process will have limited impact due to the limited number of strategic planning applications and would add confusion and uncertainty to the system. They also questioned whether the Welsh Government would perform any better than local planning authorities and noted that additional resource would be necessary to undertake this new role. There were also suggestions that the Developments of National Significance process should be subject to the same statutory targets as local planning authorities, with a clear appeals process. Judicial review was seen as expensive and time consuming. Local planning authorities raised concerns about the loss of planning fees especially as they

would still be required to dedicate resources to the Developments of National Significance process.

- 5.47 Respondents recommended a number of amendments to the hierarchy including an additional tier for energy applications over 50 mega watts; an additional tier for 'Agricultural Notification' between permitted development and local development; a hierarchy that is closely related to the Environmental Impact Assessments Regulations; the addition of Nationally Significant Infrastructure Projects at the top of the hierarchy; and a more comprehensive determination framework, for example including Developments of National Significance proposals within Local Development Plans.

Question 8: Do you agree with the proposed categories and thresholds for Developments of National Significance set out in Annex B?

- 5.48 The majority of those who directly answered the question (89 respondents or 72.4%) agreed with the proposed categories and thresholds for Developments of National Significance set out in Annex B of the consultation paper.
- 5.49 Respondents commented that the proposed categories and thresholds for Developments of National Significance would align the planning system in Wales with the UK process for determining Nationally Significant Infrastructure Projects. Some respondents considered that local planning authorities have no expertise in relation to some or many of the issues related to determining such applications.
- 5.50 Respondents requested further information on the evidence base used to inform the thresholds and criteria. In particular, some respondents queried the type, number and scale of applications captured by the thresholds and criteria and whether the procedure would be worthwhile as a result. Comments were raised regarding consideration of the impacts of development and that thresholds should not be the only consideration. A number of respondents noted that the scope of Nationally Significant Infrastructure Projects is being widened and commented that similarly Developments of National Significance should be flexible enough to allow for amendment and extension. Some respondents commented that a new category should be added for associated developments that can not be included in a Development Consent Order in Wales in order to align processes for decision making at national level and to reduce fragmentation.
- 5.51 Several respondents raised queries and comments with regard to the use of national policy documents such as the National Development Framework for Wales and Wales Infrastructure Investment Plan to identify Developments of National Significance. Whilst there was overwhelming support for this proposal some respondents commented that such applications should continue to be determined by local planning authorities with the Planning Advisory and Improvement Service supporting and up-skilling local planning authorities in this process with full involvement of local people and other stakeholders. Many respondents considered that additional categories of development should be included within the definition; for example factory farm units, green and blue infrastructure and minerals development. Some respondents sought further clarification on the thresholds for energy developments and harbour facilities.

Question 9: Do you agree with the proposed categories and thresholds for Major Developments of set out in Annex B?

- 5.52 A majority of respondents (92 in total or 69.7% of those who directly answered the question) agreed with the proposal. Respondents noted that the proposals match the categories and thresholds for Major Developments as defined in the Town and Country Planning (Development Management Procedure) Wales Order 2012/801 and considered it to be acceptable and reasonable to retain the current thresholds. However, a number of respondents stated that the scale of development does not necessarily reflect the complexity or impact of development and particularly when comparing major developments in urban and rural areas, for example.
- 5.53 Some respondents noted that small-scale development can have a disproportionate effect on the historic environment, particularly in Areas of Outstanding Natural Beauty and National Parks.
- 5.54 In terms of mineral development, a respondent noted that the thresholds in terms of site area are incompatible with Part 23B of Schedule 2 to the The Town and Country Planning (General Permitted Development) Order 1995. The same respondent noted that whilst waste development is identified as major, some waste developments, for example small-scale waste transfer stations, could be considered local.
- 5.55 A significant number of respondents disagreed and considered that the thresholds for major development are too low and higher thresholds would better reflect the time, cost and resources that are involved in submitting major planning applications. Many respondents commented that the threshold for residential development in particular should be raised. A number of respondents suggested thresholds for major residential development ranging from 20 to 50 units.
- 5.56 There was significant support for a “major-major” or strategic category of development that would be subject to a longer statutory determination period. Other respondents suggested that the Draft Scottish Government Third National Planning Framework could form the basis of the thresholds for major development, or all Environmental Impact Assessment development should be classed as “major”. A suggested alternative approach would be to abandon national thresholds, allowing local planning authorities to adopt a proportionate approach to applications.
- 5.57 A number of respondents stated that the list of major development in Annex B should be expanded to include large and medium scale wind turbines, supermarkets, and other large scale developments.

Question 10: Do you agree Developments of National Significance (DNS) applications should be subject to mandatory pre-application notification, and consultation?

- 5.58 There was significant support for these proposals with 97.3% or 144 respondents agreeing that Developments of National Significance should be subject to mandatory pre-application notification, and consultation. Respondents considered that pre-application consultation would allow for implications of the development to be considered at the earliest possible stage, promote meaningful engagement and result in a higher quality scheme. The proposals were also viewed by some as a means of avoiding delays in the processing of applications and allowing the views of statutory consultees to be better reflected in the scheme. Various respondents also supported the proposed Statement of Consultation. Several caveats were provided to some statements of support including stating that the level of pre-application consultation should be proportionate to the development proposal and not unnecessarily prescriptive and that bodies participating at the pre-application stage should be appropriately resourced.
- 5.59 A number of respondents provided various comments on the role of local planning authorities in the process, including suggesting a need to automatically consult with neighbouring authorities and community councils under certain circumstances. Other comments related to procedural matters, including who leads the pre-application consultation, the need for adequate publicity and participation arrangements and disagreement that appropriate assessment under the Habitats Regulations could be incorporated into the pre-application consultation. Comments were also received on the need for consistency between the proposals and the Planning Act 2008 provisions, including consideration of connected applications and providing mediation as part of the proposals.
- 5.60 Some concerns were also expressed over the role of statutory consultees responding to consultation requests during the pre-application process, including considering that statutory consultees should be committed to delivering timely responses.
- 5.61 A small number of representations were received disagreeing with these proposals. Objections received included concerns that the proposals were inflexible and could result in an over-prescription of the system, which would be contrary to the simplification agenda and would lead to further delays. Others were also critical of a perceived culture which is in favour of larger developers, with the proposals possibly meaning that only well-resourced groups can be involved in the process. Some considered that the proposals are no substitute for thorough examination of a proposal and may not lower the timescales for determination following submission.
- 5.62 Some misunderstanding was evident on the proposals for major development which are also proposed to be subject to mandatory pre-application consultation.

Question 11: Do you agree that a fee should be charged for pre-application advice for prospective Developments of National Significance (DNS) applications?

- 5.63 There was overwhelming support for the charging of a fee for pre-application advice for applications for Developments of National Significance with 108 respondents (81.8% of those who directly answered the question) supporting the proposed approach.
- 5.64 Respondents considered that pre-application advice for Developments of National Significance would create work for those bodies involved, including where a specialist response was needed, which would impact on resources. It was considered that the costs of providing advice should be recovered from the applicant. In addition many respondents were of the view that fees will discourage developers from submitting speculative proposals and will focus them on submitting well thought through plans; ensuring some level of commitment and seriousness from the outset.
- 5.65 A number of respondents stated that it was premature to comment without clarification of the level of fee to be charged. Respondents suggested that if a fee were to be charged national standards should be put in place to ensure consistency of advice given and requiring advice to be provided in a timely manner. Respondents commented that any fees set should be proportionate to the development proposed, scaled to the advice given and be nationally consistent. Representations were also received stating that the level and scope of input into pre-application advice requires further consideration and stakeholders requested involvement in the process for establishing a fee and that that a portion of the fee should be provided to local planning authorities for their involvement in the pre-application advice process. A number of local planning authorities also commented that they should be able to charge for other aspects of Developments of National Significance process which they are responsible for including the discharge of planning conditions. Respondents also noted that all consultees to planning applications would need to agree on any charging procedure as some already apply their own charging regime, for example Welsh Water.
- 5.66 A number of respondents considered that a free service should be provided with the planning application fee covering pre-application costs and were concerned that levying a fee on Developments of National Significance pre-application advice could set a precedent for charging fees on all scales of development in the future. Respondents commented that charging for pre-application advice could act as a deterrent for developers and may discourage development, which may have had benefits for the whole country as opposed to merely the charging authority. Some respondents queried whether there is evidence that the charging of fees for pre-application advice improves submissions. Respondents also commented that if there was a lack of quality of the service at pre-application stage, stating pre-application advice cannot guarantee a decision as the Minister may come to a different view.

Question 12: Do you agree that the Planning Inspectorate Wales is the most appropriate body to undertake the processing of a Developments of National Significance (DNS) application?

- 5.67 A clear majority of respondents (130 in total or 89.0% of those who directly answered the question) agreed with the proposal. Overall, there was broad support for the principle of the Planning Inspectorate Wales being responsible for the processing of Developments of National Significance applications. Supportive comments include considering that the proposal would mirror the arrangements for Nationally Significant Infrastructure Projects, resulting in consistency and knowledge sharing. Respondents also noted that the Planning Inspectorate Wales possess the experience and reputation to undertake this task. In addition, respondents commented that this proposal could ensure that such applications were processed independently.
- 5.68 Respondents commented that the Planning Inspectorate Wales should act independently of the Welsh Government in processing Developments of National Significance applications. A number of respondents identified that the Planning Inspectorate Wales should be appropriately resourced so as not to negatively impact on existing responsibilities (such as Local Development Plan Examinations and the processing of planning appeals or call-ins). Several respondents noted that the Planning Inspectorate Wales should work to prescribed timescales in processing Developments of National Significance applications. It was also noted that if the Planning Inspectorate Wales were to undertake the processing of Developments of National Significance applications, all stakeholders and bodies, including local communities, specialist interest groups and business, should have the opportunity to take part in this procedure. Other respondents suggested that a proportion of the fee for processing Developments of National Significance applications should go to local planning authorities to facilitate for their input into the application process.
- 5.69 Other respondents noted concerns that the approach would dilute the democratic process and lessen the local involvement and knowledge when deciding Developments of National Significance planning applications, suggesting that local planning authorities should continue to determine these applications. Some respondents highlighted that there could be a conflict of interest, an element of confusion and a lack of impartiality if the Planning Inspectorate Wales were to make recommendations on the approval of such applications and also determine subsequent appeal decisions on the proposals for development.
- 5.70 There were no outright objections to this proposal. Some respondents commented that they supported the principle of the Planning Inspectorate Wales processing the Developments of National Significance applications subject to full understanding and consideration of the procedure for appeal and Judicial Review.

Question 13: Do you agree that only one round of amendments to an application for Developments of National Significance (DNS) should be permitted after it has been formally registered?

- 5.71 There was a significant difference of opinion. Of those who directly answered the question, a slight majority (53.1% or 69 respondents) disagreed that only one round of amendments to an application for Developments of National Significance should be permitted after it has been formally registered.
- 5.72 Numerous respondents raised objections to the proposals. Reasons given included inflexibility and incompatibility with the spirit of positive planning, would not achieve the best possible outcome to the scheme, represents a 'one size fits all' approach that is neither appropriate or proportionate, may result in more post-determination amendments, would not be a consistent approach with other application types and reduces public participation. The review of the Nationally Significant Infrastructure Project consenting regime under the 2008 Act was cited as why the ability to make changes to an application should be allowed. It was also mentioned that the allotted time to determine a Developments of National Significance application would not be enough for amendments.
- 5.73 There was no consensus on an alternative approach. Some respondents advocated allowing no amendments to schemes. Conversely, other respondents considered additional amendment stages may be necessary, ranging from two rounds to unlimited opportunities. Respondents considered this may be the case where circumstances dictate that further changes to the application are required to improve the quality of the scheme or to ensure it is acceptable (giving examples of situations where this could arise). It was also commented that the inability to make changes could force the withdrawal of an application, causing further expense and delays whilst others considered that amendments should only be allowed by direction of the Inspectorate or appropriate notification. Some also considered that any major changes to a scheme should be addressed at the pre-application stage. Other suggestions were that each case should be considered on its own merits and that types and guidelines for amendments should be prescribed.
- 5.74 Numerous general comments were submitted on the proposals, some requesting additions or changes. These included stating that a charge for amendments should be introduced, that some amendments would be subject to Environmental Impact Assessment, consideration should be given to a shorter process for a re-submitted scheme and that the proposals should be supplemented by guidance. A number of respondents emphasised that a further amendment to a scheme should be allowed in certain circumstances. The impact of a limit on amendments was also considered by some respondents to impact particularly on those who have trouble engaging with the consultation process. It was also commented that the proposals would be contrary to the appeals proposals that were consulted upon under question 19 of Positive Planning.

5.75 Conversely, there were numerous comments submitted in support of the proposals. Those respondents considered the proposals would focus the mind encouraging submission of complete applications and full consultee participation, ensure timely determination, increase the speed of the application process, result in less confusion to the public and others and provide greater transparency. Some respondents commented on the problems that continuous amendments give rise to, including funding issues for local planning authorities. Other respondents provided support for the proposals with caveats, including that the proposal allows flexibility, permits parties to be re-consulted on the proposal, allows for informal discussions between amendments, does not take away from robust and engaging pre-application discussions as long as poorly conceived schemes are still refused.

5.76 A number of respondents sought clarity as to what would constitute a minor amendment and that the scope of which should be clearly defined.

Question 14: Do you agree with the proposals for handling connected consents?

- 5.77 The majority of those who directly responded to the question (88.1% or 111 respondents) agreed with the proposals for handling connected consents.
- 5.78 Those responses submitted in support of the proposals considered that they would bring benefits in terms of allowing for a more comprehensive consideration of a scheme. Representations received indicated that a single examining body would speed up the process, ensuring clarity and preventing wastefulness. Other comments of support considered that the proposals would meet European Union Environmental Regulations and public participation, would allow for flexibility in submitting connected applications, would provide benefits to consultees as they would be able to fully consider the impact of the project at the start of the engagement process and would help to prevent continued objections to proposals through ancillary applications. Various representations in support noted that normal consenting bodies should be able to issue timely decisions; therefore applications did not need to be submitted separately. Some respondents offered support in principle for the proposals provided the connected applications are rigorously assessed and as long as the risk against refusal is remedied.
- 5.79 A number of respondents suggested consent regimes to be included within the connected applications process whilst others cited examples of applications which should be excluded. Several respondents considered that connected applications and the handling of them should reflect the Planning Act (2008) Nationally Significant Infrastructure Projects regime, helping to ensure consistency between processes. A number of respondents suggested that the proposals should be streamlined so that both the Developments of National Significance and connected consents became a single application and consent process. Support was noted by some for supplementary call-in provisions as they are viewed as helpful to prevent delays by consenting bodies. Comments and queries were raised on who should decide on what is a connected application. Some respondents asserted that formal agreement should be obtained from the normal consenting body on a case-by-case basis prior to inclusion as a connected application. Suggested modifications to the proposals include provisions for the consideration of environmental assessment / information and amendment of procedure rules which coordinate the different consent regimes during examination of those applications.
- 5.80 Several respondents sought further clarity as to how the proposals would operate in practice. Resource implications at the Planning Inspectorate and consistency with cross-border agencies were cited as matters requiring consideration. Concerns were also raised on public participation in the process and the level of scrutiny of a connected application.
- 5.81 A number of representations were received objecting to the proposals. These objections mainly centred on the need for the proposals where there are call-

in powers. Other objecting comments were centred on the principle that the proposals are better handled at a local level, such as by local planning authorities.

Question 15: Do you agree that examination should follow a similar procedure to that proposed for call-ins and appeals?

- 5.82 There was support for the method of examination for Developments of National Significance to follow a similar procedure to that proposed for call-ins and appeals. Overall, 84.4% of those who directly answered this question were supportive of the approach.
- 5.83 Respondents considered that the procedures for appeals and call-ins are well established and transparent, providing due scrutiny and ensuring simplicity of the planning system, consistency with England and as open an examination process as possible. Other respondents commented that the proposals would add flexibility to existing processes. Others have commented that existing processes could be made more flexible.
- 5.84 There was some support for Developments of National Significance applications being examined by written representations. However a significant number considered that complex cases should not be examined by written representations (including removing the right to appear before an Inspector) as it may prove difficult to explore complex issues and there is a danger that the public could be excluded. It was considered that hearings should be used more frequently than inquiries to allow for greater public participation.
- 5.85 A number of suggestions were made to improve the examination process for Developments of National Significance, including the use of an expedited process similar to the Householder Appeal System, for Developments of National Significance applications to be handled and examined by Welsh Government officials with a right to appeal to the Planning Inspectorate; or for such applications to be considered by local planning authorities as at present with the Welsh Ministers using call-in powers more frequently. Some respondents requested clarification on the proposals, including which aspects of the appeals / call-in system it is intended to adopt. A number of representations advocated a system similar to that used for the examination of Nationally Significant Infrastructure Projects, perceiving that such hearings allow for greater public participation and is less advocate-led. Others expressed concerns about the timescales for determining Developments of National Significance applications stating that statutory timescales should be adopted, as occurs with Nationally Significant Infrastructure Project applications.

Question 16: Do you agree with the proposed division of responsibilities between the Welsh Ministers and the local planning authority at the post-determination stage?

- 5.86 There was overall support for these proposals. The majority of those who directly answered the question (72.7% or 88 respondents) agreed that the proposed division of responsibilities between the Welsh Ministers and the local planning authority at the post-determination stage was appropriate.
- 5.87 Supportive comments included recognition that local planning authorities have the local knowledge to discharge their responsibilities, though skills and resource implications must be considered. Other respondents in support considered the proposals would encourage closer working between the Welsh Government and local planning authorities. The system in place for appeals and called-in applications works well and could be transferred to Developments of National Significance applications.
- 5.88 Comments received on the proposals suggested a need for safeguards as part of the post-determination decision making process, including setting target timescales for local planning authorities and central monitoring by Welsh Ministers. A number of respondents cited a need for full guidance on the proposed division of responsibilities. Other comments received included suggesting a national scheme of delegation should be in place to ensure post-determination decisions remain the responsibility of local planning authority officers, providing financial support to the local planning authorities for their role at this stage and suggesting that the Planning Advisory and Improvement Service could assist local planning authorities to undertake this work. Comments were also received on the procedure for post-determination processes needing further clarification / consultation, including the division of responsibilities at this stage and the role of statutory consultees.
- 5.89 Queries and comments were received regarding the discharge and enforcement of planning conditions at the post-determination stage. Specific comments and suggestions were received regarding the use of Section 106¹ agreements at the post-determination stage. These comments included suggestions that Section 106 negotiations should be resolved prior to a decision and not be a post-determination consideration, support for charging of fees for the recovery of costs associated with preparing Section 106 agreements and the involvement and role of the Welsh Ministers in facilitating and being party to Section 106 agreements.
- 5.90 Other comments received suggesting the use of a fast-track appeal mechanism for refusal or failure to determine at this stage. Some suggested that in the case of a non-determination, these applications are determined by Welsh Ministers.

¹ Planning obligations under Section 106 of the Town and Country Planning Act 1990 (as amended)

5.91 Further comments were received requesting clarity or further detail on the proposals, whilst there was a misconception by some that Section 106 agreements may be revisited after a decision has been made.

5.92 There was some disagreement on the proposed division of responsibilities between Welsh Ministers and local planning authorities including concerns that local planning authorities could delay the process. Concerns were also raised by some respondents that Welsh Ministers should exercise all responsibilities in relation to Developments of National Significance applications.

Question 17: Do you agree that the statement of case and draft statement of common ground should be produced when submitting an appeal?

- 5.93 There was notable support for these proposals with 104 respondents (75.4% of those who directly answered the question) agreeing that the statement of case and draft statement of common ground should be produced when submitting an appeal. Respondents noted that there is a recognised need for improvement in the appeal system to ensure faster decisions, greater fairness and transparency.
- 5.94 Many respondents noted that there would be significant benefit in the Statement of Case being submitted when an appeal is lodged. Further some respondents considered that the requirement for the Statement of Common Ground to be submitted when an appeal is lodged should result in a fairer appeal process and it would ensure that issues to be considered are clearly set out and debate on agreed areas is not reopened, saving costs and time in the appeal process and leading to shorter determination periods. Respondents noted that this is currently best practice and works well.
- 5.95 A number of general comments were received on the proposals, including a common view that it may be appropriate to include a statement of case in amplification of the grounds of appeal but this should not extend to a Statement of Common Ground. However respondents noted that the submission of a Statement of Case should not prevent additional evidence being submitted through expert proofs of evidence. It was noted that the current system allows common ground to be reached throughout the appeal process. Respondents identified that the decision on whether to appeal would need to be made earlier in order that negotiations can start in respect of the Statement of Common Ground and that if the early submission of Statement of Common Ground is a requirement it should remain possible to update the document throughout the appeal process. Some respondents stated that it would also be a benefit if stakeholders could be party to agreeing the Statement of Common Ground. Other respondents commented that if the proposals are to go ahead, a clear timeline for submission is appropriate.
- 5.96 A number of objections were provided to the proposals. Some respondents considered that the proposals could result in a delay of the submission of an appeal as Statements of Common Ground are progressive documents which stakeholders, including local planning authorities, do not engage with or commit resources to fully until the stage of the appeal being determined, at the earliest. It was also considered by some that there is no significant benefit and increased burden to be gained from early submission of documents. Respondents suggested that the documents are likely to be superseded during the progression of the appeal and their submission would become part of a box ticking exercise. Many respondents noted concerns that if documents are subsequently superseded it would reduce flexibility and increase the cost (including the possibility of cost applications), complexity and length of the appeal process. Concerns were also raised about how the proposals would work in respect of appeals against non-determination.

Question 18: Do you agree that the Planning Inspectorate should decide how to handle the examination of an appeal?

- 5.97 There was support for these proposals. Of those who directly answered the question, (72% or 88 respondents) agreed that the Planning Inspectorate should decide how to handle the examination of an appeal.
- 5.98 Those comments received in support of the proposals considered that the Planning Inspectorate are best placed and will ensure fairness if it decides the method for handling examination of appeals. Some considered that the proposals could result in increased efficiency and reduced costs.
- 5.99 There were a number of general comments received on the proposals including that the process should be aligned to the civil courts system, the proposal should apply to Developments of National Significance only with other appeals open to the public and that the proceedings must be open to public observation and scrutiny. Particular comments were received on the different types of appeals procedure, including on a need for clear guidelines / criteria throughout the process from choosing the appeal method to making a decision.
- 5.100 Concerns raised with regards to the proposals were centered on the principle that the appellant should have the opportunity to propose the method of appeal examination, as the appellant is best placed to determine the complexity of issues. Some considered that further consultation with all interested parties and technical groups was necessary and it was also suggested that a panel should decide the appeal method. A number of respondents commented that the introduction of a compulsory mode for appeals in England has led to instances of threatened judicial review, adjournment and legal difficulties. It was stated that the key issues for consideration may be determined differently by different parties and it is not appropriate for Inspectors to have the discretion to determine who can speak.
- 5.101 Particular concern was raised in relation to costs of proceedings being a determination factor in choosing the appeal method. Comments raised in this regard include the need for strong evidence from the Planning Inspectorate when determining the appeal method and the necessity to be able to regulate the payment of costs by certain bodies depending on the method chosen.
- 5.102 Some considered that the proposals would be counter productive and reduce democratic participation in the planning system, with local issues being overlooked and certain groups unable to participate if the written representations method is chosen. Procedural difficulties were commented on with regards to the submission of information for the appeal and advising clients on costs if the appeal method was unknown. Finally, some expressed concerns about the role of the Planning Inspectorate in the overall examination process, considering there may be a lack of expertise on certain subjects within the Inspectorate and querying their impartial role when Welsh Ministers can overrule an Inspector's decision.

Question 19: Do you agree no changes should be made to the content of an application once an appeal has been submitted?

- 5.103 A majority of respondents (105 in total or 68.2% of those who directly answered the question) agreed with the approach. They observed that the proposal could improve efficiency, accuracy and transparency; noting that the approach would be fairer and would provide greater clarity and certainty. Respondents also commented that the proposal would prevent parties involved from being disenfranchised. Local planning authorities were generally of the view that there would be a significant improvement in the appeals process if the Planning Inspector considered the appeal based on the original application. Respondents commented that making changes to a proposal following submission of an appeal can result in delays for all parties and additional costs to the local planning authority, if and when further publicity is undertaken. Respondents noted that a new application should be submitted following subsequent changes and that the overall aspiration should be early engagement to negotiate and resolve issues, removing the need for an appeal.
- 5.104 A number of respondents suggested that the proposal should also include the submission of unilateral undertakings and that consideration should be given to mediation before an appeal is lodged; commenting that if mediation is agreed, the time allowed to lodge an appeal should be extended.
- 5.105 Respondents commented on the potential for encouraging the applicant to engage with the local planning authority and to respond to concerns before making an appeal. Respondents also considered that if an appeal is allowed the local planning authority should undertake a lessons learned exercise. In addition some respondents supported the proposal to enable local planning authorities to continue to have jurisdiction over an application where an appeal has been lodged against its non-determination for a specified period after an appeal has been submitted.
- 5.106 The majority of responses from the private sector did not consider it appropriate to prevent changes to appeals following their submission. They raised concerns that the approach failed to recognise that any proposed changes are advertised in the same manner as those proposed during the application process and noted that there is therefore no lack of transparency or fairness and could result in appeals being dismissed for reasons which could otherwise easily be overcome. Respondents suggested that as long as the changes are not considered to be significant, there should be scope within the process for changes to be allowed at the discretion of the Inspector or as a result of deliberation and agreement between parties. However, some respondents noted that by restricting the type of changes that can be made the applicant may be forced to resubmit the application creating further delays.
- 5.107 Respondents highlighted concerns about the length of time it can take for an appeal to be considered and the resulting impact on the evidence which may

become outdated. Respondents considered it essential that there are opportunities to make appropriate amendments to the evidence.

5.108 Some respondents commented that an applicant may only become aware of the reasons for refusal once an application has been determined, precluding the ability of the applicant to negotiate with the local planning authority. This may result where it has been particularly hard for the applicant to engage with stakeholders.

5.109 It was noted that the principle of changing proposals was clearly established in the 'Wheatcroft' judgement and that to prevent such changes would be against the principles of positive planning. Respondents commented that allowing changes may result in a scheme that is acceptable to all and that the proposed prohibition could deprive the decision maker of access to all the evidence necessary to reach a sound decision.

Question 20: Do you agree with the proposal for the Welsh Ministers to initiate awards of costs?

- 5.110 Overall, there was support for these proposals. The majority of those who directly answered the question (73.4% or 91 respondents) agreed with the proposal for the Welsh Ministers to be able to initiate awards of costs as part of the planning appeals process. Those comments received in support of the proposals considered that it would help to deter frivolous and spurious appeals and encourage parties to follow procedural requirements. Alternatively, they could focus the minds of the local planning authority officers not to unreasonably withhold permission and provide some recompense to the applicants if they win their case. The proposals were also viewed positively in terms of encouraging local planning authorities to pursue cost claims.
- 5.111 Whilst there was a significant level of support for the proposal, respondents considered that a number of matters should be taken into account. Those comments range from considering that the proposal should retain the ability for the appellant to make an application if they choose, government procedures for dealing with award of costs as part of the appeals process and a need for guidance and a clear framework for decision making on award of costs. Questions of procedural clarity were also asked on matters such as timescales.
- 5.112 Others commented on further possible changes or detailed matters including considering that a minded to award decision should be issued, that it should not apply to appeals against non determination or to appeals following the written representation procedure, only the Inspector should be able to determine the award of costs, it must only apply to written representations and each party should be able to apply for costs, it should only be used in extreme circumstances, parties should be able to comment on a decision to award costs and Welsh Ministers should also be in a position to have costs awards to them. Finally, it was considered by one respondent that the Welsh Ministers must be able to demonstrate why they have incurred unreasonable costs. Comments were also received on inclusion of criteria for award of costs including exemptions for not for profit organisations and charities in paying costs, including all parties in the process (such as those who provide advice on a proposal) and the willingness to mediate as one of the criteria.
- 5.113 The main areas of concern with the proposal related to negative impacts on specific groups in the process where they could be required to pay costs. In this context, it was considered by some that the proposals could be used as a means to deter appeals for non-planning reasons, which could inhibit investment and economic development in Wales. Some commented on the practicalities of the proposals, considering that they could overcomplicate the existing system and implications if Welsh Ministers or the Planning Inspectorate were awarding costs, with particular concerns over conflicts of interests if they were awarding costs to themselves. Also, the need for mechanisms for the parties involved to make an application for costs, including the appellant, was commented on. The adequacy of the evidence

supporting the proposal was also questioned by some. Concerns were raised that the proposals would lead to a greater level of costs being awarded against the appellants. Some respondents considered that payment of a refundable fee for appeals might be more appropriate.

Question 21: Should fees be introduced to cover the costs of the Welsh Ministers associated with an appeal?

- 5.114 The responses received to this question were balanced. Of those who answered the question, a slight majority (53.9% or 69 respondents) did not consider that fees should be charged to cover the costs of the Welsh Ministers associated with an appeal. There appears to have been some confusion as to what the question was asking, as some respondents submitted comments on the basis of whether a fee should be payable, whilst others have addressed the issues of whether Welsh Ministers should be able to recover their costs. The question deals directly with whether a fee should be payable to submit an appeal.
- 5.115 Of those who did not consider it appropriate for a fee to be charged, the main arguments were centred on the existing costs regime. Some respondents considered that the existing costs regime is adequate to dissuade spurious or frivolous appeals being lodged and, when taking into account this regime, it would be inappropriate to expect appellants to pay an additional fee. Alternatively, some respondents considered that the existing planning application process should be improved in order to reduce the reliance on appeals, rather than introducing charges to support the appeals process. Arguments of fairness were raised in objecting to the proposals; in particular respondents considered that payment of a fee would be contrary to the principles of a fair hearing when an appeal is lodged against the non determination of an application or against refusal of planning permission contrary to officer's recommendation. In addition, respondents also commented on the principle of a right to appeal and that the proposals may be unjust as certain groups would not be able to afford to pay for an appeal. It was therefore considered that the proposals in this context could dissuade the submission of legitimate appeals. Other respondents were of the opinion that appeals are a duty of the Welsh Ministers and as such a fee should not be charged.
- 5.116 Some queries and comments were raised regarding the beneficiaries from the fee when there are a number of parties involved in the appeals process. They considered that those incurring costs and involved in the process should receive a proportion of the fee.
- 5.117 Arguments put forward in favour of payment of a fee considered that it could bring about benefits in terms of recovering the costs of the appeals service, whilst helping to deter spurious and frivolous appeals.

Question 22: Do you agree that a Commercial Appeals Service (CAS) should be introduced?

- 5.118 There was a significant amount of support for these proposals with the majority of those who directly answered the question (98 respondents in total or 86.7%) supporting the introduction of a Commercial Appeals Service.
- 5.119 Those providing supportive comments in favour of the proposal considered that it would form a logical extension to the Householder Appeal Service pilot, which is generally recognised as working well and speeding up the appeals process for householder applications. Respondents commented that the proposal would save a lot of time and work and would reduce the time taken for appeals. Further many respondents suggested that the Commercial Appeals Service should mirror Householder Appeals Service. Respondents commented that the number of appeals justified creating an additional system.
- 5.120 Some respondents who supported the proposal stated that it must not be bureaucratic and should be open and inclusive at all times. A number of respondents commented that the proposal would be helpful to small scale commercial development/appeals/applications, with some respondents suggesting that the proposal should relate to small scale development only.
- 5.121 There were a number of general comments. Respondents commented that a Commercial Appeals Service should ensure that local views are taken into account and that current timescales need to be reviewed and reduced.
- 5.122 Respondents requested clarification regarding the remit of the Commercial Appeals Service, the proposed source of funding for the scheme and how specialist advice would be obtained. Some respondents suggested that the service should be publicly funded to ensure impartiality. Other respondents suggested that in the event of a consequential liability being proved, any resulting cost settlement should be at the expense of the Welsh Ministers.
- 5.123 Some respondents were of the view that the results of the Householder Appeals Service pilot should be fully evaluated and refined before any extension of the service.
- 5.124 Respondents commented that the whole appeal process should be streamlined with faster decision times, frontloading of the system and shorter timetables commenting that the service provided by Planning Inspectorate Wales was already too slow a service and highly unpredictable. Whilst some respondents considered that a fair outcome is better than a faster decision.
- 5.125 Respondents commented that if the Commercial Appeals Service scheme could be justified then an independent appeals service for Wales could also be justified.

Improving Collaboration

Question 23: Do you agree that local planning authorities should be merged to create larger units?

- 5.126 A small majority of respondents (78 in total or 56.9% of those who directly answered the question) said they support the proposed approach to create larger local planning authorities.
- 5.127 An overriding theme was the difficulty in divorcing the proposal to merge local planning authorities from the recommendations contained within the report of the Commission on Public Service Governance and Delivery. Respondents considered that the Commission's recommendations had superseded the proposal set out in Positive Planning.
- 5.128 Many respondents agreed in principle with the consultation's proposal to merge local planning authorities and create larger units. However they believed that there was little necessity or evidence to merge local planning authorities in addition to the proposals set out by the Commission. Consequently, a number of responses stated that local planning authorities' mergers should not be undertaken in advance of the wider changes in local service delivery. It was emphasised that local planning authorities should not use this process as a reason to stall development plan preparation.
- 5.129 Respondents highlighted that mergers need to be clearly based on evidence and should not be undertaken where the planning functions are operating efficiently nor should there be a blanket policy of mergers to create larger units. Many responses considered that existing local planning authorities have a lack of resources and expertise to deal with certain complex planning applications and that they would be better assessed by larger authorities. Respondents felt that the mergers would provide the opportunity to consolidate operational and back-office matters, to share expertise, reduce costs and increase efficiency.
- 5.130 A number of respondents felt that planning does not operate in isolation from other local authority service areas such as highways and economic development and that removing planning would result in a dysfunctional system. Some respondents were concerned that the merger of local planning authorities would move planning further away from the local communities and reduce public access to the planning process. Local knowledge and understanding of issues would be lost along with local expertise.
- 5.131 There was also a question regarding the accountability and membership of merged local planning authorities; in particular respondents thought the newly formed planning boards may lose local accountability and would not make democratic decisions. The make up of the planning boards was also debated

by respondents with a concern about linking membership to a local authority's population. Many respondents felt that local planning authorities should retain their planning functions, but accepted that there is a need to collaborate more closely in respect of operational and back-office matters, to share expertise, reduce costs and increase efficiency. A number of respondents outlined collaborative work that is currently undertaken.

Question 24: Do you think that a National Park Authority should continue to have responsibility for planning in its area?

- 5.132 There was a range of opinions for and against the proposal. 100 respondents (67.6% of those who directly answered the question) supported National Park Authorities retaining responsibility for the planning function in their areas.
- 5.133 Many respondents felt that National Park Authorities' planning functions are similar to those of local authorities but considered that they have a unique and distinctive focus on conserving and promoting sustainable development in the National Parks. Respondents commented that National Park Authorities have delivered significant environmental, social and economic benefits for their local communities and Wales. Some respondents supported the continued role of National Park Authorities as planning authorities for both plan and decision making functions viewing planning as an integral function of a National Park Authority and considering that its loss would undermine the delivery of other important services.
- 5.134 A number of respondents cited the findings of the report by the Commission on Public Service Governance and Delivery, stating that the Commission had not recommended any changes to the status or remit of National Park Authorities'. Many respondents considered that there is a lack of evidence for the removal of planning functions from National Park Authorities.
- 5.135 Given that some National Parks cover more than one local authority area, many respondents considered that if the National Park Authorities' planning functions were undertaken by individual local planning authorities it would result in an inappropriate area to plan effectively which would lead to fragmented and inconsistent policies and decisions.
- 5.136 Many responses questioned the level of expertise, local knowledge, and resources that a local authority would have to dedicate to National Parks in comparison to National Parks Authorities. Respondents commented that if National Park Authorities lost their planning function it would diminish the Parks protection and leave them open to inappropriate development.
- 5.137 A number of respondents acknowledged that National Park Authorities undertake a specialised and important function and that if planning powers are transferred to local authorities, National Park Authorities should be a statutory consultee in the planning process.
- 5.138 Whilst there was support for National Park Authorities retaining their planning functions, respondents highlighted that the National Park Authorities needed to improve their collaboration with local authorities in respect of operational and back-office matters, to share expertise, reduce costs and increase efficiency. A number of respondents outlined that collaborative working is currently being undertaken. Respondents also considered that there are opportunities for National Park Authorities themselves to collaborate improving access to expertise and financial resources.

- 5.139 Respondents who did not support the proposal specifically referred to the objectives of the Commission on Public Service Governance and Delivery and the Positive Planning messages for the need to move towards a more efficient and transparent delivery of public services. Many respondents commented that the same approach to local authorities should apply to National Park Authorities.
- 5.140 Several respondents questioned the membership and democratic accountability of planning decisions made by National Park Authorities.
- 5.141 Many respondents highlighted the benefits of being part of a larger and better resourced planning authority ranging from an improved knowledge base resulting in a more efficient level of service and the removal duplication and complexity within the planning system. However, many caveated this response by stating that the planning policies and decisions made by individual local authorities within the National Parks needed to be consistent. Some respondents commented that being part of a local authority would result in an improved balance of the social, economic and environmental needs of an area.
- 5.142 Some respondents outlined the similarities between Areas of Outstanding Natural Beauty commenting that local authorities currently manage these designations and they considered that the local authorities' management of Areas of Outstanding Natural Beauty has not been proven deficient and that they are performing well. Respondents considered that the National Park designation should be enough in itself to protect the essential integrity of the Parks which could be managed by local authorities.

Question 25: Do you agree that strategic development plans should only be prepared in certain areas?

- 5.143 There was significant support for this proposal. The majority of those who directly answered the question (73.7% or 98 respondents) agreed that strategic development plans should only be prepared in certain areas within Wales.
- 5.144 Those respondents in support of the proposals agreed that strategic development plans should only be prepared in areas where there was a clear need as identified in the Positive Planning consultation document, which would be complementary to the City Regions initiative. However a small number of respondents felt that there may be a need for further strategic development plans areas in the future; for example in Mid Wales, North West Wales and for the National Parks.
- 5.145 A number of respondents requested further clarity on a strategic development plan area and the role of such plans, including clarity on the influence of other authorities and consultation procedures at the identification stage, guidelines on how Welsh Government will assess the area and the relationship between such plans and City Region areas. Others requested clarity on the impact of the strategic development plans on other levels on development plans (e.g. National Development Framework) and also on other types of Management Plans (e.g. Marine and Natural Resource). It was suggested by some respondents that the National Development Framework should be used to define Strategic Development Plan areas. Concerns were also raised by a number of respondents regarding the need to obtain funding for commissioning evidence to inform strategic development plan preparation.
- 5.146 Respondents opposing the introduction of strategic development plans considered that they would add a layer of bureaucracy and slow the system, rather than reducing complexity in the planning system which should be the aim. Others argued that due to the geographical scale of Wales the proposed introduction of the National Development Framework will be more appropriate than strategic development plans. A number of respondents called for the Welsh Government to reconsider the proposal In light of the Report of the Commission on Public Service Governance and Delivery. They argued there is a possibility for Local Development Plans across wider areas to be more strategic, which could possibly mean that such plans are not needed. Concerns were also raised that Strategic Development Plans will duplicate the City Regions initiative. Other concerns were raised about opportunities for local citizens to be involved in strategic development plan decision making, suggesting a need to undertake comprehensive public consultation.
- 5.147 Some respondents felt there was a lack of justification of the three strategic development plan areas identified and that the criteria for identifying these areas should be made publically available. A number of alternative strategic development plan areas were proposed in this context. It was also argued for

a consistent approach throughout Wales in identifying such areas. Concerns were raised by some considering that rural areas will fall further behind and strategic development plans should therefore cover the whole of Wales in order to promote economic development and tourism.

Question 26: Do you agree that the scope of Strategic Development Plans should be limited to the key issues identified in paragraph 5.29?

- 5.148 The majority of respondents (73 respondents or 57.5% of those who directly answered the question) said they support the proposed approach. Overall, respondents supported the limitation of issues to provide strategic direction and ensure the production of a Strategic Development Plan is not too onerous.
- 5.149 Respondents proposed a number of subjects to be included in the Strategic Development Plan ranging from housing allocations and gypsy and traveller sites to infrastructure (including digital infrastructure) and sustainability including energy. Some respondents requested that the terms 'strategic allocations' and 'if appropriate' (in paragraph 5.29) be defined.
- 5.150 There was disagreement regarding the inclusion of a number of topic areas listed in paragraph 5.29 of the consultation paper. Respondents were of the view that the Community Infrastructure Levy should remain in the Local Development Plan as the local planning authority are the charging authority. Respondents further commented that there is a significant regional difference in land values, housing markets and viability which would make it difficult for inclusion of the Community Infrastructure Levy as part of the Strategic Development Plan. There were a number of opinions as to where gypsy and traveller sites should be identified ranging from the National Development Framework for Wales, to the Strategic Development Plan and Local Development Plans. Respondents suggested that waste provision was more appropriate at the local level as it does not always raise issues of more than local importance. Some respondents queried how waste and minerals would be safeguarded at Strategic Development Plan level. Respondents argued that there was a need for housing and employment land allocations to be determined locally.

Question 27: Do you agree that a partnership between local planning authorities and social, economic and environmental stakeholders should oversee preparation of Strategic Development Plans?

- 5.151 The majority of respondents (110 respondents or 76.4% of those who directly answered the question) said they support the proposed approach. Overall, respondents broadly agreed with the involvement of stakeholders in the preparation of the Strategic Development Plan in order for the plan to fully reflect local issues and integrate with other plans and strategies.
- 5.152 A number of queries in relation to the identification of stakeholders were posed, including, who would decide the stakeholders and how they would be chosen; whether the stakeholders would include voluntary bodies, the private sector, individuals or just statutory bodies; and how equal representation of social, environmental and economic stakeholders can be ensured? A number of stakeholders were proposed by respondents which included the Home Builders Federation and Natural Resources Wales.
- 5.153 Respondents were supportive of the principle of the Strategic Planning Panels having decision making powers without the need to refer back to the parent local planning authorities.
- 5.154 Respondents commented that the selection of the lead authority should be a matter for the Strategic Planning Panel, not the Welsh Government. Concern was raised that the lead authority would unduly influence the process and would control the boundary of the Strategic Development Plan area. A few respondents commented that the determination of the number of members should not be based on a proportion of population. Other respondents called for the Welsh Government to play a role in Strategic Development Plans. Respondents suggested that Strategic Planning Panels should be chaired by the Welsh Ministers, an Assembly Member or a senior Welsh Government official, instead of the lead authority.
- 5.155 Local planning authorities raised concern regarding the costs associated in producing two development plans and further clarification was sought on how staff resources could be effectively secured. Respondents requested further detail on how the Strategic Development Plans would be assessed by the independent examination process.
- 5.156 Those objecting to the proposal raised concerns that the involvement of stakeholders who may lack the appropriate skills, experience and capacity to contribute effectively could impact on delivery. Respondents feared that it could be difficult to achieve a consensus of opinion with different organisations having competing aims. A large number of respondents did not support stakeholders being awarded voting rights.
- 5.157 Respondents commented the Strategic Development Plan process needs to be democratically accountable to be part of the formal development plan and

were concerned that the introduction of non elected members with decision making powers could set a dangerous precedent.

Question 28: Do you agree that a light touch Local Development Plan focussing on matters of local significance should be prepared in areas where there is a Strategic Development Plan?

- 5.158 The majority of respondents (94 respondents or 64.8% of those who directly answered the question) said they support the proposed approach. Overall, respondents broadly agreed that a light touch Local Development Plan could be prepared in areas where there is a Strategic Development Plan to reduce duplication.
- 5.159 Respondents commented that it is important for Local Development Plans to continue to hold the policies that manage new development in a local context.
- 5.160 Respondents requested further details on the definition of a 'light touch' Local Development Plan which was viewed by some respondents as implying that decisions are inconsequential and the diminished the role of the Local Development Plan and local issues. Respondents also asked for additional information on the timings of the National Development Framework for Wales, Strategic Development Plans and Local Development Plans and the implications for adopted Local Development Plans. Some respondents commented that Local Development Plans should be the same all over Wales, otherwise they should be given different names. Respondents asked for clarification as to how the Local Development Plan will be examined. Respondents called for legislation to prevent delays in plan production.
- 5.161 Some respondents were of the view that Local Development Plans need to be comprehensive and rigorous to inform the development management process. Other respondents were not convinced that a Strategic Development Plan would dilute a Local Development Plan to any significant extent as local matters on spatial distribution and site allocations are intensely debated at the local level and add significantly to the time taken to prepare Local Development Plans. Conversely, it was commented that there was no need for a Local Development Plan where a Strategic Development Plan was in place. Some respondents raised concern about the disenfranchisement of those who have not engaged at the regional level and the dilution of the democratic process. Respondents raised concern regarding the complexity that could result if Strategic Development Plans were not prepared for whole local planning authority area as this could result in a local authority having a Strategic Development Plan, light touch Local Development Plan and full Local Development Plan. Some respondents commented that it would be preferable to have whole local planning authority areas in a Strategic Development Plan for clarity and consistency otherwise the resulting situation could be overly complex, create duplication, inconsistency or lead to gaps in coverage.

Improving Local Delivery

Question 29: Do you agree with the essential elements of a good planning service identified in Annex A?

- 5.162 The majority of those who directly answered the question (66.2% or 102 respondents) agreed with the essential elements of a good planning service identified in Annex A of the consultation paper. Most respondents agreed that the proposed Annual Performance Report, and associated indicators / measures of performance for a good local planning service, were useful to improve performance.
- 5.163 Comments provided on the proposed indicators covered both the proposed measures and the extent of the reporting. Various respondents expressed a wish for further consultation and to work with Welsh Government to refine the indicators. Some respondents referred to the performance monitoring and reporting system currently used in Scotland and recommended consideration of this model. Comments were also received on the indicators for determination of major applications, including on the timeframes and a number proposed separating industrial and waste applications into separate categories for reporting. Suggestions were also made that authorities should report on determination of applications without waiting for Section 106 Agreements to be completed.
- 5.164 A significant number of respondents considered that there was scope to include further indicators for performance, particularly in relation to planning policy, development plans, community engagement, design and quality of development schemes, delegated decisions, consideration of infrastructure to support development and access to heritage or biodiversity advice. Various respondents submitted individual proposals for further indicators, predominantly on decision making for planning applications (e.g. measuring approval of applications contrary to officer recommendations and subsequent success of those applications at appeal), measuring customer confidence in the planning system and taking into account of gypsy and traveller issues in the planning process. Others considered that there was overlap between the proposed indicators and other reporting mechanisms, such as the Local Development Plan Annual Monitoring Report; therefore these relationships should be more clearly defined. Many respondents considered that performance indicators should be extended to other key stakeholders in the planning system, such as Welsh Government, Natural Resources Wales and other statutory consultees. However, statutory consultees were wary of this, expressing concerns about being measured on their ability to respond meaningfully to planning application consultations within 21 days.
- 5.165 A significant number of respondents did not support a number of the indicators. Local planning authorities expressed concerns that a small number

of applications might leave them open to risk of failure should (for example) one or two planning appeals be upheld and that it was unreasonable for local planning authorities to be considered as 'failing' by not exceeding the statutory minimum level of service provision in a time of significant financial restraint and budget restrictions. Finally, some respondents were critical of the proposed 5 year housing land supply indicator.

Question 30: Do you agree that each local planning authority should produce and publish an annual performance report to agreed standards?

- 5.166 There was significant support for this proposal. The majority of those who directly answered the question (94.1% or 143 respondents) agreed that each local planning authority should produce and publish an annual performance report to agreed standards.
- 5.167 In support, it was agreed that the proposal would create more transparency and accountability, and help identify how performance can be further improved.
- 5.168 A significant number of comments were received on the proposals. Comments were received on the format of the reports, including that they should be linked to an annual review of the Local Development Plan, that the reports should highlight planning departments in need of additional guidance and training as well as promoting best practice, reports should include an element to reflect both public satisfaction and dissatisfaction and that the reports should include proposals to deal with any shortcomings and review action taken to overcome these in previous years' reports. Some respondents expressed differing opinions as to how often the reports should be produced. Other respondents were mindful that reporting should not have a detrimental effect on the determination of planning applications. Some respondents agreed to the reports, providing they were appropriate and not over bureaucratic. It was also commented that delays are not solely related to local planning authorities and Annual Performance Reports should acknowledge this; in this regard some respondents considered that other stakeholders in the planning system should be required to produce performance reports (such as statutory consultees, applicants and Welsh Government).
- 5.169 Other comments received considered there should be changes or amendments to the indicators contained within the report. In this regard, various respondents commented on a wide range of indicators that should be included in the report, including pre-application community consultation, appeals, enforcement, complaints against authorities to the Public Services Ombudsman for Wales and also that the indicators should be produced as a league table. Many respondents were concerned that the proposed indicators were quantitative (statistical performance) and measured speed; various respondents considered the reports should measure and account for the quality of the service provided and the quality of decision making. A need for outcome based performance indicators was identified to ensure the process does not become a tick box exercise. Concerns were also raised that the indicators could lead to channelling of resources to specific areas, to the detriment of other services. Some respondents considered that the indicators should reflect authorities' available resources.
- 5.170 Various respondents raised queries or expressed comments on the use of incentives as part of the monitoring, considering that without incentives the

proposals were not balanced as there appeared to only be sanctions / penalties proposed. In this regard, some respondents considered that the use of incentives should be linked to quality of delivery rather than a target driven approach. Also, it was commented that authorities which are seeking to improve should be supported and not penalised.

- 5.171 Some respondents also expressed a desire for detailed consultation and further information on annual performance reports before introduction. Some respondents requested clarity on what is meant by 'persistent poor performance' and on the relationship between information already collected and the Annual Performance Report.

Question 31: Do you agree that where a local planning authority is designated as poorly performing there should be an option to submit planning applications for major development to Welsh Ministers?

- 5.172 A small majority of respondents (87 in total or 59.2% of those who directly answered the question) agreed with the proposal. Respondents saw the proposal as an important step to incentivise local planning authorities to improve performance.
- 5.173 Many respondents highlighted the need for the proposal to be supported by an improvement plan to improve the performance of the local planning authority. Respondents felt that without such a guarantee there would be nothing to encourage the use the alternative options of applying direct to the Welsh Ministers.
- 5.174 Respondents commented that it was important for the process to take account of the relationship between local planning authorities and developers. Some respondents suggested that the designation criteria should take account of planning performance agreements and welcomed the proposal being an 'option' and not mandatory and it was noted that this would allow developers to agree bespoke performance targets and submit applications to local planning authorities where a good relationship or track record exists.
- 5.175 A number of respondents requested clarification of the designation process. Respondents noted that the threshold for designation should not be seen as the minimum target for local planning authorities and that once designated a local planning authority should remain in special measures until their performance improved.
- 5.176 Respondents also noted concerns about the impact the proposals would have on local planning authorities and the decision making process. Local planning authorities noted that a reduction in resources resulting from designation would do little to improve performance, especially where a local planning authority needed to negotiate associated legal agreements and discharge conditions post determination. Respondents also regarded the proposals as a centralisation of decision making and fee income, affecting planning legitimacy, local democratic accountability and politicising decisions. Respondents commented that the Welsh Government would not have sufficient local knowledge and expertise to appropriately determine an application and that there is no right of appeal on the decision.
- 5.177 A number of respondents requested clarity on the evidence that will be used to identify a local planning authority as poorly performing. Concerns were raised that there is an undue focus on the speed of decision making and target driven outcomes which might not be in line with the wishes of the applicant and might result in the proposal becoming a fast track for developers or reduced community consultation. Respondents suggested that before taking away planning powers the Welsh Government should firstly help local

planning authorities to identify areas of failure and offer assistance to improve performance. Respondents suggested that this should be through a range of initiatives and could include the Welsh Government appointing staff to the local planning authority.

5.178 Some respondents considered that the proposals did not go far enough to address poor performance. Respondents suggested alternative interventions including the removal of all planning functions from the local planning authority and the ability to submit any application to the Welsh Ministers for determination.

Question 32: Do you agree that Welsh Ministers should be able to direct preparation of a joint Local Development Plan?

- 5.179 There was significant support for these proposals. The majority of those who directly answered the question (72.3% or 102 respondents) agreed that Welsh Ministers should be able to direct preparation of a joint Local Development Plan.
- 5.180 The majority of those in support viewed that the proposals for directing preparation of a joint Local Development Plan would be advantageous as it would result in a pooling of expertise (leading to less duplication and use of resources required in plan preparation), improved up-to-date plan delivery, better cross-border and strategic planning in respect of matters such as housing and infrastructure and where there are similar issues / interests, more coherent and consistent policies and reduced consultation burden on public agencies. It was commented that without the power local politics could frustrate sensible joint plan making. Some respondents also considered that the proposals would allow development proposals to be more sustainably considered over wider areas and that they were a necessary corollary to the power to create Joint Planning Boards.
- 5.181 However, most supporters were of the view that because imposing joint working could strain local political relationships and frustrate effective plan making a Direction should be used only after all other avenues have been exhausted and there has been ample opportunity for a voluntary approach. The power should be used sparingly for planning not political reasons or to undermine or by-pass local democracy.
- 5.182 General comments on the proposals included the need for thorough local consultation with stakeholders, the adequacy of funding arrangements (considering that the proposals should not be a cost cutting exercise but a means to improve the quality of plans), a requirement for guidelines and procedures to resolve governance issues, introducing clear constraints, guidelines and evidence for the need and benefits of joint working (when the power is to be used), allowing decisions on joint working to be subject to public scrutiny and challenge and the timing of a direction to avoid the loss of plans / resources where plan preparation is already well advanced. Some respondents considered that the power should not lengthen or complicate the plan making process and in this regard, a strict timetable would be needed.
- 5.183 A number of respondents commented on the need to take into account other measures for joint working in respect of these proposals; for example, implications of the Report of the Commission on Public Service Governance and Delivery recommendations, possible local government reorganisation, proposals for Strategic Development Plans and to a lesser extent the proposals for Joint Planning Boards.
- 5.184 Those objecting to the power to direct joint plan preparation had a strong preference for the decision on whether to prepare a joint plan to remain a

matter for local discretion in discussion with Ministers. They maintained that without local political will there is a danger of losing local accountability. Some felt that forcing joint plans without agreement was unlikely to produce satisfactory results and could degenerate into political squabbling, undermine and by-pass local democracy, create dominant partners, frustrate and slow down progress, create less locally distinctive plans and dilute policies. Some respondents objecting considered that the loss of ownership will mean less commitment to implementation. Some considered that improved collaboration and better guidance on tackling cross border issues would be sufficient. Evidence from one authority with experience of both joint and single authority working suggests the benefits of joint working are not clear. Finally, it was commented that there would be difficulties trying to merge plans and special circumstances need to prevail for national parks in multi-authority areas.

Question 33: Do you agree that Local Development Plans should plan for at least 15 years ahead and have a set end date beyond which they cease to be the development plan?

- 5.185 The majority of those who directly answered the question (78.3% or 112 respondents) agreed that Local Development Plans should plan for at least 15 years ahead and have a set end date beyond which they cease to be the development plan.
- 5.186 Comments in support of the proposals agreed that the proposals would provide a mechanism to facilitate up-to-date plans and timely plan preparation and review.
- 5.187 Many respondents raised concerns in relation to a policy vacuum once a development plan had reached its end date. Some considered that the policy vacuum would not be such a concern if the proposal for a core set of management plan policies is carried through and in place before ceasing development plans. Others considered that provision for special dispensation to apply to Welsh Ministers to save policies contained in a Local Development Plan should be in place.
- 5.188 Various respondents commented on the need to vary the proposals, particularly with regards to the length of Local Development Plans. Whilst many respondents agreed with the 15 year period for Local Development Plans, others suggested that either a 5, 10 or 20 year period would be more appropriate. In this regard, it was also commented that having vigorous and robust monitoring and review processes are essential to ensure that plans are kept up to date. Some considered that sanctions should be in place to ensure local planning authorities monitor and review the Local Development Plan. Further comments were received on the timings between the start of a new plan with the end date of an existing plan; in particular it was suggested that the start date for Local Development Plans should be adoption / deposit rather than when preparation started.
- 5.189 Other respondents commented on the proposals in respect of the different types of development plans proposed in Wales, namely Strategic Development Plans and the National Development Framework, and also in respect of Supplementary Planning Guidance. In this regard, many respondents commented on the need for a consistent approach and the timescales and end dates between all tiers of plans. Others requested further clarity on the proposals, in particular inclusion on the face of the Bill as to when the development plan will cease to be a development plan and in relation to making decisions on planning applications to ensure that these would not be delayed.
- 5.190 Respondents also queried whether the proposal was necessary as development plans which have past their end date already carry less weight in the decision making process. It was also commented that there may be unforeseen circumstances where there may be a delay in the process beyond

the control of the local planning authority; for example, Judicial Review delaying the process. In such circumstances the development plan policies should remain in place.

Question 34: Do you agree that local planning authorities should work with town and community councils to produce place plans which can be adopted as supplementary planning guidance?

- 5.191 The majority of those who directly answered the question (104 respondents or 77.6%) agreed with the proposals for the preparation of Place Plans and considered that greater community involvement in the process would lead to better plan making.
- 5.192 Respondents noted that town and community councils are best placed to be proactive and have a positive influence in building better communities with some respondents suggesting that the plans would therefore be more appropriately named 'local plans' or 'community plans'. Respondents welcomed the proposals to establish a small number of pilot projects drawing on the technical assistance of the Design Commission for Wales and Planning Aid Wales, whilst also suggesting that the Planning Advisory Improvement Service could have a role in their preparation. Some respondents were of the view that it should be a legal requirement for planners to take place into consideration as part of the planning process.
- 5.193 A number of respondents wanted clarity on the purpose of the Place Plan and what constitutes a Place Plan. Respondents commented that it should be a legal requirement that the Place Plan would be in conformity with the National Development Framework for Wales, the Strategic Development Plan and the Local Development Plan. Some respondents thought that Place Plans should be mandatory and contained within the Planning Bill, with some suggesting that the detail be contained in secondary legislation.
- 5.194 Some respondents provided comments on the English model for neighbourhood plans and considered that the model should be taken into account when determining the approach for Wales.
- 5.195 Respondents raised concerns about the restrictiveness of the proposal due to the absence of town and community council from parts of Wales. They suggested the introduction of a nationally defined process or pilot projects to identify third party organisations to prepare Place Plans where town and community councils are absent.
- 5.196 A number of respondents raised concerns and comments about skills and resources implications for local planning authorities and town and community councils in the preparation of Place Plans.
- 5.197 Some respondents raised comments and concerns that the cumulative effect of the proposals would be to introduce four layers of plans in some areas Respondents commented on the role of Place Plans in light of the ability to engage with local communities in the pre-application process and town and community councils in the development plan process, considering that improved engagement in the Local Development Plan process would be sufficient.

Question 35: Do you agree that where a development proposal accords with an allocation in an adopted development plan a new planning application process should be introduced, to ensure that only matters of detail such as design and layout are considered?

- 5.198 A small majority of respondents (78 in total or 55.3% of those who directly answered that question) agreed with the proposal. Respondents welcomed the approach as providing certainty, clarity and guidance especially at the Local Development Plan stage of the planning process. Respondents noted that the proposal would encourage stakeholders to become involved in the development plan process, giving greater credence to the Public Examination. Many respondents were of the view that this could provide confidence and certainty in the delivery of appropriate development in a timely manner. Respondents saw the proposal as sensible since the amount of information required to support a site allocation within the Local Development Plan is often akin to that required in an outline application.
- 5.199 Many respondents sought more detail on how the proposal would operate in practice. Specific queries were raised such as whether the proposal would also apply to strategic allocations identified in the Strategic Development Plan, how phased allocations would be addressed and whether the proposal would also apply to criteria-based policies.
- 5.200 A number of respondents expressed concern that the proposal would undermine public engagement and confidence in the planning system and would have a negative impact on the role of local planning committee members. The need for a new process was questioned by a range of respondents who considered it would add unnecessary complexity, particularly as in most cases, local planning authorities accept the principle of development as set out in the development plan. A few respondents asked whether legislation could be amended to ensure that the acceptability of development that conforms with an allocation is unable to be reconsidered.
- 5.201 A number of respondents were concerned that Local Development Plan allocations do not contain sufficient information to allow planning applications to be determined and questioned how the proposed application process would address detailed considerations such as design, archaeology, and inclusive access. Concerns were also expressed by a significant number of respondents that Local Development Plan allocations may be based on outdated information.
- 5.202 Other respondents noted that requirements relating to Environmental Impact Assessments and the Habitats Directive could not be addressed through the Local Development Plan process. Similarly, a number of respondents considered that Section 106 and viability issues could only be addressed through an outline or full application.
- 5.203 A number of respondents stated that applicants will wish to retain the right to submit an outline application. Some respondents considered that the proposal would place greater emphasis on the importance of public engagement in the

Local Development Plan process, whilst others expressed concern that the Local Development Plan process would be slower as it would need to address a greater level of detail.

Question 36: Do you support the proposal to allow a right of appeal against a local planning authority not registering a planning application?

- 5.204 The majority of respondents (112 in total or 76.7% of those who directly answered the question) agreed with the proposal. A large proportion of respondents welcomed the proposal noting that it would help reduce delays within the planning system. Several businesses and consultants noted that they had experienced delays at the planning application registration stage and that the proposal would assist in addressing this issue. A local planning authority welcomed the certainty the proposal would provide in instances where an impasse had been reached with the developer.
- 5.205 Several respondents commented that the proposal would help achieve the culture change required to achieve positive planning. A number of respondents believed that the proposed appeal should be used as a last resort and noted that the key to avoiding delays at the registration stage is having clear validation guidelines from the outset.
- 5.206 A number of respondents who welcomed the proposal commented that the appeal process must be quick in order to achieve the aim of speeding up the overall development process; otherwise it may result in additional delays. Respondents suggested that measures need to be put in place to ensure that the local planning authority informs the applicant that the application is invalid in a timely manner, in order to prevent the local planning authority from delaying the appeal.
- 5.207 Several respondents suggested that in order to improve consistency across local planning authorities it may be more appropriate to provide better guidance to local planning authorities; noting that the guidance should make it clear that information requested needs to be proportionate and should provide examples of the standard of information expected. Other respondents suggested that pre-application advice and the Planning Advisory Improvement Service could be used to avoid validation disputes.
- 5.208 Some respondents commented that validation disputes are not a significant problem in the current system and that the proposal is therefore a disproportionate response and does not support the "partnership" approach of working between developers and local planning authorities.
- 5.209 Several of the respondents commented that the proposal goes against the Planning Bill's wider aim of frontloading the system because it restricts or weakens the local planning authority's ability to require all information upfront. Respondents further commented that having to require information at a later stage, after validation, would make the overall process slower.

Question 37: Should the requirement for mandatory design and access statements be removed?

- 5.210 A small majority of respondents (95 in total or 57.6% of those who directly answered the question) supported the proposed approach. Many respondents were of the view that design and access statements are, in principle, a good tool that can have value if done well. However, there was a general consensus amongst respondents that they are not useful generally in practice. Respondents highlighted a number of problems with the mandatory requirement for design and access statements, noting that they are time consuming, costly and cumbersome to prepare and that they are unnecessary for many applications (for example, small or more specialist proposals).
- 5.211 Respondents also commented that local authorities were applying a lack of proportionality and flexibility resulting in applications not being validated leading to delays to the planning process. Some respondents noted that the requirement was seen as a box ticking exercise by both local planning authorities and applicants and commented that the content was often too complex, repetitive, and irrelevant. Respondents commented that they were not always used by local authority planning officers and added little to the determination process. Some respondents were of the view that local authority planning officers lack expertise to effectively use design and access statements.
- 5.212 A number of respondents noted that design and access statements are beneficial and should be retained for larger or more complex planning applications. In particular, respondents suggested that they should be retained for major applications, housing schemes and proposals in sensitive locations (such as conservation areas or Areas of Outstanding Natural Beauty).
- 5.213 The responses highlighted that one of the key benefits of design and access statements is as a communication tool. Other responses commented that design and access statements are important in providing a means for local access groups to engage in the planning process. A number of respondents raised concerns that the removal of the requirement for mandatory design and access statements would result in the loss of an important tool in explaining design issues, highlighting inclusive access considerations and understanding how a developer intends to address community safety implications.
- 5.214 Respondents suggested that the use of design and access statements could be improved by applying a more simple, flexible and proportionate approach to the content of design and access statements; by improving the quality of design and access statements by disseminating good practice, guidance and training; by making design and access statements form the basis for pre-application and public consultation; by removing the access component.
- 5.215 Alternative measures to promote design and access were suggested. These included the use of pre-application discussions and design briefs for major developments; developing a more robust design policy and improving local

planning authorities' design expertise through training and better design education. Respondents also noted the recommendations contained within the research report 'Review of Design and Access Statements in Wales' and suggested amending Building Regulations relating to access.

Question 38: Should the requirement to advertise planning applications for certain developments in a local newspaper be removed?

- 5.216 There was a significant division of opinion for this proposal. The majority of those who directly answered the question (78 respondents or 53.1%) did not support the removal of the requirement to advertise planning applications for certain developments in a local newspaper.
- 5.217 A significant number of respondents viewed the removal of newspaper adverts as generating inequality for groups such as the elderly, unemployed and poorer residents; groups that are less likely to benefit from access to or awareness of alternative forms of advertisement such as the internet. A few private companies expressed a desire to retain newspaper advertisements in order to limit the potential for legal challenges based on inadequate publicity. One respondent suggested that newspaper advertisements should be retained but only for minor applications. Another respondent noted that local planning authorities could be provided with discretion in determining whether a newspaper notice is required.
- 5.218 A range of alternative methods of advertising planning applications were suggested by respondents. These included better use of existing technology such as social media, e-mail, text messaging alerts and improving the content and accessibility of existing local planning authority websites. A number of respondents commented that planning applicants should have greater responsibility for publicity, including paying for press advertisements or undertaking notification. Some respondents suggested that newspaper notices could be reduced in size (and therefore cost) by directing the reader to the local planning authority website or council offices for more details. Respondents suggested that a review of publicity requirements be undertaken, with support for this work offered by a planning charity. Some respondents commented that alternatives which do not rely on electronic communications should be provided, along with notification in accessible formats, such as Easy Read, for persons with impaired vision.
- 5.219 A significant number of respondents, particularly local planning authorities, expressed the view that newspaper advertisements are not particularly effective and are a financial burden for them. Some local planning authorities considered that the newspaper advertisements were unnecessary given other statutory publicity requirements such as site notices and neighbour notification. Many respondents supported the principle of removing the need for newspaper advertisements providing that a robust, accessible alternative is put in place and that issues such as full broadband rollout and the quality of local planning authority websites are addressed. Until then, those respondents considered the proposal to be premature.

Question 39: Should there be any local variation within a national scheme of delegation for decision making on applications?

- 5.220 There was a significant division of opinion for these proposals. Of those who directly answered the question, a slight majority (53.5% or 69 respondents) agreed that there should be local variation within a national scheme of delegation for decision making on planning applications.
- 5.221 A number of respondents believed that there should be local variations within the national scheme of delegation due to the different impacts of developments depending on location. Examples given included National Parks and the difference between rural and urban areas. Other respondents expressed the view that local communities, or local planning authorities, should be allowed to decide which development are locally important and should be determined by planning committee. Some respondents believed that the proposal to introduce a national scheme of delegation goes against other aspirations in the Bill that encourage greater community involvement. A number of respondents commented that the responsibility for making delegation arrangements is best left with local planning authorities and that the Welsh Government should not intervene. Several respondents commented that they could see merit in a national scheme, but envisage difficulties politically with the removal of local variation.
- 5.222 There were numerous comments received on the proposals, including suggesting that a national scheme of delegation could provide for local variations subject to carefully defined conditions or parameters. Some respondents suggested that the national scheme could provide minimum standards and that any additional local variations could be subject to prior approval from the Welsh Ministers; others suggested that the whole scheme should be produced by local planning authorities but require approval by Welsh Ministers. Other notable comments included suggesting that any scheme should not reduce the amount of applications currently delegated by local planning authorities, or prevent local planning authorities from enhancing existing delegation arrangements. Also, that the national scheme would need to be very clear and unambiguous to prevent conflict arising between members and officers and that a national scheme is not incompatible with local democracy as there are other opportunities for local input into the decision-making process other than thorough committee. Some respondents also took the opportunity to comment on the proposals for committees, supporting the proposals for smaller, more focussed committees and the training of committee members.
- 5.223 Of those respondents against the proposals, a significant number of respondents believed that allowing local variations would undermine the key aim of the national scheme, which is to provide consistency. Respondents believed that allowing for local variances would add confusion and would lead to inconsistency, delay and a different interpretation of delegation arrangements. Several respondents commented that consistency in approach to delegation is important to provide certainty, transparency and ensuring

parity of treatment to those involved in the application process. A few respondents expressed the view that although there are variances between local planning authorities in terms of demographics and geography, this does not necessitate the need for the actual determination process to be different between local planning authorities. Some commented that having no variations would allow local planning authorities to benchmark against each other and assist in measuring performance accurately.

Question 40: Do you agree that a minor material change should be restricted to "one whose scale and nature results in a development which is not substantially different from that which has been approved"?

- 5.224 There was agreement with the proposal that a minor material change should be restricted to the definition as described. The majority of those who directly answered the question (85.4% or 117 respondents) agreed with these proposals.
- 5.225 Those who supported the definition considered it to be sensible, reasonable and practicable. Respondents commented that the definition effectively summarises what can already be undertaken through Section 73 of the Town and Country Planning Act 1990 and is already adopted by some local planning authorities.
- 5.226 The procedure for minor material changes received support as it avoids the need to submit a new planning application, allowing the planning system to respond to changes in a quick and flexible manner. To facilitate this, respondents considered the application process should also be proportionate to the change allowed. A formal process was also seen as a way to reduce grievances where a change is sought to a planning permission.
- 5.227 Some respondents felt that further guidance on the definition of a minor material change would assist in achieving consistency. Others commented that a similar provision already exists in England and the proposal is a potential quick win for the Bill.
- 5.228 Those that objected to the proposals considered that the definition may be too broad as developers interpretation may not accord with the local planning authority or local communities, which could lead to inconsistency, confusion and debate. To overcome this people saw a need for detailed examples of what can and cannot be achieved through the process. A number of respondents queried how the proposal fits in with previous consultations on non-material amendments. Some considered that the changes should be limited to those that are non-material in nature. Conversely, some respondents considered the definition is too restrictive or poorly worded. Several respondents commented that the word 'material' does not add anything to the definition.
- 5.229 Others commented that it is not necessarily the scale and nature of a change but the impact of this change that is important. This was raised generally and specifically in relation to those with a disability. The ability to make changes was identified as giving potential for development to change from that originally proposed with potentially greater impacts on the area.

Question 41: Do you agree that the proposals strike a balance between the need to preserve land used as town and village greens and providing greater certainty for developers?

- 5.230 The majority of respondents agreed that the proposals strike the right balance between the need to protect town and village greens and provide greater certainty for developers. The majority of those who directly answered the question (72.3% or 94 respondents) supported this approach.
- 5.231 Those in support of the proposals considered that the present system for the registration of village greens can frustrate the development process. A number of respondents supported the proposals provided members of the public and community councils were more engaged in the processes of town or village green designation. Others in support stated they require more detail behind the proposals before reaching a view. Those in support of the proposals indicated that any proposed changes to the registration system should be clearly communicated, advertised and underpinned by clear guidance. Other respondents felt that the current system does not include sanctions against unreasonable applications for village greens and were concerned by the absence of third party appeals. In comparison a number of respondents considered that a system needs to be put in place to give communities an equal footing with developers.
- 5.232 Other respondents who commented had demonstrated some misunderstanding of the proposals, stating that the proposals were contrary to recent UK Government proposals and would take effect where Local Development Plan candidate sites are published.
- 5.233 Suggestions were also received from respondents to vary the proposals. These included preventing village green applications where there are Development Consent Order applications, as well as taking their designations into consideration as part of pre-application proposals and the development plans process. Legislative changes were also proposed, including the adoption of a character test to define land as a town and village green. Other variations included allowing public scrutiny and lengthening the window for public representations on landowner declarations and requiring the monitoring of village greens by the Welsh Ministers.
- 5.234 A number of responses were received disagreeing with the proposals. Respondents in disagreement indicated the proposals for greens registration favour the development industry over local people and could be problematic, with examples of this cited by some respondents. It was commented by some respondents that they believed this would result in the loss of land for local people, adversely impacting on the environment and other areas, including the health of the people of Wales. Others were in disagreement for reasons including that they considered the proposals are unfair and not based on evidence. It was also commented by some respondents that most members of the public are not sufficiently engaged with the planning process to be aware

of development proposals and their consequences and that reasonable adjustments to the process are made for those with disabilities.

Question 42: Do you agree that the proposals will reduce delay in the planning enforcement system?

- 5.235 Most respondents were supportive of the proposed suite of changes to improve the enforcement process with 105 respondents (86.8% of those who directly answered this question) agreeing that the proposals will reduce delays. Comments in support suggested that the current enforcement system is not fit for purpose. The majority of responses indicated the changes would reduce delay in the planning enforcement system (limiting the number of appeal avenues appellants would have access to in an attempt to 'slow down' the process and removing loopholes) as well as improving the system to make it less confusing and easier to understand. There was strong support for allowing local planning authorities the power to either require the submission or have the ability to decline retrospective planning applications.
- 5.236 Respondents who commented favourably on the proposed changes retained some minor reservations that reflected how these changes would operate in practice. Queries were raised over resource implications for local planning authorities, procedure for retrospective applications and the consideration of penalties for persistent offenders. It was suggested that provision needs to be made for those genuinely unaware that they are in breach of planning control.
- 5.237 Some respondents considered that the system should operate differently for different stakeholders (for example not to adversely affect or disadvantage various community groups). A need to update Technical Advice Note 9 "Enforcement of Planning Control" in light of the proposed changes and for the Planning Advisory and Information Service to promote best practice was identified.
- 5.238 A number of respondents raised concerns that the power for local planning authorities to decline to determine retrospective applications could have unintended consequences leading to additional costs and legal disputes. Others suggested retrospective applications should only be used in extraordinary circumstances. The responses also highlighted that a change in the name of Section 94 (Completion Notices) would not promote better use of this enforcement tool. It was also considered by some respondents that the removal of appeal rights and avenues were not clearly explained and further consultation would be required to provide greater detail on the proposal.

Question 43: Do you agree with the introduction of temporary stop notices to the planning enforcement system in Wales?

- 5.239 There was considerable support for the introduction of temporary stop notices, with 121 respondents (89.6% of those who directly answered this question) supportive of the proposals. It was agreed that they would act as a more effective deterrent against unauthorised development than existing enforcement tools, as well as being less ambiguous and providing more certainty for local planning authorities when considering enforcement action. Respondents also noted that their introduction in England and Scotland had shown to be effective.
- 5.240 Although comments were generally supportive, a small number of issues were identified that require clarification, should temporary stop notices be introduced. Respondents noted that local planning authorities should only use them if absolutely necessary and that guidance should be prepared to outline how to use temporary stop notices as an effective enforcement tool. It was considered that local planning authorities would need to be transparent in justifying why a temporary stop notice has been served and to ensure this information is available to the general public. Comments were also raised on compensation arrangements that may arise from the use of temporary stop notices. A role for the Planning Advisory Improvement Service in promoting best practice was also suggested. Some respondents considered that more detailed consultation was required on Temporary Stop Notices. In particular, uncertainty was raised by certain groups who were unsure how Temporary Stop Notices differed to current Stop Notices.
- 5.241 Some negative responses were received to the proposals, including comments suggesting that their introduction would not be advantageous and that certain groups in society would be severely disadvantaged. Some respondents considered that the current enforcement system works well and that there is little merit in introducing these proposals. Others raised concerns that such notices could be used by local planning authorities as a negotiating tool to delay projects, whilst some did not support the absence of a right of appeal. Respondents raised further concerns over the possible negative impacts the proposals could have on particular groups including Gypsy and Traveller communities.

Other comments outside the scope of the specific consultation questions and not mentioned elsewhere included:

General

- 5.242 Respondents generally supported the proposals contained within the Planning (Wales) Bill and Positive Planning consultation paper and acknowledged that culture change was an integral part of any reform of the planning system in Wales. Many respondents recognised the need for improvements in planning performance.
- 5.243 A number of respondents commented on the role of key bodies and individuals within the reformed planning system ranging from the Welsh Government, local planning authorities (including members), town and community councils, statutory consultees and the Planning Inspectorate Wales.
- 5.244 Comments were received regarding incentives and penalties to support compliance with the provisions of the Bill. Respondents commented on the appeals system including judicial review, third party rights of appeal and the Welsh Ministers' Call-in power.
- 5.245 Some respondents commented on the relationship between the Nationally Significant Infrastructure Projects regime in England and the devolution settlement in Wales. Others commented on associated development and ancillary consents relating to Nationally Significant Infrastructure Projects in Wales.
- 5.246 Consolidation of primary legislation in England, and in particular Wales, was raised by some respondents. Respondents also commented on subordinate legislation needed to implement the Planning (Wales) Bill.

Development Management

- 5.247 Respondents commented on general development management matters and raised queries and questions on specific matters ranging from material considerations, permitted development rights (including telecommunications), planning application fees, retail, fees and associated development and ancillary consents, Section 106 agreements, Environmental Impact Assessments and Habitat Regulations Assessments.

Development Planning

- 5.248 A common theme amongst respondents was the need for improved collaboration and respondents commented on cross border working. Comments were also received on community engagement.

5.249 Some respondents suggested that greater importance should be placed on the needs of local communities when local planning authorities set their housing targets and determine applications for new housing developments.

Planning Policy

5.250 Respondents commented on policy contained within Planning Policy Wales and Technical Advice Notices (see also paragraph 3.13).

5.251 Respondents expressed views on green infrastructure, agriculture policy and One Planet developments. In addition comments were received in relation to affordable housing, houses in multiple occupation and community safety issues.

Enforcement and Appeals

5.252 Respondents were concerned that individuals and communities should have a right of appeal; with some respondents suggesting that a Planning Tribunal be established for Wales, in place of the current Planning Inspectorate (Wales).

Annex 1

List of respondents

In December 2013 the draft Planning (Wales) Bill and supporting paper 'Positive Planning – Proposals to reform the Planning System in Wales' were issued for public consultation. 405 responses were received including 113 from two identical response campaigns and an index of those responses is set out below. Details of the consultation have been published on the Welsh Government's website:

www.wales.gov.uk/consultations/planning/draft-planning-wales-bill/?lang=en

Responses

Respondents were asked to complete a response form; however some responses were received within an email or as a separate document. Each response was assigned a specific reference number; the identical campaign responses were assigned a single reference number for each campaign.

Data Protection

For data protection purposes the name and address details for those respondents who did not wish to be identified have been removed from the index below and from the published consultation responses.

Reference Number	Organisation
WG20088001	The Woodland Farm
WG20088002	Cardiff University School of Planning and Geography
WG20088003	Blaenau Gwent CBC
WG20088004	<i>(Removed at respondents request)</i>
WG20088005	Welshpool Town Council
WG20088006	Caernarfon Town Council
WG20088007	<i>Private Individual</i>
WG20088008	<i>(Removed at respondents request)</i>
WG20088009	Caerphilly County Borough Council
WG20088010	<i>(Removed at respondents request)</i>
WG20088011	<i>Private Individual</i>
WG20088012	The Prince's Regeneration Trust
WG20088013	<i>(Removed at respondents request)</i>
WG20088014	Swiftrelocations
WG20088015	The Civic Trust for Wales
WG20088016	Abergavenny and District Civic Society
WG20088017	<i>Private Individual</i>
WG20088018	Monmouthshire County Council
WG20088019	<i>(Removed at respondents request)</i>
WG20088020	<i>Private Individual</i>
WG20088021	Merthyr Initiative Group
WG20088022	Institution of Civil Engineers Wales Cymru
WG20088023	SLR Consulting Limited
WG20088024	L.S. Planning Ltd

Reference Number	Organisation
WG20088025	Tenby Civic Society
WG20088026	Uklyptus
WG20088027	Private consultant
WG20088028	Llangoedmor Community Council
WG20088029	<i>(Removed at respondents request)</i>
WG20088030	Newtown & Llanllwchaearn Town Council
WG20088031	Arqiva
WG20088032	Pembrokeshire Coast National Park Authority
WG20088033	<i>Private Individual</i>
WG20088034	Dragons Back Inn
WG20088035	<i>Private Individual</i>
WG20088037	<i>(Removed at respondents request)</i>
WG20088038	Councillor Jeana Hall
WG20088039	<i>(Removed at respondents request)</i>
WG20088040	Abermule and Llandyssil Community Centre
WG20088041	<i>Private Individual</i>
WG20088042	North Montgomeryshire Local Council Forum
WG20088043	<i>(Removed at respondents request)</i>
WG20088044	Powys County Council
WG20088045	Open Spaces Society
WG20088046	Federation of Master Builders
WG20088047	ACPO Cymru Wales
WG20088048	Adam & Frances Voelcker Architects
WG20088049	<i>(Removed at respondents request)</i>

Reference Number	Organisation
WG20088050	<i>Private Individual</i>
WG20088051	Welsh Planning Consultants Forum
WG20088052	<i>(Removed at respondents request)</i>
WG20088053	Llanelli Town Council
WG20088054	Planning & Environment Bar Association (PEBA)
WG20088055	Vale of Glamorgan Council
WG20088056	Pontarddulais Town Council
WG20088057	Sullivan Land & Planning
WG20088058	Llanfair Community Council
WG20088059	Pembroke Design Ltd
WG20088060	Flintshire County Council
WG20088061	Parc Carafanau Y Bala Caravan Park
WG20088062	<i>Private Individual</i>
WG20088063	Freshwater East's Community Association
WG20088064	Melin Tregwynt
WG20088065	<i>Private Individual</i>
WG20088066	National Planning Forum Mediation in Planning Prog
WG20088067	ASDA
WG20088068	West Coast Energy Ltd
WG20088069	Housing Supply Task Force
WG20088070	One Planet Council
WG20088071	Pembrokeshire County Council
WG20088072	The Coal Authority
WG20088073	Unity Project

Reference Number	Organisation
WG20088074	Evocati Limited
WG20088075	UK Environmental Law Association
WG20088076	Lammas Low Impact Initiatives Ltd
WG20088077	<i>(Removed at respondents request)</i>
WG20088078	Merthyr Tydfil County Borough Council
WG20088079	Mobile Operators Association
WG20088080	North and Mid Wales Association of Local Councils
WG20088081	Sainsburys Supermarkets Limited
WG20088082	Cowbridge (Ancient Borough) with Llanblethian TC
WG20088083	Pembroke Design Ltd
WG20088084	<i>Private Individual</i>
WG20088085	Network Rail
WG20088086	James & Nicholas LLP
WG20088087	Presteigne and Norton Town Council
WG20088088	Pentyrch Community Council
WG20088089	Sport Wales
WG20088090	The Law Society
WG20088091	<i>Private Individual</i>
WG20088092	<i>Private Individual</i>
WG20088093	<i>Private Individual</i>
WG20088094	Milford Haven Town Council
WG20088095	<i>Private Individual</i>
WG20088096	<i>Private Individual</i>
WG20088097	<i>Private Individual</i>

Reference Number	Organisation
WG20088098	<i>Private Individual</i>
WG20088099	Neath Port Talbot Council
WG20088100	Campaign for the Protection of Rural Wales
WG20088101	<i>Private Individual</i>
WG20088102	<i>Private Individual</i>
WG20088103	Acanthus Holden
WG20088104	Radyr & Morganstown Community Council
WG20088105	College of Occupational Therapists
WG20088106	Talgarth Town Council
WG20088107	<i>(Removed at respondents request)</i>
WG20088108	<i>(Removed at respondents request)</i>
WG20088109	<i>Private Individual</i>
WG20088110	Snowdonia National Park Authority
WG20088111	<i>Private Individual</i>
WG20088112	National Federation of Retail Newsagents
WG20088113	Carnegie UK Trust
WG20088115	PLANED
WG20088116	<i>(Removed at respondents request)</i>
WG20088117	Tai Pawb
WG20088118	Bridgend County Borough Council
WG20088119	Adam and Frances Voelcker Architects
WG20088120	Touchstone-the magazine for architecture in Wales
WG20088121	<i>(Removed at respondents request)</i>
WG20088122	Ceredigion County Council

Reference Number	Organisation
WG20088123	North Wales Tourism
WG20088124	The Pembrokeshire branch of CPRW
WG20088125	Coed Cadw (The Woodland Trust)
WG20088126	Cilgwyn Community Association
WG20088127	Pembrokeshire Association of Voluntary Services
WG20088128	Public Services Ombudsman for Wales
WG20088129	Powys County Council
WG20088130	Seren Group
WG20088131	City & County of Swansea Council
WG20088132	CREW Regeneration Wales
WG20088133	Un Llais Cymru/One Voice Wales
WG20088134	<i>(Removed at respondents request)</i>
WG20088136	Coastal Housing Group
WG20088137	Powys County Council
WG20088138	Envirowatch.Eu
WG20088139	National Grid
WG20088140	<i>Private Individual</i>
WG20088141	Abergele Town Council
WG20088142	Garden Court Chambers
WG20088143	RSPCA Cymru
WG20088144	Bay of Colwyn Town Council
WG20088145	Horizon Nuclear Power
WG20088146	<i>(Removed at respondents request)</i>

Reference Number	Organisation
WG20088147	Joint Advisory Committee for the Clwydian Range & Dee Valley Area of Outstanding Natural Beauty
WG20088148	<i>(Removed at respondents request)</i>
WG20088149	RSPB
WG20088150	National Parks Wales
WG20088151	The Loose Anti Opencast Network (LAON)
WG20088152	RICS Wales
WG20088153	South East Wales City-Region Board
WG20088154	<i>(Removed at respondents request)</i>
WG20088155	Community Housing Cymru Group
WG20088156	Pembrokeshire Wales Coastal Holidays
WG20088157	North Wales Minerals and Waste Shared Planning
WG20088158	Torfaen County Borough Council
WG20088159	Denbighshire County Council
WG20088160	<i>(Removed at respondents request)</i>
WG20088161	Institute of Historic Building Conservation
WG20088162	Scottish Power Renewables
WG20088163	Glamorgan Gwent Archaeological Trust
WG20088164	Nathaniel Lichfield & Partners
WG20088165	<i>Private Individual</i>
WG20088166	<i>Private Individual</i>
WG20088167	Grwp Gwalia
WG20088169	Royal Society of Architects in Wales
WG20088170	Guide Dogs Cymru

Reference Number	Organisation
WG20088171	CLA Cymru
WG20088173	Traveller Law Reform Project
WG20088174	Harrow Estates plc
WG20088175	Torfaen County Borough Council
WG20088176	Grayling / CITB
WG20088177	Wales Tourism Alliance
WG20088178	Anwyl Construction Co Ltd
WG20088179	Narberth Town Council
WG20088180	<i>(Removed at respondents request)</i>
WG20088181	Association of Convenience Stores
WG20088182	<i>Private Individual</i>
WG20088183	Older People's Commissioner for Wales
WG20088184	Sustrans Cymru
WG20088185	<i>(Removed at respondents request)</i>
WG20088186	Wrexham County Borough Council
WG20088187	<i>Private Individual</i>
WG20088188	The Community Law Partnership
WG20088189	Penarth Town Council
WG20088190	Valero Energy Ltd
WG20088191	Tesco Stores Limited
WG20088192	Wildlife Trusts Wales
WG20088193	Wales Environment Link
WG20088194	RNIB Cymru
WG20088195	<i>Private Individual</i>

Reference Number	Organisation
WG20088196	@rchitecture
WG20088197	CLAS Cymru
WG20088198	The Mineral Products Association
WG20088199	Neath Port Talbot County Borough Council
WG20088200	Welsh National Park Societies
WG20088201	Friends of Pembrokeshire Coast National Park
WG20088202	NFU Cymru
WG20088203	<i>(Removed at respondents request)</i>
WG20088204	World Society for the Protection of Animals (WSPA)
WG20088205	Energy UK
WG20088206	Cardiff University
WG20088207	Gwynedd Archaeological Planning Service
WG20088208	Persimmon Homes West Wales Ltd
WG20088209	Planning Aid Wales
WG20088210	<i>(Removed at respondents request)</i>
WG20088211	Canal & River Trust
WG20088212	<i>(Removed at respondents request)</i>
WG20088213	Vattenfall
WG20088214	<i>(Removed at respondents request)</i>
WG20088215	<i>(Removed at respondents request)</i>
WG20088216	Pontyclun Community Council
WG20088217	Severn Trent Water Ltd
WG20088218	Regeneration Skills Collective Wales
WG20088219	Carmarthen Town Council

Reference Number	Organisation
WG20088220	Gorslas Community Council
WG20088221	<i>(Removed at respondents request)</i>
WG20088222	Dŵr Cymru\Welsh Water
WG20088223	Comisiwn Dylunio Cymru Design Commission for Wales
WG20088224	Llangyfelach Community Council
WG20088225	iDeA Achitects
WG20088226	Planning Officers Society Wales
WG20088227	Ymddiriedolaeth Genedlaethol / National Trust
WG20088228	South East Wales Transport Alliance
WG20088229	<i>(Removed at respondents request)</i>
WG20088230	Natural Resources Wales
WG20088231	Crickhowell Town Council
WG20088232	<i>Private Individual</i>
WG20088233	Health and Safety Executive
WG20088234	<i>Private Individual</i>
WG20088235	<i>Private Individual</i>
WG20088236	Persimmon Homes East Wales
WG20088237	Stride Treglown
WG20088238	Farmers' Union of Wales
WG20088239	RTPI Cymru
WG20088240	Cardiff Civic Society
WG20088241	Conwy County Borough Council
WG20088242	Institute for Archaeologists
WG20088243	Mold Town Council

Reference Number	Organisation
WG20088244	Town and Country Planning Association
WG20088245	Carmarthenshire County Council
WG20088246	Friends of the Earth Cymru
WG20088247	The Theatres Trust
WG20088248	Boyer Planning Limited
WG20088249	Disability Wales
WG20088250	Cardiff County Council
WG20088251	Confederation of British Industry (CBI Cymru)
WG20088252	Barton Willmore
WG20088253	Magnox Limited
WG20088254	Chartered Institute of Housing Cymru
WG20088255	Melin Tregwynt
WG20088256	<i>Private Individual</i>
WG20088257	City and County of Swansea
WG20088258	Redrow Homes
WG20088259	<i>(Removed at respondents request)</i>
WG20088260	Heritage Lottery Fund in Wales
WG20088261	Court Bleddyn Farm
WG20088262	WLGA
WG20088263	Planning Aid Wales and Once Voice Wales Joint repo
WG20088264	Home Builders Federation
WG20088265	Richard Andrews Architects
WG20088266	Pontardawe Town Council
WG20088267	RWE Npower plc

Reference Number	Organisation
WG20088268	Federation of Small Businesses
WG20088269	Adventure - Tree top Adventure Snowdonia
WG20088270	BT
WG20088271	Landscape Institute Wales
WG20088272	Llanstadwell Community Council
WG20088273	Newport City Council
WG20088274	Rhondda Cynon Taf Council
WG20088275	Councillor Aled Evans
WG20088276	Mentrau Iaith Cymru
WG20088277	Cyngor Tref Frenhinol Caernarfon
WG20088278	Dyfodol i'r Iaith
WG20088279	<i>Private Individual</i>
WG20088280	Councillor Elin Walker Jones
WG20088281	Partneriaeth Penllyn
WG20088282	Carmarthenshire Planning Committee
WG20088283	Cyngor Gwynedd
WG20088284	Cymdeithas yr Iaith Gymraeg
WG20088285	<i>Private Individual</i>
WG20088286	Comisiynydd y Gymraeg
WG20088287	National Surface Water Management
WG20088288	Flood Risk Management Wales
WG20088289	<i>Private Individual</i>
WG20088290	Cymdeithas yr Iaith

Reference Number	Organisation
WG20088291	Cymdeithas yr Iaith - CAMPAIGN - 94 responses from private individuals
WG20088292	<i>Private Individual</i>
WG20088293	Friends of the Earth - CAMPAIGN - 19 responses from private individuals
WG20088294	Conwy County Council
WG20088295	Communities of Morfa Nefyn and Edern, Gwynedd
WG20088296	Right Honourable Elfyn Llwyd, Member of Parliament
WG20088297	Urdd Gobaith Cymru
WG20088299	Councillor Andrew Wood
WG20088300	Treforest Residents Association