

## Planning (Wales) Act 2015 – Implementation Update

What is it	What does it mean	When does it come into force	Where can I find more information
<b>Strategic Development Plans (SDPs) – all provisions are in force</b>	<p>All provisions of the Planning Act regarding SDPs, including its preparation and review, are in force.</p> <p>The Local Government and Elections (Wales) Act 2021 repealed the relevant sections of the Planning Act so that responsibility for preparing SDPs resides with Corporate Joint Committees (CJCs) and not Strategic Planning Panels (SPPs).</p>	<p>5 October 2015 (referring to the coming into force date for the Commencement No. 1 Order)</p> <p>7 January 2021 (referring to the coming into force date for the Commencement No. 7 Order)</p>	<p><a href="#">The Planning (Wales) Act 2015 (Commencement No. 1) Order 2015</a></p> <p><a href="#">The Planning (Wales) Act 2015 (Commencement No. 7) Order 2021</a></p>
<b>Future Wales: The National Plan 2040 (the National Development Framework) - all provisions are in force</b>	<p>Future Wales is the National Development Framework (NDF) for Wales. All provisions in the Planning Act relating to the NDF, including its preparation and review, are in force.</p> <p>More information on Future Wales can be found on the <a href="#">Future Wales section of the Welsh Government's website</a>.</p>	<p>4 January 2016 (referring to the coming into force date for the Commencement No. 2 Order)</p> <p>4 December 2020 (referring to the coming into force date for the Commencement No. 6 Order)</p>	<p><a href="#">The Planning (Wales) Act 2015 (Commencement No. 2 and Transitional and Saving Provisions) Order 2015</a></p> <p><a href="#">The Planning (Wales) Act 2015 (Commencement No. 6) Order 2020</a></p> <p><a href="#">Future Wales section of the Welsh Government's website</a></p>
<b>New legislation on Welsh language in planning</b>	<p>Section 11 of the Planning Act is in force, which requires every planning authority, when preparing or revising the local development plan, to give consideration to how the policies and site allocations are likely to impact on use of the Welsh language in their area.</p> <p>Section 31 is also in force, which clarifies that the language may be considered in decisions where it is material to the application.</p>	<p>4 January 2016</p>	<p><a href="#">The Planning (Wales) Act 2015 (Commencement No. 2 and Transitional and Saving Provisions) Order 2015</a></p>



<b>Local Development Plans</b>	<p>The Planning (Wales) Act 2015 (Commencement No. 2 and Transitional and Saving Provisions) Order 2015 commenced sections 12, 13 and 14 of the Planning Act to enable regulations to be made that:</p> <ul style="list-style-type: none"><li>- Enable the Welsh Ministers to direct two or more local planning authorities to prepare a joint local development plan (LDP).</li><li>- Require local planning authorities to give prior notification to the Welsh Ministers before an LDP can be withdrawn.</li><li>- Introduce an end date for LDPs.</li></ul>	4 January 2016	<a href="#">The Planning (Wales) Act 2015 (Commencement No. 2 and Transitional and Saving Provisions) Order 2015</a>
<b>New legislation to give planning authorities the opportunity to manage future growth of Houses in Multiple Occupation (HMOs)</b>	<p>New legislation introduces a new use class (C4) for HMOs occupied by not more than six residents. This will mean that anyone wanting to create a new HMO for between three and six unrelated individuals who share basic amenities such as a kitchen or bathroom would have to apply for planning permission. This will allow planning authorities to identify HMOs and consider the impact those dwellings may have on the local area before deciding whether to approve the planning application.</p>	25 February 2016	<a href="#">Dear Chief Planning Officer Letter: New Development Management Procedures (March 2016)</a>
<b>Developments of National Significance</b>	<p>The provisions in the Act, as well as associated subordinate legislation, establish a new process for the consenting of Developments of National Significance. The process will ensure that infrastructure projects which are of most significance to Wales, due to their complexity and impacts, are determined at the national level and are made directly to the Welsh Ministers, rather than the local planning authority. The DNS process will ensure that decisions are made within a statutory time period, creating certainty for developers and communities, and stimulating economic growth.</p>	1 March 2016	<a href="#">Dear Chief Planning Officer Letter: Developments of National Significance (March 2016)</a>  Visit the <a href="#">Development of National Significance pages on the Welsh Government website</a>



<p><b>New development management procedures (including pre-application process)</b></p>	<p>Legislation is in force that introduces a number of changes to existing development management procedures.</p> <p>In particular, it amends the Development Management Procedure (Wales) Order 2012 to introduce the requirement for a developer proposing a major development to undertake pre-application consultation with the public, town and community councils, and relevant statutory consultees, and to take account of their comments before formally submitting a planning application. It also introduces changes that cover the following:</p> <ul style="list-style-type: none"> <li>- Local planning authority pre-application services</li> <li>- Design and Access Statements</li> <li>- Consultation in respect of certain applications</li> <li>- Invalid applications: notice and appeal</li> <li>- Post submission amendments</li> <li>- Decision notices</li> <li>- Notification of the intention of development and display of notice</li> <li>- Statutory consultee consultation thresholds (including water and sewerage undertakers)</li> <li>- Section 73 applications (to remove or vary a planning condition)</li> <li>- Local development orders</li> <li>- Permitted development and use classes order (including houses in multiple occupation)</li> <li>- Enforcement</li> <li>- Environmental impact assessment Regulations.</li> </ul>	<p>16 March 2016</p>	<p><a href="#">Dear Chief Planning Officer Letter: New Development Management Procedures (March 2016)</a></p> <p><a href="#">The Development Management Manual</a></p>
<p><b>Joint Planning Boards (JPBs)</b></p>	<p>The Town and Country Planning Act 1990 contains a number of provisions relating to JPBs, enabling the Welsh Ministers to direct two or more local planning authorities to merge. Provisions in the Planning Act are in force, which extend and amplify those existing powers. The changes introduce flexibility for the Welsh Ministers over the types of bodies that can fulfil the role of a local planning authority with regard to statutory planning functions, in order to deliver efficient, effective and resilient planning services across Wales.</p>	<p>16 March 2016</p>	<p><a href="#">Section 4.2 of the Positive Planning Implementation Plan</a></p> <p><a href="#">The Planning (Wales) Act 2015 (Commencement No. 2 and Transitional and Saving Provisions) Order 2015</a></p>
<p><b>Statutory Purpose for the Planning System</b></p>	<p>Section 2 of the Planning Act sets out a statutory purpose for planning in Wales, which requires local planning authorities, the Welsh Ministers and other public bodies, when undertaking any development plan or development management function, to contribute to improving the well-being of Wales as part of carrying out sustainable development in accordance with the Well-being of Future Generations (Wales) Act 2015 (“the Well-being Act”).</p>	<p>1 April 2016</p> <p>This coincides with the commencement of the relevant provisions in the Well-being Act.</p>	<p><a href="#">Dear Chief Planning Officer Letter: Planning (Wales) Act 2015 (Commencement Orders 1 and 2)</a></p>



<p><b>Size and Composition of Planning Committees</b></p>	<p>The Planning (Wales) Act 2015 provides the Welsh Ministers with a regulation making power to prescribe the size and composition of planning committees or sub-committees.</p> <p>Regulations supporting the Planning Act and Local Government and Housing Act 1989 have been made which require planning committees in Wales to be structured and operated in accordance with the following requirements:</p> <ul style="list-style-type: none"> <li>- To contain no fewer than 11 members and no more than 21 members, but no more than 50% of the authority members.</li> <li>- To only enable one ward member to sit on the committee where wards have more than one elected member.</li> <li>- For each planning committee meeting to have at least a quorum of 50% to make decisions.</li> <li>- To prohibit the use of substitute members.</li> </ul>	<p>5 May 2017</p>	<p><a href="#">The Size and Composition of Local Planning Authority Committees (Wales) Regulations 2017</a></p> <p><a href="#">The Local Authorities (Standing Orders) (Wales) (Amendment) Regulations 2017</a></p> <p><a href="#">Dear Chief Planning Officer Letter: The Size and Composition of Planning Committees</a></p>
<p><b>Appeals</b></p>	<p>Legislation is in force from May 2017, which changes procedures for certain appeals, in order to streamline the appeal process, and to increase consistency and certainty for all parties. This includes:</p> <ul style="list-style-type: none"> <li>- Consolidating the processes for appeals to enable the Welsh Ministers to examine appeals proportionately</li> <li>- Requiring appellants to submit a full statement of case at the outset</li> <li>- Removing the ability for an applicant to vary an application, or raise new matters, once an appeal has been submitted</li> <li>- Changing the determining authority of challenges against Amenity notices from the Magistrates Court to the Welsh Ministers.</li> </ul>	<p>5 May 2017</p>	<p><a href="#">Dear Chief Planning Officer Letter: Appeals, Costs, Standard Daily Amounts and Compulsory Purchase Orders (May 2017)</a></p>
<p><b>Town and Village Greens</b></p>	<p>Sections 52 – 54 of the Planning (Wales) Act 2015 amend the Commons Act 2006 to allow landowners to deposit statements to their commons registration authority which would effectively bring to an end any period of recreational use of land which is ‘as of right’.</p> <p>The effect of these proposals would mean where a statement is deposited to, and verified by, a commons registration authority, an application cannot be submitted which calls for the land to be registered as a town or village green (subject to any transitional provisions or trigger / terminating events).</p>	<p>22 October 2018</p>	<p><a href="#">The Planning (Wales) Act 2015 (Commencement No.5 and Transitional Provisions) Order 2018</a></p> <p><a href="#">The Town and Village Greens (Landowner Statements) (Wales) Regulations 2018</a></p>