



Local Planning Authorities – Heads of Planning
Welsh Local Government Association

11 November 2024

Dear colleague

Digital submission of planning application forms and associated consents

1. Welsh Government currently employs a contractor to provide a single digital point of access for planning applications in Wales, via the “Planning Applications Wales” website - <https://www.gov.wales/apply-planning-permission>.
2. The service provides for the submission of applications for planning permission and associated consents to all Local Planning Authorities (LPAs), as well as enabling the submission of supporting documentation and reports, through a single, dynamic form. Data is transmitted directly into the ICT systems of LPAs.
3. Planning Applications Wales is a direct successor to the Planning Portal, for Welsh service users. The “Planning Portal” was launched by the UK Government in 2002, which they chose to move into the private sector in 2015. At the time of the privatisation, the Welsh Ministers concluded that the revenue raised in Wales from such commercial activities was unlikely to render the service commercially viable, particularly in relation to the need for Welsh language provision. The Welsh Ministers chose to maintain public funding to ensure continuity of services to Welsh LPAs. The service has since remained fully funded at public expense, and the contract for this service will expire on 28 March 2025.
4. PortalPlanQuest Ltd (PPQ), a subsidiary of TerraQuest, was formed when the Planning Portal moved into the private sector from UK government in 2015. PortalPlanQuest supports the commercial Planning Portal service in England, along with the contracted Planning Application Wales service, with both services utilising TerraQuest’s technology. PortalPlanQuest will extend its commercial services to cover Wales, in line with the commercial model in England where no cost is borne by the public purse, following the natural expiry of the Planning Application Wales Services contract.
5. **Following constructive discussions with TerraQuest, the Cabinet Secretary for Economy, Energy and Planning has agreed to the managed transfer of electronic planning applications services to PortalPlanQuest on the same commercial basis as England.** This means, from 29 March 2025 onwards, the Welsh Government will no longer fund or manage the provision of online planning applications and associated consents. Instead, these will be offered by a private company, as is already the case for such applications in England. Welsh

Government will work in partnership with Planning Portal to ensure a smooth transfer of the service.

6. To reflect the commercial nature of the service, Planning Portal proposes to develop a new “store front”, including a web address, yet to be confirmed. The technology supporting the service, however, will largely remain the same and little, if any, action needs to be taken by LPAs to react to the transfer of function.
7. Since commercialisation in England, the Planning Portal service has continued to enable direct submission of planning applications to Local Planning Authorities (LPAs) via its platform. Planning Portal also offers commercial services, including secure financial transaction services. After commercialisation this service will be extended to Wales.

Legislation

8. The Welsh Ministers will continue to be responsible for publishing forms for applying for planning permission and other consents, as set out in the following items of legislation:
 - (a) Section 62 of the Town and Country Planning Act 1990; and.
 - (b) Articles 4, 5, 11, 28, and 28A of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, which requires the various application types to “be made in writing to the local planning authority on a form published by the Welsh Ministers (or a form substantially to the like effect)”.
9. The Welsh Ministers will publish planning application forms and forms for associated consents, on the Welsh Government website. This enables PPQ, and any other provider who wishes to do so, to ensure the forms it offers are “substantially to the like effect”.

Action required by Local Planning Authorities

10. At the moment, no action is immediately required by LPAs. The new application service will be the same service you have always received, under new ownership.
11. Planning Portal will publicise the web address of the new service, and LPAs will need to direct applicants to it from 29 March onwards. We will communicate further on this as we approach the end of the current contract.
12. Those LPAs who make use of corporate profiles on Planning Applications Wales, for example to manage additional supporting information requirements for certain application types, will need to agree to transfer of their account to the new service. Planning Portal will communicate with you directly to manage this.

13. LPAs should be aware that the forms published on the Welsh Government website are the “official” forms, and applications made on them should be accepted and processed in the usual way.

Action required by service users (applicants and agents)

14. Service users should anticipate future communications from Planning Portal, and the Welsh Government, about access to the new service from March 2025. Planning Portal will email Planning Applications Wales service users directly with information about the forthcoming changes.
15. In accordance with the Data Protection Act 2018, Welsh Government is the data controller for personal information stored on the Planning Applications Wales service, and Planning Portal is the data processor. Welsh Government and the Planning Portal will work together to meet all GDPR legislative requirements and where appropriate seek consent from the Planning Applications Wales service users as part of the transfer process.
16. Planning Portal will directly communicate with existing service users in the next few months, inviting them to transfer their account to the new service. Those service users who choose to opt in to this transfer will experience a seamless transition to the new service.
17. As part of the transition process, both parties will be committed to the transfer of data ownership from the Welsh Government to the Planning Portal which will meet GDPR legislative commitments, thereby safeguarding the personal data held within the Planning Applications Wales service. For the purposes of transparency this will be jointly communicated to Welsh Planning Portal service users. Anyone wishing to retain access to draft applications should agree to the transfer to the new service.
18. Responsibility for publishing and retaining applications which have already been submitted to the relevant LPA is the responsibility of the relevant LPA, and the change in ownership of the service will not affect this.

Further action by Welsh Government

19. Welsh Government and Planning Portal will seek to engage with stakeholders, to promote awareness of the transfer of function. This will include engaging with representative and professional groups.
20. Officials are in the process of developing a Memorandum of Understanding with TerraQuest to ensure that constructive and forward-looking liaison between the two parties will continue as responsibility for delivery of electronic Welsh application forms moves into the private sector. This Memorandum of Understanding would be a common basis for working with any other interested party, should one arise.

21. Welsh Government will provide Planning Portal (and any competitor) with timely advance notice of changes to legislation or policy which would necessitate an alteration to application forms or procedures. In return, Planning Portal will provide Welsh Government with information analytics, in relation to the numbers and types of applications being submitted to LPAs in Wales.

Summary

22. Transition of the online planning application service to the private sector will enable its operators to provide some commercial activities which are in demand in England, and which cannot be offered on a state-funded service. In all other respects, the service will be the same service delivered by the same partners as before.
23. Further information on the transfer of the service can be obtained by contacting:

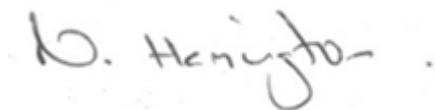
Welsh Government

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Yours sincerely



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