



# Planning (Wales) Act 2015

2015 anaw 4

## PART 1

### INTRODUCTION

#### **1 Overview of this Act**

- (1) This Part provides an overview of this Act.
- (2) Part 2 of this Act makes provision about sustainable development in the exercise of functions relating to development planning and applications for planning permission.
- (3) Part 3 of this Act is about development planning in Wales. It makes provision—
  - (a) for the preparation and revision of a National Development Framework for Wales;
  - (b) for the designation of strategic planning areas, the establishment of strategic planning panels and the preparation of strategic development plans;
  - (c) about the status of the National Development Framework for Wales and strategic development plans;
  - (d) about local development plans (including provision about the duration of plans, withdrawal of plans and directions to prepare joint plans);
  - (e) for joint planning boards to exercise development planning functions.
- (4) Part 3 also makes provision about the constitution and financial arrangements of strategic planning panels.
- (5) Part 4 of this Act makes provision about—
  - (a) consultation to be carried out by a prospective applicant for planning permission;
  - (b) pre-application services that are to be provided by a local planning authority or the Welsh Ministers.
- (6) Part 5 of this Act is about the making of certain applications to the Welsh Ministers. It makes provision—

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- (a) for applications for planning permission for development of national significance in Wales to be made to the Welsh Ministers instead of a local planning authority;
  - (b) for certain other applications to be made to either the Welsh Ministers or a local planning authority.
- (7) Part 5 also makes provision—
- (a) for certain functions of the Welsh Ministers, in respect of applications made to them, to be exercised by an appointed person;
  - (b) for further amendments to existing legislation in connection with the making of applications to the Welsh Ministers.
- (8) Part 6 of this Act is about development management and associated matters. It makes provision about—
- (a) requirements relating to planning applications, including provision for appeals where a local planning authority give notice that an application is not valid;
  - (b) notices of decisions to grant planning permission;
  - (c) notification of beginning development for which permission has been granted;
  - (d) the duration of planning permission;
  - (e) consultation in respect of applications for approval of reserved matters and certain other applications;
  - (f) arrangements to be made by local planning authorities for discharging their functions relating to planning applications.
- (9) Part 6 also—
- (a) applies to Wales existing statutory provision about circumstances in which a local planning authority may decline to determine a retrospective application;
  - (b) makes provision about the stopping up of public paths;
  - (c) makes provision about the functions of joint planning boards and about the power of the Welsh Ministers to establish joint planning boards.
- (10) Part 7 of this Act is about enforcement, appeals and certain other planning proceedings. It makes provision—
- (a) enabling local planning authorities to issue enforcement warning notices;
  - (b) about circumstances in which a person who appeals against an enforcement notice is deemed to have applied for planning permission;
  - (c) about circumstances in which a person may not appeal against the refusal of an application for planning permission or against an enforcement notice;
  - (d) preventing the variation of certain applications once notice of an appeal has been served;
  - (e) for appeals against notices in respect of land adversely affecting amenity to be made to the Welsh Ministers;
  - (f) about the procedure for certain proceedings and the payment and award of costs.
- (11) Part 8 is about town and village greens. It makes provision—
- (a) restricting the circumstances in which applications to register land as a town or village green may be made;
  - (b) about the determination of fees in relation to applications.

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- (12) Part 9 contains provisions that apply generally for the purposes of this Act (including provision about the making of subordinate legislation by the Welsh Ministers and about the interpretation and coming into force of the Act).