

PLANNING (WALES) ACT 2015

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 3 Development Planning

Section 10 – Land affected by National Development Framework or Strategic Development Plan

44. Property values often slump when land is affected by a proposed public work such as a new motorway or railway; this is known as planning “blight”. Part 6 and Schedule 13 of the TCPA 1990 deal with blighted land and provide that in certain circumstances landowners affected can require local authorities to buy their land.
45. **Section 149** in Part 6 of the TCPA 1990 introduces Schedule 13, which sets out what may be treated as blighted land (not all land affected by proposed development will be “blighted land”). Other provisions in Part 6 set out the procedure for an owner of blighted land to require a local authority to acquire the owner’s interest in the land.
46. Under section 150 in Part 6, the owner of land considered blighted by the proposals of a public authority may, if certain conditions are fulfilled, serve notice on the authority requiring the authority to purchase the owner's interest in the land. The price for the land is its market value ignoring the effects of the development causing the blight.
47. Consequential amendments are made in this section to Part 6 of and Schedule 13 to the TCPA 1990 as a result of the introduction of the National Development Framework and strategic development plans. References to the National Development Framework and strategic development plan are inserted into Schedule 13. This section also confers compulsory purchase powers on the Welsh Ministers where a blight notice has been served in respect of land identified for certain purposes in the National Development Framework. The effect is that owners of land blighted by proposals in the Framework or in a strategic development plan are treated the same way as those affected by other planning proposals.