



Planning (Wales) Act 2015

2015 anaw 4

PLANNING (WALES) ACT 2015

PART 1

INTRODUCTION

- 1 Overview of this Act

PART 2

SUSTAINABLE DEVELOPMENT

- 2 Sustainable development

PART 3

DEVELOPMENT PLANNING

National Development Framework for Wales

- 3 Preparing and revising the National Development Framework for Wales

Strategic planning

- 4 Designating strategic planning areas and establishing strategic planning panels
- 5 Strategic planning areas: survey
- 6 Preparing and revising strategic development plans

Status of National Development Framework and strategic development plans

- 7 Conformity of certain plans and schemes with National Development Framework and strategic development plan
- 8 Duty to consider whether to review local development plan
- 9 National Development Framework and strategic development plan to form part of development plan

Blighted land

- 10 Land affected by National Development Framework or strategic development plan

Local development plans

- 11 Welsh language
 12 Period for which local development plan has effect
 13 Withdrawal of local development plan
 14 Welsh Ministers' power to direct preparation of joint local development plan
 15 Joint planning boards: functions relating to surveys and local development plans

General

- 16 Development planning: further amendments

PART 4

PRE-APPLICATION PROCEDURE

- 17 Requirement to carry out pre-application consultation
 18 Requirement to provide pre-application services

PART 5

APPLICATIONS TO WELSH MINISTERS

Developments of national significance

- 19 Developments of national significance: applications for planning permission
 20 Developments of national significance: secondary consents
 21 Developments of national significance: local impact reports
 22 Timetable for determining applications

Option to make application to Welsh Ministers

- 23 Option to make application to Welsh Ministers

General

- 24 Further provision about applications made to Welsh Ministers
 25 Power to make provision by development order in respect of applications to Welsh Ministers
 26 Developments of national significance and applications made to Welsh Ministers: exercise of functions by appointed person
 27 Applications to Welsh Ministers: further amendments

PART 6

DEVELOPMENT MANAGEMENT ETC

Requirements for applications to local planning authorities

- 28 Power of local planning authority to require information with application

- 29 Invalid applications: notice and appeal
- 30 Revocation of saving of Town and Country Planning (Applications) Regulations 1988

Determination of applications for planning permission

- 31 Welsh language
- 32 Power to decline to determine retrospective application

Decision notices and notification of development

- 33 Decision notices
- 34 Notification of development

Duration of planning permission

- 35 Duration of planning permission: general
- 36 Duration of outline planning permission

Consultation etc in respect of certain applications relating to planning permission

- 37 Consultation etc in respect of certain applications relating to planning permission

Stopping up or diversion of public paths

- 38 Stopping up or diversion of public paths where application for planning permission made

Exercise of functions of local planning authority relating to applications

- 39 Exercise of functions of local planning authority relating to applications

Joint planning boards and National Parks

- 40 Joint planning boards to be hazardous substances authorities
- 41 Power to make provision enabling joint planning boards to exercise development management functions in National Parks
- 42 Joint planning boards: power to make consequential and supplementary provision

PART 7

ENFORCEMENT, APPEALS ETC

Enforcement

- 43 Breach of planning control: enforcement warning notice
- 44 Appeal against enforcement notice: deemed application for planning permission

Appeals

- 45 Restrictions on right to appeal against planning decisions
- 46 Restrictions on right to appeal against enforcement notice
- 47 No variation of application after service of notice of appeal against planning decision etc
- 48 Appeal against notice in respect of land adversely affecting amenity

Status: This is the original version (as it was originally enacted).

Appeals etc: costs and procedure

- 49 Costs on applications, appeals and references
- 50 Procedure for certain proceedings
- 51 Costs and procedure on appeals etc: further amendments

PART 8

TOWN AND VILLAGE GREENS

- 52 Statement by owner to end use of land as of right
- 53 Exclusion of right to apply for registration
- 54 Applications to amend registers: power to make provision about fees

PART 9

GENERAL PROVISIONS

- 55 Regulations and orders made by Welsh Ministers
- 56 Interpretation
- 57 Power to make consequential etc provision
- 58 Coming into force
- 59 Short title

SCHEDULE 1 — STRATEGIC PLANNING PANELS

PART 1 — CONSTITUTION AND FINANCIAL ARRANGEMENTS OF
PANELS

- 1 In PCPA 2004, after Schedule 2 insert— SCHEDULE 2A
STRATEGIC...

PART 2 — FURTHER AMENDMENTS

- 2 Local Authorities (Goods and Services) Act 1970 (c. 39)
- 3 Local Government Act 1972 (c. 70)
- 4 Local Government Act 2000 (c. 22)
- 5 Freedom of Information Act 2000 (c. 36)
- 6 Public Services Ombudsman (Wales) Act 2005 (c. 10)
- 7 Equality Act 2010 (c. 15)
- 8 Welsh Language (Wales) Measure 2011 (nawm 1)
- 9 Local Government (Wales) Measure 2011 (nawm 4)

SCHEDULE 2 — DEVELOPMENT PLANNING: FURTHER AMENDMENTS

- 1 Welsh Development Agency Act 1975 (c. 70)
- 2 In section 21A (powers of land acquisition), in subsection (5)—...
- 3 In section 21C (powers to advise on land matters), in...
- 4 (1) Schedule 4 (acquisition of land) is amended as follows....
- 5 Wildlife and Countryside Act 1981 (c. 69)
- 6 (1) Section 27AA (sites of special scientific interest and limestone...
- 7 In section 37A (notification of designation of Ramsar sites), after...
- 8 Town and Country Planning Act 1990 (c. 8)
- 9 In section 293A (urgent Crown development: application), in
subsection (9),...
- 10 (1) Section 303A (responsibility of local planning authorities for costs...
- 11 In section 306 (contributions by local authorities and statutory
undertakers),...

- 12 In section 324 (rights of entry), after subsection (1A) insert—...
- 13 In section 336 (interpretation), in subsection (1), after the definition...
- 14 In Schedule 4A (local development orders: procedure), in paragraph 5(1),...
- 15 In Schedule 13 (blighted land), in paragraph 1B, in note...
- 16 Water Resources Act 1991 (c. 57)
- 17 Coal Industry Act 1994 (c. 21)
- 18 In section 39 (right to withdraw support from land: notice),...
- 19 In section 41 (revocation of right to withdraw support), in...
- 20 Environment Act 1995 (c. 25)
- 21 Countryside and Rights of Way Act 2000 (c. 37)
- 22 Finance Act 2003 (c. 14)
- 23 Planning and Compulsory Purchase Act 2004 (c. 5)
- 24 In section 19 (preparation of English local development documents), in...
- 25 In section 62 (local development plan), in subsection (5) (matters...
- 26 In section 74 (urban development corporations), for “section 60” substitute...
- 27 (1) Section 113 (validity of strategies, plans and documents) is...
- 28 Natural Environment and Rural Communities Act 2006 (c. 16)
- 29 Government of Wales Act 2006 (c. 32)
- 30 Planning and Energy Act 2008 (c. 21)
- 31 (1) Section 1 (energy policies) is amended as follows.
- 32 In section 2 (interpretation), at the end insert— “strategic planning...
- 33 Marine and Coastal Access Act 2009 (c. 23)
- 34 (1) Paragraph 1 (marine plan authority to notify related planning...
- 35 (1) Paragraph 3 (marine plans to be compatible with certain...
- 36 In paragraph 9 (matters to which marine plan authority is...

SCHEDULE 3 — DEVELOPMENTS OF NATIONAL SIGNIFICANCE AND APPLICATIONS MADE TO WELSH MINISTERS: EXERCISE OF FUNCTIONS BY APPOINTED PERSON

- 1 In TCPA 1990, after Schedule 4C insert— SCHEDULE 4D EXERCISE...
- 2 In section 59 of PCPA 2004 (correction of errors: supplementary),...

SCHEDULE 4 — APPLICATIONS TO WELSH MINISTERS: FURTHER AMENDMENTS

- 1 TCPA 1990 is amended as follows.
- 2 In section 58 (granting of planning permission: general), in subsection...
- 3 In section 59 (development orders: general), in subsection (2)(b)—
- 4 Before section 62A insert— England: option to make application directly...
- 5 In section 70 (determination of applications), in subsection (1)(a), after...
- 6 In section 70A (power to decline to determine application), as...
- 7 After section 75 insert— Applications made to the Welsh Ministers:...
- 8 In section 87 (exclusion of certain land or descriptions of...
- 9 In section 88 (planning permission for development in enterprise zones),...
- 10 In section 92 (outline planning permission), in subsection (1), after...
- 11 In section 93 (provisions supplementary to sections 91 and 92),...
- 12 In section 99 (procedure for orders revoking or modifying planning...

Status: This is the original version (as it was originally enacted).

- 13 In section 253 (procedure in anticipation of planning permission), in...
- 14 In section 257 (footpaths etc affected by other development: orders...
- 15 (1) Section 284 (actions which may be questioned in legal...
- 16 (1) Section 288 (proceedings for questioning the validity of other...
- 17 (1) Section 293A (urgent Crown development: application) is amended as...
- 18 In section 303 (fees for planning applications, etc), after subsection...
- 19 (1) Section 316 (land of interested planning authorities and development...
- 20 (1) Section 319B (determination of procedure for certain proceedings) is...
- 21 In section 324 (rights of entry), in subsection (1), after...
- 22 In Schedule 1A (distribution of local planning authority functions: Wales),...
- 23 (1) In Schedule 16, Part 1 (provisions which may be...

SCHEDULE 5 — COSTS AND PROCEDURE ON APPEALS ETC: FURTHER AMENDMENTS

- 1 Highways Act 1980 (c. 66)
- 2 (1) Section 121 is amended as follows.
- 3 In Schedule 6, in paragraph 2B— (a) in sub-paragraph (1),...
- 4 Wildlife and Countryside Act 1981 (c. 69)
- 5 In section 28F, after subsection (11) insert—
- 6 In section 28L, after subsection (13) insert—
- 7 In Schedule 15, in paragraph 10A— (a) in sub-paragraph (1),...
- 8 Town and Country Planning Act 1990 (c. 8)
- 9 In section 175, in subsection (7), after “any proceedings” insert...
- 10 In section 196, in subsection (8), after “any proceedings” insert...
- 11 In section 208, omit subsection (11).
- 12 (1) Section 320 is amended as follows.
- 13 (1) Section 322 is amended as follows.
- 14 (1) Section 322A is amended as follows.
- 15 (1) Section 323 is amended as follows.
- 16 (1) Schedule 6 is amended as follows.
- 17 In Schedule 7, in paragraph 8— (a) in sub-paragraph (6),...
- 18 In Schedule 8, in paragraph 5— (a) in sub-paragraph (3),...
- 19 Planning (Listed Buildings and Conservation Areas) Act 1990 (c. 9)
- 20 In section 41, in subsection (8), after “any proceedings” insert...
- 21 (1) Section 89 is amended as follows.
- 22 In Schedule 3, in paragraph 6— (a) in sub-paragraph (4),...
- 23 Planning (Hazardous Substances) Act 1990 (c. 10)
- 24 In section 25, in subsection (5), after “any proceedings” insert...
- 25 (1) Section 37 is amended as follows.
- 26 In the Schedule, in paragraph 6— (a) in sub-paragraph (4),...
- 27 Tribunals and Inquiries Act 1992 (c. 53)

SCHEDULE 6 — TOWN AND VILLAGE GREENS: NEW SCHEDULE 1B TO THE COMMONS ACT 2006

SCHEDULE 7 — REGULATIONS AND ORDERS MADE BY WELSH MINISTERS

- 1 Regulations under PCPA 2004
- 2 In Schedule 11 to the Government of Wales Act 2006...

- 3 Regulations under TCPA 1990
- 4 (1) TCPA 1990 is further amended as follows.
- 5 Orders under TCPA 1990
- 6 (1) Section 333 of TCPA 1990 is amended as follows....
- 7 (1) TCPA 1990 is further amended as follows.
- 8 Regulations and orders under the Commons Act 2006
- 9 In section 61(1) of that Act (interpretation), in the definition...