

**Towards a
Wales Planning
Bill**

DLP BRIEFING NOTE 76

Prepared by
DLP Planning Ltd

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DLP Planning Ltd

Bedford
Sheffield
London
Bristol
Cardiff

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Towards a Welsh Planning Act

As part of the Welsh Government's continuing exploration of the issues that may influence the preparation, content and objectives of a Welsh Planning Act, a consultation paper has been published that seeks to review the existing system. It is intended to ascertain how effective the users of the current system think it is and will lead into the preliminary papers ahead of the eventual Act. The subtitle of the consultation is *"ensuring the planning system delivers."*

Background

New Powers

In 2011 the Welsh Government (WG) were granted powers to legislate in new policy areas, including town and country planning. Following the May elections, the new First Minister (Carwyn Jones) announced a five-year legislative programme; amongst the bills will be a Planning Bill *"to consolidate existing legislation, make it more transparent and help deliver economic renewal."* A white paper will be published towards the end of 2012 or in 2013, with the Bill expected in 2015/16.

Ongoing Review

An Independent Advisory Group has been set up to review the current system in Wales. It should identify key policy objectives, assess current arrangements and propose options for the future delivery of the planning system. It is chaired by former Welsh Director of the Planning Inspectorate John Davies MBE. It is expected to report in Summer 2012.

There have also been reviews and research into the planning application process, appeals process and the effectiveness of planning policy for economic development. As announced recently, a task group is also investigating the use of city-regions in Wales, which is likely to have a strong planning element (see DLP's Client Briefing 74).

The Consultation

The consultation is divided into four parts:-

A) Key Policy Objectives

Planning Policy Wales currently sets out what the planning system is for. It also offers a definition of sustainable development. The consultation asks if the primary purpose of the planning system is delivering land for sustainable development, questions whether the definition of sustainable development is sufficient for the purposes of legislation and asks if the current framework enables decisions on sustainable development to be taken at the appropriate level.

B) Criteria for Effective Delivery

Questions then follow about the transparency, accessibility, timeliness and democratic accountability of the development plan and development management systems.

C) Roles and Responsibilities in Planning Delivery

The third section considers the various roles within the system, asking if it makes the most effective delivery of sustainable development. This section then asks for views on how to improve delivery, including at LPA, PINS and WG levels. It also questions the role of other bodies and consultees within the planning process.

D) Quick Wins and Simple Solutions

This final section asks for "examples of barriers to effective delivery, examples of good practice or suggestions to improve delivery" that could be implemented without legislation or organisational changes.

Responses to the consultation - which runs until February 2012 - ought to be supported with examples.

DLP want to see a positive planning system in Wales; a system that encourages sustainable development in the correct locations but one that also enables the protection of the wide-ranging elements that constitute public interest. We will be responding to the consultation in due course but also want to hear other views on the system. After all, the planning system is not just for planners, but for everyone.

If you require more information or would like to discuss the issues mentioned in further detail please contact:

Bedford (Design)

3rd Floor
8 Goldington Road
Bedford
MK40 3LG
T 01234 261 266
F 01234 347 413

Bedford (Planning)

4 Abbey Court
Fraser Road
Priory Business Park
Bedford
MK44 3WH
T 01234 832 740
F 01234 831 266

Bristol

2A High Street
Thornbury
Bristol
BS35 2AQ
T 01454 410 380
F 01454 410 389

London

1st Floor Holborn Gate
330 High Holborn
London
WC1V 7QT
T 020 7849 6979
F 020 7203 6701

Cardiff

Sophia House
28 Cathedral Road
Cardiff
CF11 9LJ
T 029 2064 6810
F 029 2066 4891

Sheffield

11 Paradise Square
Sheffield
S1 2DE
T 0114 228 9190
F 0114 272 1947

briefings

BEDFORD

DLP Planning Ltd
4 Abbey Court
Fraser Road
Priory Business Park
Bedford
MK44 3WH

t 01234 832 740
f 01234 831 266

bedford@dlpconsultants.co.uk

DLP Design Ltd
8 Goldington Road
Bedford
MK40 3LG

t 01234 261 266
f 01234 347 413

bedford@dlp-design.co.uk

BRISTOL

DLP Planning Ltd
DLP Transportation Ltd
2A High Street
Thornbury
Bristol
BS35 2AQ

t 01454 410 380
f 01454 410 389

bristol@dlpconsultants.co.uk

CARDIFF

DLP Planning Ltd
28 Cathedral Road
Cardiff
CF11 9LJ

t 029 2064 6810

cardiff@dlpconsultants.co.uk

LONDON

1st Floor
Holborn Gate
330 Holborn Gate
London
WC1C 7QT

t 020 7849 6979
f 020 7203 6701

London@dlpconsultants.co.uk

SHEFFIELD

11 Paradise Square
Sheffield
S1 2DE

t 0114 228 9190
f 0114 272 1947

sheffield@dlpconsultants.co.uk

