

*These notes refer to the Planning (Wales) Act 2015
(c.4) which received Royal Assent on 6 July 2015*

PLANNING (WALES) ACT 2015

EXPLANATORY NOTES

INTRODUCTION

1. These Explanatory Notes are for the Planning (Wales) Act 2015 which was passed by the National Assembly for Wales on 19 May 2015 and received Royal Assent on 6 July 2015. They have been prepared by the Planning Directorate of the Welsh Government to assist the reader of the Act. The Explanatory Notes should be read in conjunction with the Act but are not part of it.
2. The planning system in Wales manages the development and use of land in the public interest. A well functioning planning system is essential for sustainable development. It must provide for an adequate and continuous supply of land, available and suitable for development to meet society's needs, helping to provide the homes, jobs and infrastructure that we need collectively and individually. The planning system also provides protection and opportunities to enhance our most important built and natural environments and supports the use of the Welsh language.
3. The Welsh Government establishes the overall context for the operation of the planning system through making subordinate legislation and setting the policy framework through Planning Policy Wales, technical advice notes, circulars and guidance. Day to day operation of the planning system is vested in local planning authorities who have responsibility for making their local development plan, making decisions on planning applications and taking enforcement action where there are breaches of planning control.
4. The main pieces of primary legislation as they relate to planning in Wales are the Town and Country Planning Act 1990 and the Planning and Compulsory Purchase Act 2004. In these Explanatory Notes the Town and Country Planning Act 1990 is referred to as the TCPA 1990 and the Planning and Compulsory Purchase Act 2004 is referred to as the PCPA 2004. The Planning (Wales) Act 2015 makes changes to the planning system in Wales largely by amending these two Acts.
5. Part 3 of the TCPA 1990 deals with development management. Part 6 of the PCPA 2004 deals with development plans in Wales.
6. An extensive evidence base was assembled to identify areas where the planning system in Wales should be reformed. Key reports include:
 - a) Independent Advisory Group Report – Towards a Welsh Planning Act: Ensuring the Planning System Delivers (June 2012);
 - b) Delivery of Planning Services in Statutory Designated Landscapes in Wales (August 2012);
 - c) A New Approach to Managing Development in Wales: Towards a Welsh Planning Act (September 2012);
 - d) Public Attitudes Towards the Planning System in Wales (September 2012);

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- e) Evaluation of Consenting Performance of Renewable Energy Schemes (January 2013);
 - f) Research into the Review of the Planning Enforcement System in Wales (June 2013);
 - g) Research into the operation of Planning Committees in Wales (July 2013);
 - h) Review of Design and Access Statements in Wales (November 2013);
 - i) Research to Evaluate the Planning Permission Process for Housing (January 2014).
7. The Welsh Government published “Positive Planning: Proposals to Reform the Planning System in Wales” in December 2013.
8. In addition the National Assembly for Wales Environment and Sustainability Committee published:
- a) an Inquiry into Planning in Wales (January 2011);
 - b) an Inquiry into Energy Policy and Planning in Wales (June 2012); and
 - c) Evaluation of Consenting Performance of Renewable Energy Schemes in Wales (January 2013)