

**National Assembly for Wales**  
**Environment and Sustainability Committee**  
**PB 27**  
**Planning (Wales) Bill**  
**Response from Planning Aid Wales**

## **Environment and Sustainability Committee**

### **Planning (Wales) Bill: Consultation on general principles**

#### **Submission by Planning Aid Wales**

##### **1. About Planning Aid Wales**

1.1 Planning Aid Wales is the independent charity providing planning aid services in Wales. With funding support from Welsh Government we work to help individuals and communities engage more effectively with the planning system. We provide impartial information and guidance via a website, guidance publications, an advice Helpline and training programmes. We also work with planning authorities and Welsh Government to encourage meaningful community involvement in the planning process.

1.2 Our services are delivered by a small staff team supported by a Wales-wide network of around 70 planning and community volunteers. An independent Management Board of Trustees oversees the running of Planning Aid Wales and sets the direction and strategy for the organisation. For more information, please visit:  
<http://www.planningaidwales.org.uk/about-us>

1.3 When seeking to influence national policy development, Planning Aid Wales aims to make the planning system more accessible and equitable by removing barriers to community involvement.

##### **2. Key issues**

2.1 Our observations on the general principles of the Planning (Wales) Bill fall under four main headings: Integrated explanation of planning hierarchies; Development plan hierarchy; Development management hierarchy, and; Pre-application consultations.

###### **Integrated explanation of planning hierarchies**

2.2 The Planning (Wales) Bill as introduced will significantly change the 'shape' of the Welsh planning system. The changes will have significant impacts on the opportunities available for local communities to understand and engage meaningfully with the main components of planning process - development plan preparation and development management.

2.3 Our experience of helping local communities to engage with the planning system demonstrates that understanding the general ‘shape’ of planning is an essential prerequisite before effective engagement can happen. Without some understanding of broader context, communities seeking to influence outcomes in the planning process are placed at a disadvantage. This applies to community involvement in both plan-making and deciding planning applications.

2.4 **An integrated and carefully structured explanation of the new planning hierarchy is needed to help address this.** The explanation, or ‘route map’, should express clearly all the opportunities for public participation in planning, from the national strategic level down to implementation on the ground. The route map will help local planning authorities, developers and others to engage more fruitfully with communities when they seek useful comments on planning applications or set out to involve the public in plan-making.

2.5 To generate maximum benefit, the route map will need to make explicit the links between principal elements of the proposed development plan and development management hierarchies. Examples of the need to explain such links are between the National Development Framework and Developments of National Significance, or between the Local Development Plan and Major Developments, or between the Local Development Plan and Place Plans.

2.6 While these links may be evident to the seasoned planning professional, our experience suggests that lay people will struggle to understand and engage with the reformed planning process without a carefully crafted route map to illustrate the connections.

### **Development plan hierarchy**

2.7 The new hierarchy will introduce two completely new elements - the National Development Framework and Strategic Development Plans (SDPs). Local Development Plans will continue to be prepared for each planning authority area, but in conformity with the National Development Framework (and SDP if applicable).

#### *National Development Framework*

2.8 There is no clear strand of public engagement proposed for preparation of the National Development Framework (NDF), which will be the most important part of the Development Plan for all parts of Wales. **There needs to be systematic and early engagement of the general public, local communities in areas of likely development pressure, and other stakeholders in devising a shared vision for Wales.**

2.9 The proposals for preparing the NDF will be less rigorous than for a Local Development Plan, and there will be less opportunity to ensure it is robust. The

Framework will be produced in-house by Welsh Government with public engagement limited to a statutory twelve week period.

2.10 Since the NDF will provide a framework for decisions taken on Developments of National Significance, and all Strategic Development Plans and Local Development Plans will need to be in conformity with it, it is vital that there are clear opportunities for the general public to be involved in its preparation.

#### Strategic Development Plans

2.11 In those areas where a Strategic Development Plan is proposed, there need to be meaningful opportunities for local communities to participate directly in its preparation process.

**2.12 Planning Aid Wales recommends introduction of a statutory mechanism to allow proportionate and effective community engagement during the early stages of Strategic Development Plan preparation.** Such a mechanism will help to manage expectations whilst maintaining public confidence in the planning system.

2.13 Local community interests should also be represented on the SDP Panels. This is important given that one third of the members will not be democratically elected, eroding the necessary links between communities and decisions on strategic plans.

#### Local Development Plans

2.14 Planning Aid Wales identifies the early, strategy-setting stages of Local Development Plan preparation as a particularly effective and meaningful route for community engagement in planning. It is vitally important that early-stage community engagement is conducted by local planning authorities as a concrete demonstration of their, and the Welsh Government's, commitment to maintaining a transparent and accountable planning system.

#### Clarification of the role of Community and Town Councils and Place Plans

2.15 Planning Aid Wales strongly supports the principle of Place Plans and we are committed to helping Welsh Government achieve its objectives for community engagement through Place Plan preparation.

2.16 However, local communities in those areas without a community or town council (comprising around 30% of the Welsh population) will not have an opportunity to work with local planning authorities to develop Place Plans. Urban areas in particular, where development pressures tend to be concentrated, have relatively poor local council coverage.

**2.17 We urge consideration of a mechanism allowing preparation of Place Plans (or equivalent) in areas not covered by community or town councils.**

**We also suggest that planning authorities should be encouraged to work with groupings of community or town councils to develop Place Plans.**

**2.18 We also consider that secondary legislation is needed to usefully define the role of Community and Town Councils in planning, preparation of Place Plans and requirements on local planning authorities to support their preparation.**

### **Development management hierarchy**

2.19 The development management hierarchy will introduce new elements including Developments of National Significance, Direct Applications to Ministers, and pre-application consultation on Major Applications. There will be new ways of processing some planning applications and changes to the opportunities offered to third parties to be involved in decision-making, which have the potential to create confusion.

**2.20 As above (paras. 2.2 to 2.5), we see the need for a clear route map showing the opportunities that will be available for the public to participate in decision-making on the different types of planning application at different levels in the new development management hierarchy.**

### **Pre-application consultations**

2.21 Planning Aid Wales supports the principle of pre-application consultation on major developments. However, it will only be of value if it is done well. A current Welsh Government consultation (*Frontloading the Development Management System* – see: <http://wales.gov.uk/docs/desh/consultation/141006frontloading-consultation-document-en.pdf>) outlining proposed procedures to be followed by scheme promoters suggests that the full potential is unlikely to be realised. In essence, the consultation envisages promoters of major schemes as consulting local people before the application is submitted in much the same way as the planning authority will consult local people once the application is submitted. Care will be needed to ensure that this new process adds value and does not contribute to consultation fatigue.

**2.22 Our work with local communities demonstrates that robust consultation processes serve to improve people's trust in the planning system, while poor consultation experiences often serve to undermine confidence.**