

Ymchwiliad Pwyllgor Amgylchedd a  
Chynaliadwyedd Cynulliad Cenedlaethol

Á PB 17

Á Bil Cynllunio (Cymru)

Á Ymateb gan Cyngor Sir Ceredigion (Saesneg yn Unig)

Á

Positive Planning - A consultation on proposals to reform the planning system in Wales

Consultation reference: WG20088

## CALL FOR EVIDENCE RESPONSE – CEREDIGION COUNTY COUNCIL

**Please accept this as Ceredigion County Council's formal submission to the call for evidence for the 7<sup>th</sup> November 2014. Although the majority of comments on this form are as per submitted at the time of the consultation on the draft in early 2013 the LA have taken the opportunity to amend and add to those comments in some of the questions below. As most of the LA's comments have not led to a change between the draft and the now published Bill the LA's comments stand and should be considered as part of the evidence in taking the Bill forward.**

### Consultation Response Form

## Positive Planning - A consultation on proposals to reform the planning system in Wales

We would like your views on our proposals to change the planning system in Wales. This requires changes to primary legislation, secondary legislation, and policy and guidance.

***Please submit your comments by 26/02/2014.***

If you have any queries on this consultation, please email:

[planconsultations-d@wales.gsi.gov.uk](mailto:planconsultations-d@wales.gsi.gov.uk) or telephone Switchboard on 0300 0603300 or 08450103300.

#### Data Protection

Any response you send us will be seen in full by Welsh Government staff dealing with the issues which this consultation is about. It may also be seen by other Welsh Government staff to help them plan future consultations.

The Welsh Government intends to publish a summary of the responses to this document. We may also publish responses in full. Normally, the name and address (or part of the address) of the person or organisation who sent the response are published with the response. This helps to show that the consultation was carried out properly. If you do not want your name or address published, please tell us this in writing when you send your response or tick the box at the end of this form. We will then blank them out.

Names or addresses we blank out might still get published later, though we do not think this would happen very often. The Freedom of Information Act 2000 and the Environmental Information Regulations 2004 allow the public to ask to see information held by many public bodies, including the Welsh Government. This includes information which has not been published. However, the law also allows us to withhold information in some circumstances. If anyone asks to see information we have withheld, we will have to

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decide whether to release it or not. If someone has asked for their name and address not to be published, that is an important fact we would take into account. However, there might sometimes be important reasons why we would have to reveal someone's name and address, even though they have asked for them not to be published. We would get in touch with the person and ask their views before we finally decided to reveal the information.

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<b>Positive Planning - A consultation on proposals to reform the planning system in Wales</b>		
<b>Date of consultation period: 04/12/2013 – 26/02/2014</b>		
<b>Name</b>	<b>Llinos Quelch</b>	
<b>Organisation</b>	<b>Ceredigion County Council</b>	
<b>Address</b>	<b>Cyngor Sir Ceredigion County Council Penmorfa Aberaeron Ceredigion SA46 0PA</b>	
<b>E-mail address</b>	<b>ldp@ceredigion.gov.uk</b>	
<b>Type</b> <i>(please select one from the following)</i>	Businesses/ Consultants	<input type="checkbox"/>
	Local Planning Authority	<input checked="" type="checkbox"/>
	Government Agency/Other Public Sector	<input type="checkbox"/>
	Professional Bodies/Interest Groups	<input type="checkbox"/>
	Voluntary sector (community groups, volunteers, self help groups, co-operatives, social enterprises, religious, and not for profit organisations)	<input type="checkbox"/>
	Other (other groups not listed above) or individual	<input type="checkbox"/>

**General Observations:**

**Ceredigion County Council along with its detailed responses to the 43 questions would like to make the following general observations (some of which are reiterated in relation to individual questions):**

- **The Council is disappointed that such a valuable opportunity to strengthen the role of planning in sustaining the Welsh language has not been taken up. The Planning Bill makes no provision in relation to the Welsh language. WG may well say that this is a policy matter and has been addressed in draft Technical Advice Note on the Welsh Language which was published last year. However the council disagree that the national policy, known as TAN 20, does enough to sustain the Welsh language especially as it does not allow new Local Development Plans to use Language Impact assessments in the determination of individual planning applications. A number of opportunities have therefore been missed in the new Bill, including that of looking at the potential for requiring a planning permission for change of use between second homes, not holiday lets, but second homes, in areas where such homes are numerous, a measure which would help ensure that new homes remain available for locals which in turn will assist the language and the vitality of local communities.**
- **A number of planning service functions are proposed to be taken on by Welsh Government (WG). This is of concern as the role of WG is currently much clearer – that of policy direction rather than service provider. The**

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**provision of services and the overall determination of planning applications are generally better undertaken at the local level, by Local Planning Authorities. There is however some merit regarding schemes of national significance and for these to be determined at a national level but only with significant input and steer from Local Authorities (LAs) (see response to questions below).**

- **Removing some of the LPA's planning function to WG will have a direct impact on fees and resources available to LPAs. If certain planning applications are to be determined at WG level then a proportion of the fee should still be allocated to the LPA as a large amount of the work involved in determining the application, according to the consultation paper, remains with the LPA. The fee proportion given to the LPA therefore needs to be proportionate to the amount of work to be undertaken.**
- **In relation to the choices provided regarding when a pre-application fee should be paid – this should be paid up front at the time of the pre-application. The fee should reflect the time needed for the pre-application advice. A separate fee should then be applied at the planning application stage. This ensures that the planning system is appropriately covered in terms of the level of input needed at these various stages. Deferring a fee resulting from a pre-application process until a planning application stage should not be acceptable as a planning application may never materialise yet significant work/discussion may have already been incurred.**

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### Supporting Culture Change

<b>Q1</b>	Do you agree that the proposed remit for a Planning Advisory and Improvement Service will help local planning authorities and stakeholders to improve performance?	Yes	No
		<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

**The proposal for a PAIS type body/approach is welcomed in principle, however there is some concern with regard to the decision for WG to host this service. The Planning Advisory Service (PAS) in England is funded by DCLG but hosted by the Local Government Association. Colleagues in LPAs in England have commented that this 'independence' has resulted in a service that is trusted and well received as PAS is part of the local government family and working for local authorities not central government. The proposals within Positive Planning are significantly different from this set up and therefore it is likely that the service will be viewed differently to PAS in England.**

**The service offered to LPAs in England by PAIS is free of charge. In times of declining budgets, it is imperative that the PAIS service is offered on a similar basis as LPAs would not have the budget to pay for the PAIS services.**

**The word “improvement” is unnecessary in the title of such a body because of the inference of poor performance. Such a body will also require people with recent planning experience.**

**There is also a question regarding how the work currently undertaken by WLGA, POSW, RTPI will be incorporated to avoid any duplication of assistance/service provision.**

**It is noted that PAIS is to be operational, at least on an interim basis, from the 1<sup>st</sup> of April 2014 – the Authority awaits information on how these arrangements will work.**

**It is noted that town and community councils will need sufficient support if they are to be able to fully embrace the potential new roles ahead for them.**

<b>Q2</b>	Do you agree that existing Welsh Government support arrangements for the built environment sector in Wales should be reviewed?	Yes	No
		<input checked="" type="checkbox"/>	<input type="checkbox"/>

Comments:

**Does this proposal refer to the Design Commission?**

**The Council considers that the existing arrangements with organisations such as the Design Commission for Wales is working as this provides flexibility to LPAs as to whether to refer schemes to seek advice or not. However, input and responses into planning proposals need to be received quicker than they are at present – the same goes for responses when required from Cadw.**

**There is however a deficit in relation to advice concerning green and energy infrastructure proposals.**

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<b>Q3</b>	Do you agree that competency frameworks should be prepared for planning practitioners and elected representatives to describe the skills, knowledge and behaviours necessary to deliver planning reform?	Yes	No
		<input type="checkbox"/>	<input type="checkbox"/>

Comments:

[It is difficult to give a definitive statement of a yes or no with regard to this question.](#)

**There is some merit in developing a competency framework for planning practitioners and for elected representatives. However there is a danger here of duplication and that this is already being achieved – therefore further clarification is required as to what is being proposed in addition here and is it required?**

**Planning professionals are already covered by the RTPI which require certain standards and CPD, and they can discipline if standards are very poor. If further competency requirements need to be introduced then this should be as part of the MRTPI qualification which could be further developed to address any current gaps/concerns. All aspects of competency are professional matters best left for development by the professional body RTPI rather than WG to assess. LPA staff should therefore already be achieving a high standard of competency. If additional competency levels are introduced for planning professions then this needs to be across the board (LPA, consultants, WG Officials etc).**

**It is not clear from the document if the reference to planning practitioners applies only to LPAs or whether this applies across the profession in accordance with the paragraph 1.2 of Positive Planning which highlights the need for culture change and states " ...it will involve all participants in the planning system, including government, local planning authorities (LPAs), applicants, statutory consultees and citizens". If this is an across the profession proposal (as implied at various Planning Bill conferences) it is welcomed, however if it is to apply to LPAs only, this is not supported as this will not achieve the culture change required. All players, the private sector as well as in other public sector bodies need to be signed up to any competency framework that is to be developed. Various workshops and discussions during the consultation period however confirm it is to apply to all. Further work needs to be undertaken to consider whether the RTPI could take this role on in full.**

**There is a lack of information as to what would be required in relation to Members over and above any training already undertaken by LAs themselves. It must be recognised that local Members are local people, elected for their role in the locality, and are not and do not need to be trained planning professionals. The level of training therefore needs to be pitched appropriately if additional training is to be required for local Members.**

**Also how far does this extend? Is it intended to cover Town and Community Councils as well (this is not currently clear)? With an extended role proposed for Town and Community Councils it is important that they are provided with a level of support but that it is also recognised that they are local people, elected for their role in the locality and are not and do not need to be trained planning professionals. The level of training therefore needs to be pitched appropriately.**

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**What status will the competency framework have? What will be the repercussions if a LA/private practitioner does not fully meet the competency framework? How will the framework be monitored and by who?**

**There needs to be care if such a framework is to introduce significant additional costs on a LA e.g. if RTPI membership were to become compulsory this could have cost implications regarding any current staff which may need to undertake academic courses in order to achieve that status.**

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### Active Stewardship

<b>Q4</b>	Do you agree that the National Development Framework will provide a robust framework for setting national priorities and aid delivery?	Yes	No
		<input checked="" type="checkbox"/>	<input type="checkbox"/>

Comments:

**The replacement of the WSP with a National Development Framework is supported. However there are a number of national plans in existence already (WIIP, WEFO Economic Prioritisation Framework) or in the pipeline and the NDF should complement these.**

**The Positive Planning document does not indicate the estimated timescales involved with producing an NDF and the subsequent timing of the production of SDPs. Further clarification on timescales would be welcomed.**

**A clear evidence base, engagement and consultation and examination should be applied to the NDF. LAs need to be able to genuinely input when the NDF is being drafted, being a main Stakeholder not just a consultee. LAs should have an opportunity at such examinations to raise points that continue to concern them about the content or direction of the NDF and why. This will avoid challenge and questioning at SDP and LDP level as consistency and transparency will apply. These plans can then be taken to have been thoroughly scrutinised before adoption, this reduces challenge and questioning regarding matters already set by the NDF but which get set out in more detail at the SDP and LDP stages. The absence of an examination process in relation to the NDF therefore needs to be addressed.**

**It is welcomed that all assessments (sustainable, environmental e.g. SEA & HRA) will have been applied to the NDF given that it will have 'development plan status'. Again this avoids challenge at SDP and LDP stages which has sometimes been the case in relation to matters such as wind energy. For example, SSAs which currently sit in TAN are not assessed to the level required of such designations in LDPs - this causes difficulty at LDP stage.**

**The consultation document implies that the NDF will be for a time period of 20 years minimum but there is no indication of a monitoring process similar to those WG require LPAs to comply with for SDPs and LDPs. WG commit to a 5 yearly review of the NDF but no annual monitoring arrangements. Annual monitoring arrangements are a must if consistency is to be applied in relation to how different levels of plans are monitored and reviewed.**

**Reference is made that some parts of Wales will not have any or very little reference in the NDF. Will this disadvantage those areas when applying for various funding streams? That is, if a scheme/project isn't mentioned in either NDF or SDP – less likely to draw down National/European funding?**

<b>Q5</b>	Do you agree that Planning Policy Wales and Minerals Planning Policy Wales should be integrated to form a single document?	Yes	No
		<input checked="" type="checkbox"/>	<input type="checkbox"/>

Comments:  
**Yes this is a sensible proposal which should result in more up to date minerals**



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**planning policy.**

**In relation to TANs, though a question is not specifically asked, the LA agree that the number of TANs need to be reduced and that those which remain should be kept up to date. Currently a large number are outdated.**

**Guidance needs to be focused on new strategic policy and the main development trends (housing, retail etc) with the aim to support decision making and facilitate development rather than set down a load of hurdles.**

<b>Q6</b>	Do you agree that a core set of development management policies should be prepared for consistent application by all local planning authorities?	Yes	No
		X	<input type="checkbox"/>

Comments:

**It is clear that some duplication continues to occur in relation to Development Management (DM) policies and that these could be set out in the NDF. Many LDPs already make cross reference to PPW rather than include a large number of DM policies. However PPW is still seen as lacking the necessary detail in many areas and therefore DM policies have been included in LDPs. Without a doubt the number of DM policies in LDPs could be further reduced if there were an improved set of clear DM policies in the NDF releasing LPAs to work more on producing SPGs and development briefs – the level where the detail is contained that will assist receipt of good planning applications.**

**However as recognised in the consultation document there will always be some DM policies that will be specific to certain areas and should be included in LDPs along with circumstances, where justified and evidenced by the LA, where national DM policies would not be suitable.**

**Guidance would be needed regarding currently adopted LDPs and how DM policies in those LDPs should be viewed/addressed once the NDF were in place.**

**A scoping exercise of all the DM policies applied in individual LDPs would provide WG with evidence of which national policies would work and which would not. Over time some generic policies have been lost from national guidance e.g. that of advice regarding backland development, therefore such a scoping exercise should seek views from LPAs what additional (currently absent) policies could usefully be included.**

<b>Q7</b>	Do you agree that the proposed development hierarchy will help to ensure that planning applications are dealt with in a proportionate way dependent on their likely benefits and impacts?	Yes	No
		<input type="checkbox"/>	<input type="checkbox"/>

Comments:

[It is difficult to give a definitive statement of a yes or no with regard to this question.](#)

**As the proposal for a tier of developments of national significance is a new and unproven feature of the planning system in Wales it is difficult to comment on whether this proposed development hierarchy will result in the desired outcomes. If all stakeholders in the planning system play their part as set out in Positive Planning then we would agree that this approach may have benefits for**

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**local authorities in freeing up resources from larger more complex applications. It is important however that the LPA retains a role in the decision making process – which does not appear to fit with the current proposal.**

**It should be noted that small (local) developments can be equally as controversial and have significant impacts. Such applications should however remain within the remit of the LA and do not need elevating purely because of the level of impact they may have.**

**There is a danger that the planning system, at the local level (local as perceived by the public), will be split. This could lead to inconsistent decision making and tensions between the various tiers of decision makers. When something goes wrong it is the LA that the public will approach, regardless of where the application has been submitted and determined.**

<b>Q8</b>	Do you agree with the proposed categories and thresholds for Developments of National Significance set out in Annex B?	Yes	No
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
Comments: <b>Noted that this will include large energy developments.</b>  <b>No specific comments.</b>			

<b>Q9</b>	Do you agree with the proposed categories and thresholds for Major Developments set out in Annex B?	Yes	No
		<input type="checkbox"/>	<input type="checkbox"/>
Comments: It is difficult to give a definitive statement of a yes or no with regard to this question.  <b>Support that decision process remains with LPAs.</b>  <b>However, there is concern regarding the low threshold attributed to housing development of 10 units. This is a low threshold even for a rural area and cannot be seen to be a major development. Suggest this should be revised upwards to 50 units.</b>  <b>Although no question is included within the consultation form the LA note that changes proposed to some of the GPDO could have ecological impacts which the LA would not be able to influence despite its statutory duties (NERC Act) e.g. that relating to agricultural buildings and potential effects on bats.</b>			

<b>Q10</b>	Do you agree Developments of National Significance applications should be subject to mandatory pre-application notification, and consultation?	Yes	No
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
Comments:  <b>Yes there should be mandatory pre-application notification and consultation.</b>  <b>LAs should be provided with opportunity to decide what gets classified as DNS.</b>			

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**Setting out the requirements regarding pre application notification and consultation should improve the quality of any application.**

The LA would be interested in how such a process will be managed. The LA should have involvement as a key consultee. Given the role intended for the LA throughout the determination process then LA representation should be on board any 'development team' approach set up by WG from the start. The WG therefore need to be working in partnership with the LPA. Given this it is important that the fee is fairly distributed between WG and LPA to reflect where the main body of work will be undertaken (see also response to Question 11 below). It does not necessarily appear that there will be significantly less work for the LPA than if they were determining the application themselves, the main difference however should be (provided the set up works) is that there is greater expertise in specialist areas on hand which at LA level may not have existed.

It would appear that what WG will mainly do, apart from issuing the final recommendation is to project manage the determination process – much of the ground work needed in order to reach a determination would still be required of the LA. Is there a political role here for the LA or is it just a technical one for LA Officers?

Although there is no specific question on other levels of development e.g. major, it is considered that all applications not just those for national should be subject to mandatory pre-planning application advice.

Additionally although there isn't a specific question asking for views in relation to validation following pre application advice, this is a matter which needs addressing. Significant time is spent at pre-application to further discuss and progress elements of the proposed planning application in order to ensure compliance with national and local policies. Where pre-app advice has not been followed there should be a mechanism for the LPA to either invalidate such applications or to be able to deal with them much quicker as a refusal if at the application stage the applicant continues to disregard advice.

**It is important that Town and Community Councils are involved in this process.**

<b>Q11</b>	Do you agree that a fee should be charged for pre-application advice for prospective Developments of National Significance applications?	Yes	No
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Comments:</p> <p><b>Yes a fee should be charged for pre-application advice and a proportion of this fee should be passed to LPAs to cover all resources required for pre-application advice, compilation of a Local Impact Report (which covers an identification of the issues, draft conditions and legal requirements) and other activities associated with the determination of DNS.</b></p> <p><b>The IAG report recommended that "Provision is made in relation to nationally significant infrastructure projects determined by the Welsh Ministers for the fee structure to recognize the resource implications for local planning authorities in their role as principal consultees in relation to such applications and in relation to the discharge of conditions and in the enforcement of development consents once granted".</b></p>			

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**Payment should also be included for discharge of conditions.**

**As above (Q10) this fee should apply to all levels of development (national, major etc.) – though proportional to the scale.**

<b>Q12</b>	Do you agree that the Planning Inspectorate Wales is the most appropriate body to undertake the processing of a Development of National Significance application?	Yes	No
		<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

**This approach could cause confusion generally.**

**The PINS has to remain completely independent of the application process, otherwise it becomes judge and jury, and open to challenges.**

**Currently the role of PINS is clear, they deal with appeals and LDP Inquiries not the processing or determination of planning applications. Even though this new approach is only proposed in relation to National Significant applications it confuses the boundaries of their role.**

**Additionally this proposal raises concern regarding a conflict of interest. The Planning Inspectorate will be the body undertaking the processing and we assume making a recommendation to Welsh Ministers and could also find themselves undertaking an appeal on one of the applications determined by themselves. If this proposal does go ahead as it is the boundaries between the various roles for PINs needs to be absolutely clear.**

<b>Q13</b>	Do you agree that only one round of amendments to an application for Developments of National Significance should be permitted after it has been formally registered?	Yes	No
		<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

Should there be different categories of Developments of national Significance, and in particular schemes which are sponsored by the public sector in receipt of WG capital funding, and there is concern this compromises any decision making requiring WG input.

**There needs to be a balance between quality of service and timely delivery.**

**This approach assumes that all key stakeholders have fully engaged at the pre-application stage and that all necessary changes have been discussed and agreed at that stage. It is appreciated that all stakeholders should and will be encouraged to participate at that stage, however, inevitably other matters will arise as the discussion regarding the submitted application occurs. It is difficult to foresee what further changes may arise and therefore it is too onerous to specify as a blanket approach that only one set of amendments, minor at that, can be made. If there is room to further improve the scheme, or the scheme is not in accordance with additional requests sought at pre application stage then there should be room to further improve that scheme at the planning application stage – even if that takes more than one set of amendments. Otherwise there is a risk that people go with a substandard scheme rather than pursue a better one**

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<b>Q14</b>	Do you agree with the proposals for handling connected consents?	Yes	No
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
Comments: <b>This approach seems sensible.</b>  <b>However what is less clear is the ‘level/quantity’ of such applications and a precise definition of what is deemed to be connected.</b>			

<b>Q15</b>	Do you agree that examination should follow a similar procedure to the proposed call-ins and appeals?	Yes	No
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
Comments: <b>There most definitely needs to be a clear transparent examination process of the DNS application.</b>  <b>The decision not to allow some form of appeal process in relation to Nationally Significant applications is however questionable given the likely magnitude, complexity and impact (negative or positive) of these large schemes. This would appear to take away a tier of the process when perhaps it may matter the most. However, in “normal” cases an appeal process is needed because an application has only been considered “on paper” and has been mediated through a political process. On appeal it is fully heard (if appropriate) by an independent person at arms length. Therefore is the DNS is to be scrutinised in detail (forensically) then arguably the work of an appeal process has been achieved through the application process. Clarification is needed regarding this point. The LA assumes there would still be a right of appeal to the High Court under section 288?</b>			

<b>Q16</b>	Do you agree with the proposed division of responsibilities between the Welsh Ministers and the local planning authority at the post-determination stage?	Yes	No
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
Comments: <b>Agree to the principle provided all aspects are fully and sufficiently funded.</b>  <b>It is important to note that LPAs will still retain responsibility for post determination decisions including variation or removal of condition, discharge of conditions, breaches etc. the only post determination matters the LPA will not deal with is any renewal applications. Therefore consideration of proportional element of fees is necessary as well as making sure that the fee is at an appropriate level that reflects the staff time and resources put in by the LPA.</b>  <b>The LPA responsibilities post-determination should be fully funded.</b>  <b>If something is deemed as having national implications etc would it be more appropriate that these matters are also monitored centrally?</b>			

<b>Q17</b>	Do you agree that the statement of case and draft statement of common ground should be produced when submitting an appeal?	Yes	No
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
Comments:			

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**It's agreed that submitting a statement of case and a statement of common ground at the start of the appeal would speed up the process. This should also significantly reduce the issues to be covered within the statements of case.**

**The question of common ground could change during the process in that more common ground may appear as the process goes on and the object of a statement is to help the inspector by telling him/her what issues are not in dispute at the beginning of the hearing. If the desire is to make the process more useful it might make sense that 'post statement submission' for the Inspector to circulate a draft Statement (as part of their pre-hearing prep) to be taken as agreed subject to submissions.**

<b>Q18</b>	Do you agree that the Planning Inspectorate should decide how to handle the examination of an appeal?	Yes	No
		<input checked="" type="checkbox"/>	<input type="checkbox"/>

Comments:

**The ability of the Planning Inspector to determine how to handle the examination of an appeal, would enable the appeal process to be proportionate.**

**Consideration should be given as to whether LPAs should also have a say or at least be consulted. There is a case for 'scoping' appeals to decide whether to accept them or not. For example, if the case is so bad that it shouldn't proceed, or not be given a large amount of time, as this is not the best use of time and resources.**

<b>Q19</b>	Do you agree no changes should be made to the content of an application post appeal submission?	Yes	No
		<input checked="" type="checkbox"/>	<input type="checkbox"/>

Comments:

**We agree that no changes should be made to a scheme/development after an appeal is lodged. This causes confusion during the appeal process and disadvantages statutory consultees and third parties who have an interest in the development as they would not be able to make informed comments on any changes being made. This is particularly so if it's on refusal when the applicant has had their chance to make amendments and have not taken it during the application process.**

**If however it's on the basis of non-determination then they have not necessarily had that chance and as such it may be fairer to allow changes so that their "best case" for why permission should be granted can be put by them (the applicant). If they bring in the proposals re allowing determination of an application after submission of the appeal then the right to make changes should extend until the determination (if any) of the application by the LPA. This would encourage ongoing discussion between the LPA and the applicant as to whether an acceptable scheme can be found so avoiding the need for an appeal.**

<b>Q20</b>	Do you agree with the proposal for the Welsh Ministers to be able to initiate awards of costs?	Yes	No
		<input type="checkbox"/>	<input checked="" type="checkbox"/>

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Comments:  
**Disagree with the process being suggested.**

**It should be down to the appellant and the LPA to decide whether to apply for costs and it should then continue to be the decision of the inspector to award costs or not.**

**A fee structure should be set up in terms of submitting an appeal to cover the resources/time taken to deal with appeals.**

**It is appropriate for the appellant to contribute to the cost of an appeal – given that some benefit would be derived from the granting of the planning application.**

<b>Q21</b>	Should fees be introduced to cover the costs of the Welsh Ministers resulting from an appeal?	Yes	No
		<input checked="" type="checkbox"/>	<input type="checkbox"/>

Comments:  
**The fee route and also the costs route should both be applied, not one or the other. The recovery of costs however should not be out of the existing pot agreed but in addition to.**

**This does however need to be seen alongside the proposals for dealing with small householder appeals and the plan to extend that approach to small commercial appeals. Should those aspects be left out of the process being discussed here? Should there be a difference?**

<b>Q22</b>	Do you agree that a Commercial Appeals Service (CAS) should be introduced?	Yes	No
		<input checked="" type="checkbox"/>	<input type="checkbox"/>

Comments:  
**The Householder Appeals Service speeded up the appeal process and has been successful. Therefore, any further changes that can speed up the process for other smaller scale developments such as changes of use in commercial properties should be introduced.**

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### Improving Collaboration

<b>Q23</b>	Do you agree that local planning authorities should be merged to create larger units?	Yes	No
		<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Comments:</p> <p><b>The merger of planning authorities should be based on a sound business case rather than a blanket policy of merger to create larger units. It does not necessarily follow that larger organisations deliver the improvements in service expected.</b></p> <p><b>There is a distinction between the merger of LPAs and the merger of planning activity, the latter is an area to be investigated to achieve efficiency in processing.</b></p> <p><b>There remains however ample opportunity to standardise various processes, for example planning application administration and LDP databases/mapping etc. A common approach would save LPAs money in the long run, make data and information easier to compare/share etc., allow for monitoring systems to be applied much easier across Wales regarding new aspects on a regular basis. A consistent approach to website design could be applied, with standard documentation for inclusion.</b></p> <p><b>It is difficult to divorce the proposals in Positive Planning from the recommendations from the Williams Commission, which if implemented will result in larger LPAs. However merging LPAs will not tackle one of the key deficiencies in the planning system, that of a lack of sufficient number of specialist staff in specific subjects – particularly in terms of dealing with some of the major applications where consultants are often bought in e.g. in relation to retail needs.</b></p> <p><b>If LDPs are to truly deal with matters at a local level then in order for localness to count for anything then there has to be a meaningfully defined grouping of communities who have the right (subject to soundness tests etc) to decide their future and plan for it. Amalgamation of Planning Authorities tends to militate against that. This is particularly so when seeing this in the context of the Williams proposals which appear more finance rather than democracy led. The protection of the right to bespoke local plans for local areas is important.</b></p> <p><b>The emergence of city regions and ensuing regional priority statements will have considerable bearing upon LDPs. The proposed activity and investment in the Swansea Bay City Region will have implications for the wider region, it's imperative therefore that all LPAs within the spatial influence should have a direct role in collaboration in the Board set up to drive the City Region.</b></p>			

<b>Q24</b>	Do you think that a national park authority should continue to have responsibility for planning in their area?	Yes	No
		<input type="checkbox"/>	<input type="checkbox"/>
<p>Comments:</p> <p><b>No comment.</b></p>			



Consultation reference: WG20088

<b>Q25</b>	Do you agree that strategic development plans should only be prepared in the identified areas?	Yes	No
		<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Comments:</p> <p><b>This suggestion has to be seen in the context of the Williams Report. However, the role of the SDP as set out in the Positive Planning consultation document is not about each large administrative area having an SDP for the sake of it. Therefore, SDPs are unlikely necessarily to follow administrative boundaries.</b></p> <p><b>The suggested areas of Swansea and Cardiff complement initiatives such as City Regions and are therefore supported. However, whether the SDP would be co-terminus with the City Region boundaries is subject to the evidence base. The A55 Corridor is heavily influenced by activity in England and therefore any SDP for this area would have to be mindful of the Planning Policy in the wider Deeside area.</b></p> <p><b>There appears to be a gap in terms of rural focussed SDPs, especially the mid Wales area where relatively modest developments are considered to be strategic development.</b></p> <p><b>The preparation of an evidence base is likely to require the commissioning of regional evidence. There will inevitably be funding requirements along with staffing requirements, though arguably less time spent on development management policies could mean more time available to work on SDPs, as well as SPGs, development briefs etc.</b></p> <p><b>The consultation document recognises that there will be parts of Wales that do not fall into an area covered by an SDP, remaining fully independent from that process. This should be recognised and embraced. However if the ability to draw down funding for various regeneration and housing initiatives, amongst others, becomes integral to schemes being promoted either being in the NDF or the SDPs then some LAs stand to lose out as a result of that independence.</b></p> <p><b>The criteria provided in the consultation document which can be used to help indicate where SDPs may work appear to make sense. They include sharing housing markets, sharing key employment and retail activity, travel to work areas etc. In reality what is likely to occur is that though some current LA areas will fall in their entirety within a SDP area, others will fall only in part with other parts of the LA not having anything in common with the SDP area.</b></p> <p><b>There will be examples across Wales where an SDP in the guise as set out in the consultation paper won't be appropriate but a joint approach between 2 or more LPAs may be necessary on specific matters at a much smaller geographical area. This needn't mean a joint plan as it could affect say a shared valley only. The consultation paper fails to recognise the importance of this smaller scale collaboration.</b></p>			

<b>Q26</b>	Do you agree that the scope of Strategic Development Plans should be limited to the key issues identified in paragraph 5.29?	Yes	No
		<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Comments:</p>			

Consultation reference: WG20088

**The SDPs will vary to take account of local conditions, therefore a limitation of key issues is not supported. A minimum list is acceptable with LPAs able to include additional issues as local circumstances dictate.**

<b>Q27</b>	Do you agree that a partnership between local planning authorities and social, economic and environmental stakeholders should oversee preparation of Strategic Development Plans?	Yes	No
		<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Comments:</p> <p><b>The preparation of SDPs should be the responsibility of the constituent local authorities. Stakeholders can be part of the preparation process, however these stakeholders do not have a democratic mandate and therefore should be part of the 'Panel' in an advisory capacity not in a voting capacity.</b></p> <p><b>The selection of representative social, economic and environmental stakeholders is likely to be extremely difficult and perceived unfair advantage and undue influence could be given to a few organisations.</b></p>			

<b>Q28</b>	Do you agree that a light touch Local Development Plan should be prepared in areas where there is a Strategic Development Plan?	Yes	No
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Comments:</p> <p><b>It is not clear whether up to date LDPs are required to be reviewed when a SDPs is adopted or whether the review of a LDP to become a 'light touch' plan kicks in once the LDP expires. If the preparation of an SDP automatically triggers a review of the LDPs in the areas covered by the SDP this could be a difficult message to give to staff and stakeholders to commence the process again and commit significant resources very soon potentially after the adoption of the LDP.</b></p> <p><b>In due course inevitably the LDP would become lighter where it is located in an area which is in its entirety covered by and SDP. However there will also be examples where LDP geographic areas are partly covered by an SDP and partly not. Therefore the LDP will include significant detail for those geographical areas excluded and much less for those areas which are covered by and SDP. This will have to be clearly articulated in the LDP as on the ground stakeholders (especially the public) will not necessarily recognise SDP boundaries as these will be less well known and understood than LA boundaries.</b></p> <p><b>Inevitably however there will still need to be SPGs and Development briefs further explaining the SDPs and also LDPs if the planning application process is to run effectively and developers have greater certainty regarding detailed requirements and greater confidence in the planning system.</b></p>			

Consultation reference: WG20088

### Improving Local Delivery

<b>Q29</b>	Do you agree with the essential elements of a good planning service identified in Annex A?	Yes	No
		<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Comments:</p> <p><b>There remain issues with some of these indicators and LAs are working together, through POSW, to identify the elements that work and those that do not, suggesting alternatives where necessary. It is suggested that this approach is continued.</b></p> <p><b>What is absent from this proforma is the acknowledgement that a good planning service is dependent on a number of key components. The LPA is usually the main one but a good planning service is also dependant on WG (regarding call ins and appeals) and statutory consultees (regarding timely and clear advice). Therefore all components of the planning system need to be reflected and monitored here. The system is only as good as the weakest link and not necessarily dependent upon the LPA.</b></p>			

<b>Q30</b>	Do you agree that each local planning authority should produce and publish an annual performance report to agreed standards?	Yes	No
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Comments:</p> <p><b>There are clear advantages in terms of transparency and accountability for an annual performance report (APR) and such reports could help to drive improvement. However, there is concern that this APR should not become a tool for penalising performance. Experience has shown that such a focus can result in channelling resources into those specific areas where performance is measured at the detriment of other aspects of the services. It could also result in a poorer performing areas getting worse as lack of funding is often the cause of underperformance.</b></p> <p><b>In line with the response to Q3, it would be appropriate that performance reporting should apply to all players in the planning service - Welsh Government, statutory consultees and the private sector not just the LPA.</b></p> <p><b>However, performance reports should also, alongside the LPA ones, be produced by others who have a significant contribution to the successful delivery of the planning function. This should include:</b></p> <ul style="list-style-type: none"> <li><b>• a report regarding applications determined by WG (where under the proposed framework certain applications would now fall to be determined by WG);</b></li> <li><b>• a report regarding WG involvement in planning applications that have been called in etc;</b></li> <li><b>• the appeals process;</b></li> <li><b>• a report on the input of statutory consultees such as Cadw, NRW etc which should include success rate of meeting target date for submission of consultation responses in relation to planning applications (specific time periods need to be adhered to if the planning system is to improve overall).</b></li> </ul>			

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<b>Q31</b>	Do you agree that where a local planning authority is designated as poorly performing there should be an option to submit planning applications for major development only to Welsh Ministers?	Yes	No
		<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

**It may be appropriate to provide some form of assistance or for some form of intervention to occur where performance is consistently poor - this should be proportionate and specific to the area which is resulting in poor performance (i.e. it may not be the whole service but one aspect of it e.g. appeals). However it seems perverse to penalise a poor performing authority by taking away the major development applications from its LPA. This significant drop of fee income can only result in additional difficulties for the LPA in terms of resourcing the development management function as a whole. It is likely that this proposal will result in job losses and therefore it is hard to see how the LPA can then find itself 'improved' and in a position to be receiving major applications again in the future.**

**Should there not be a good link here to the PAIS type group (note the LPA do not support PAIS being part of WG)? Therefore, instead of taking powers away, LPAs could work with PAIS or its equivalent to identify where and what the issues are and how these could be rectified e.g. skills gaps. Setting targets for delivering improvement.**

**Additional concern, if major applications were to be taken up by WG, would the Officers employed by WG have sufficient local knowledge regarding design, visual impact, local character etc to be able to negotiate a good scheme for that specific geographical area? Would the level of liaison and negotiation be as high if those administrating the application are located away from the County?**

<b>Q32</b>	Do you agree that Welsh Ministers should be able to direct preparation of a joint Local Development Plan?	Yes	No
		<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

**Although the Williams report may result in some LAs merging, this will not necessarily mean that 1 LDP will be appropriate for any or all new LA areas.**

**This is a matter for individual LPAs to determine in discussion with WG and should not be specified by the Williams report or set out in the Planning Bill. The final decision for taking forward a joint plan should remain with the relevant/affected LPAs.**

**As noted under the LA's response to question 23, LDPs are about tackling local issues. Producing them at a non-local level, by larger authorities, further removes the process from matters of localness and could raise questions regarding democracy and accountability.**

**Where there are cross border issues affecting parts of 2 or 3 LA areas – this is where collaboration on that specific area and issue will be important – it does not necessarily however point to the need for a joint plan. For example, similar policy approaches will potentially be needed to cover valley areas where the river denotes the border of 2 LAs. Likewise where one LA provides the housing stock for a large employment area included in an adjoining LA. National**

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**guidance on approaching these matters could be expanded upon and improved. Better support could be on hand (e.g. through a PAIS type organisation) as to how to achieve effective collaboration.**

**If the issues however are that 2 LAs have policies that are complete discord with each other when they need to be complementary – in those situations WG should be able to suggest (not require) joint plans and hold in-depth discussions with the relevant LAs.**

**There should be evidence to support the benefits of a joint Local Development Plan whether it is at the suggestion of the WG or the LPAs.**

**If the decision is to go ahead with this proposal then detailed discussions about such a proposal should then occur between with the relevant LPAs and WG, giving the LPAs the opportunity to challenge or question the evidence and proposed suggestion of a joint plan. The evidence must show that there are clear similarities in local characteristics, planning pressures, needs etc for such a joint plan to work. First and foremost there needs to be a clear workable justification for joint plans – especially as it could mean newly adopted LDPs being replaced. Joint plans would need to be started from square one as parts of 2 plans welded together won't result in effective decision making.**

<b>Q33</b>	Do you agree that Local Development Plans should plan for at least 15 years ahead and have a set end date beyond which they cease to be the development plan?	Yes	No
		<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Comments:</p> <p><b>For consistency and ease of understanding, if the NDF is a minimum of 20 years, it should follow that the SDP and LDP should be 20 years rather than 15 years. Additionally NDFs should have clear vision for beyond 20 years where practicable.</b></p> <p><b>Additionally, with the LDP review process now a requirement a plan should never fully reach its end date without having been updated – at least towards the end of the plan period. However, there could be unforeseen situations where a review, change and examination takes the plan over the 20 year period there should be discretion to agree with WG whether parts of the plan remain relevant and parts not. It makes practical sense that as much as possible of the plan is applied – rather than having lack of plan coverage. For example, it may be that there has been challenge on one matter e.g. minerals and that this lengthens the Examination process, leads to Judicial Review etc. and means a new LDP isn't fully adopted in time before the expiry date (these processes have often added years onto the LDP process – out of the control of the LPA). It would be unwise during that period to have no plan, hence the absence of a plan led system, when in reality the majority of the plan may have been rolled forward (Strategy etc.) unchallenged and only minor elements were being changed and that the plan overall remains sound.</b></p>			

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<b>Q34</b>	Do you agree that local planning authorities should work with town and community councils to produce place plans which can be adopted as supplementary planning guidance?	Yes	No
		<input type="checkbox"/>	<input type="checkbox"/>

Comments:

It is difficult to give a definitive statement of a yes or no with regard to this question.

**The capacity and skills of existing Town & Community Councils (T & CC) varies considerably. They give their time for free, they are volunteers. Although they will know their communities most will not have the skills to drive forward SPGs or Place Plans.**

**It is noted that WG propose to run a number of pilot projects and the LPA would support this approach and would recommend that any proposal to introduce the production of SPG (Place Plans) should be considered following these pilots.**

**There is a strong role for T & CC in assisting with place plans/SPG, but this is more about positive engagement and involvement rather than handing over responsibility. Much of the work and project management would still need to be the responsibility of the LPA. Lessons can be drawn from exercises such as Planning for Real and also Neighbourhood Plans (England).**

**This proposal has the potential to be massively resource intensive at a time of a reduction in staff numbers at LPAs. It could also be argued that T & CC could become more involved in the development plan preparation as a means of ensuring that their views are better reflected. For this to work the role of T & CC needs to be better set out nationally. There needs to be clarity so as not to raise expectations as to what matters truly are open for discussion and what has already been set (not open to further question) at national or strategic level.**

**There needs therefore to be clear guidance regarding what Place Plans can and can't address. The consultation document implies that such plans would have to operate within the adopted development plan – this needs to be clearer. This does limit the matters that can be addressed in such SPGs to matter of detail e.g. appropriate mix in types of housing (not housing number), design (not site location) etc. for these to be useful tools their remit needs to be clear so that communities are not misled and that the matters that can be influenced are the matters addressed through this exercise. Para 6.48 of the consultation document hints at this but it could be clearer – there are already different interpretations of these plans starting to circulate.**

**A pilot should assist with identifying a clear route and role for this process. Until a pilot occurs it is difficult to conclude whether these plans are worthwhile for all involved. Before embarking on a pilot has a clear scoping exercise been undertaken of the lessons learnt in relation to Planning for Real exercises, Neighbourhood Plans (England) and other similar approaches? If not then this should be the first course of action.**

**Where the role of town and community councils is to be increased then sufficient support and training in relation to planning needs to be provided.**

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<b>Q35</b>	Do you agree that where a development proposal accords with an allocation in an adopted development plan a new planning application process should be introduced, to ensure that only matters of detail such as design and layout are considered?	Yes	No
		<input checked="" type="checkbox"/>	<input type="checkbox"/>

Comments:

**The LPA agrees that there needs to be a different approach. The LPA is less sure which is the best solution. It would have the potential to speed up the determination process as well as enabling developments to be brought forward rather than being bogged down in dealing with objections to the principle of the development at the planning application stage.**

**In theory the process suggested above will encourage stakeholders to become involved (and signed up) in the development plan process including (both external and internal stakeholders). However this will only happen if LPAs can invalidate applications that have not met all the requirements set out in the plan in relation to that particular site (unless of course they have submitted as part of the application a justification as to why specific elements cannot be met or partly met) (see final para).**

**In the majority of cases, the approach suggested above would be fine. However, some sites may require detailed additional work. For example further environmental assessments may be required before a clear decision can be reached. That assessment may be over and above what was needed to allocate a site in principle in an LDP. It would be extremely expensive and overly unfair and onerous to require such detailed assessment at the candidate site stage of the LDP. Therefore, automatically taking them as having outline permission would mean that these additional issues (e.g. environmental) cannot be dealt with and placing a LA potentially at odds with its NERC duties.**

**The latter option of the DM officer having the delegated powers may be a simpler route to go.**

**Additionally, although details of requirements are set out in LDPs, planning applications continue to be received which do not accord or mention some of the requirements. Such applications can take a large amount of time to resolve to incorporate as far as practicable all the required LDP elements. Therefore streamlining the system requires cooperation from the development sector. Should LPAs therefore be given greater power to invalidate applications that do not address (or at least justify) all aspects set out in the LDP in relation to an allocated site? This would give a clear message to applicants.**

<b>Q36</b>	Do you support the proposal to allow a right of appeal against a local planning authority not registering a planning application?	Yes	No
		<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

**No.**

**The National Validation List exists to inform applicants and their agents of what information is required to validate or register a planning application. The LPA should only fail to register an application if the information listed on the National List is not submitted.**

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<b>Q37</b>	Should the requirement for mandatory design and access statements be removed?	Yes	No
		<input checked="" type="checkbox"/>	<input type="checkbox"/>

Comments:  
**Yes.**

**Unfortunately DAS have not been used the way they were intended, the idea was that they should be a 'living' document showing how design etc has been considered and evolved during the course of putting the proposal together. Instead they are generally used by applicants for setting out the arguments as to generally why a development should be permitted.**

**The issue of design is a very emotive subject, what one person likes another doesn't, and therefore a DAS is always going to be used as a way to argue for a certain type of design over any other.**

**PPW and TAN 12 promote the need for better design. Often developments that are 'different' in their design cause objection, it is useful to have some form of documentation to show how and why the design has been decided as it has.**

**Due to the nature of major developments, there is a need to have some sort of statement which explains how the design etc. of a development has been reached. This gives the LPA a better understanding of the scheme and a way to discuss and if needed request a revised scheme.**

**As they currently stand however DAS have not worked as they should and the quality of DAS submitted varies considerably and so therefore does their usefulness.**

**What would be useful however as part of a submission is a statement which sets out what areas of policy are complied with and how, along with any areas not possible to comply with and a justification as to why this is not possible.**

<b>Q38</b>	Should the requirement to advertise planning applications for certain developments in a local newspaper be removed?	Yes	No
		<input checked="" type="checkbox"/>	<input type="checkbox"/>

Comments:  
**Yes this requirement should be removed as newspaper advertisements are a costly requirement and savings from the removal of this requirement would be welcome in the current climate. Some LPAs already publish planning application lists on their websites with many uploading applications, supporting documentation and decisions. An on-line advert would therefore cover this matter sufficiently.**

<b>Q39</b>	Should there be any local variation within a national scheme of delegation for decision making on applications?	Yes	No
		<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:  
**There is always merit in consistency across Wales. However without seeing a list of what would be delegated and what not it would be difficult to gauge whether the LPA fully agrees.**



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Q40	Do you agree that a minor material change should be restricted to "one whose scale and nature results in a development which is not substantially different from that which has been approved"?	Yes	No
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
Comments: <b>Yes agree. If the change is so material and alters the development there should be consultation with statutory consultees and the public through a new planning application.</b>			

Q41	Do you agree that the proposals strike a balance between the need to preserve land used as Town and Village Greens and providing greater certainty for developers?	Yes	No
		<input type="checkbox"/>	<input type="checkbox"/>
Comments: It is difficult to give a definitive statement of a yes or no with regard to this question.			
<b>Background Comments</b>			
The Welsh Government (WG) rationale cites the Penfold Review which collected a considerable body of evidence in England in support of the case for altering the registration process. It is not entirely clear as to extent that applications for Town and Village Green (VG) status are having a significant effect on development in Wales: whilst the WG consultation document refers to ' <i>similar evidence in Wales</i> ' this is not quantified (and this may be anecdotal only).			
Of more concern to the Council is the process of determination. Whereas for example claims to register public rights of way follow a set process (including appeals which are determined by the Planning Inspectorate), this is not the case with Village Greens. The Council follows 'best practice' and appoints an independent inspector to make recommendations on the merits of applications. However, this is a costly process (approximately £8,000 per case).			
The process of determination requires WG consideration with a view to introducing a fair, timely and cost-effective process.			
Specific comments on the proposals to amend Section 15 of the Commons Act are as follows:			
WG proposal: Prohibit applications being made to register land as a town and village green where that land has entered the planning system i.e. been identified for development in a development plan, has received planning permission or is the subject of an application for planning permission before the LPA.			
Council response:			
<ul style="list-style-type: none"> <li>▪ The suggestion with regard to LDPs is not considered unreasonable given the consultation arrangements built into the plan preparation process.</li> <li>▪ Consideration may be required as to the categories of allocation within the LDP that would fall within such a measure.</li> <li>▪ Prohibition of applications for VG status arising from the grant of planning permission or making application for planning permission is more problematical (especially the latter).</li> <li>▪ Town &amp; Village Green applications are made within a clearly defined statutory</li> </ul>			

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framework as laid down primarily in the Commons Registration Act 1965 and the Commons Act 2006. It is unclear from a reading of section 6.139 of the consultation document how the Town and Country Planning system would provide a clear framework for communities to provide *"arguments about the use of the land for town and village green purposes"*. For example, the submission of an application for planning permission does not involve public consultation so cannot provide a basis for bringing forward issues of possible village green status.

- The submission of an application for village green prior to the approval of a planning permission presumably would still require the VG process to be completed. This being the case development would still be delayed. The period from submission to determination of a planning application may not provide a sufficient period for a well-considered application for VG status to be made.
- Other than the measures covering the LDP, the second strand of the proposals (as below) could be considered to provide a more equitable way forward.

WG proposal: Enable landowners to submit declarations to the commons registration authority. Declarations would include a form and map and have the effect of rendering all use of the land indicated inconsistent with the 'as of right' criterion required of town and village green registration.

Council response:

- A similar provision is in place covering claims of Public Rights of Way (Section 31, Highways Act 1980).
- The consultation does not make clear whether the lodging of a landowner declaration will trigger a 'period of grace' to allow for applications for Village Green status to be submitted in line with subsection 15 (3) of the Commons Act 2006 (as allowed for in the Planning and Infrastructure Act 2013 in England). The inclusion of a period of grace would be an equitable provision.
- Consideration may need to be given to the processes and arrangements whereby a local authority submits declarations in respect of land in its ownership.
- Subject to provisos, this would be likely to provide a more acceptable option when compared to the prohibition of applications for Village Green status where planning permission has been applied for or obtained.

Q42	Do you agree that the proposals will reduce delay in the planning enforcement system?	Yes	No
		<input checked="" type="checkbox"/>	<input type="checkbox"/>

Comments:  
**The proposals will help to speed up the process and avoid lengthy enforcement investigations/actions.**

Q43	Do you agree with the introduction of temporary stop notices to the planning enforcement system in Wales?	Yes	No
		<input checked="" type="checkbox"/>	<input type="checkbox"/>

Comments:  
**Yes we welcome the introduction of temporary stop notices to assist LPAs with their enforcement activities.**

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I do not want my name/or address published with my response (please tick) <input type="checkbox"/>
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Consultation reference: WG20088

## **How to Respond**

**Please submit your comments in any of the following ways:**

<b>Email</b>
Please complete the consultation response form and send it to: <a href="mailto:planconsultations-d@wales.gsi.gov.uk">planconsultations-d@wales.gsi.gov.uk</a>  (Please include 'Positive Planning – WG20088' in the subject line).
<b>Post</b>
Please complete the consultation form and send it to: <b>Planning Bill Team Planning Division Welsh Assembly Government Cathays Park Cardiff CF10 3NQ</b>
<b>Additional information</b>
If you have any queries on this consultation, please email: <a href="mailto:planconsultations-d@wales.gsi.gov.uk">planconsultations-d@wales.gsi.gov.uk</a> or  telephone: 0300 0603300 or 08450103300