



# Planning Services Guide



**Mae'r ddogfen hon hefyd ar gael yn y Gymraeg**

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## Introduction

Welcome to the Brecon Beacons National Park Authority's Planning Services Guide.

This Guide will explain how the Authority's planning service aims to protect the natural beauty of the Park, help visitors enjoy and understand it and foster the wellbeing of local people.

We will advise on how you can access and make the best use of this service, and also the quality of service you can expect from us.

Additional information relating to all issues covered in this document can be found on our website: **[www.beacons-npa.gov.uk](http://www.beacons-npa.gov.uk)**





## A Breathing Space

The Brecon Beacons was designated a National Park in 1957. The Brecon Beacons National Park is a 'Category Five Protected Landscape Area' meaning it is a protected area managed mainly for landscape conservation and recreation. The countryside remains largely in the hands of farmers and landowners who have shaped the countryside for generations. In practice this means that the National Park is a 'living' or 'cultural' landscape: a place where people live and work.

The Brecon Beacons National Park spans 520 square miles across mid-Wales and contains some of the most spectacular and diverse landscapes in Europe. As well as its stunning countryside, the National Park also benefits from spectacular waterfalls, caves and wooded gorges. The entire area is scattered with prehistoric monuments, Roman remains and medieval castles.

In 2005 Fforest Fawr Geopark, which covers the western half of the National Park, was officially recognised for its diverse geological heritage and the National Park Authority was awarded membership of the highly prestigious European Geoparks Network. This was followed in 2006 by designation as a UNESCO Global Geopark. Today the National Park is visited by tourists from around the world looking to enjoy the breathtaking landscape and to reconnect with the natural world

## Our Future Direction

As a National Park Authority we aim to achieve widespread support for the National Park as a protected landscape, which is recognised as a valued local, national and international asset.

Our vision is that the National Park is managed sustainably with widespread appreciation of its special qualities and where local communities benefit from its special designation.

For further information, the National Park's aims and vision are set out in our Future Directions document which is available on our website.





## The Planning System

Most people only come into contact with the planning system when they wish to carry out development work or if they are affected by work being carried out by others in their area.

Planning policy and decision making is operated in the wider public interest and recognises the National Park as a unique place of National Value, designated for its special qualities and character. It is an area of high ecological value containing Special Areas of Conservation (SACs) and Sites of Special Scientific Interest (SSSIs) and is a habitat for many protected species.

The planning system has to balance a wide range of considerations, needs and demands with local and national policy. The recently adopted Brecon Beacons National Park Authority Local Development Plan and Supplementary Planning Guidance Notes sets the policy framework for determining planning applications and provides guidance on what will and will not be acceptable in planning terms.

The following functions are performed by the National Park Authority's Planning Directorate



# The Local Development Plan

As the statutory planning authority for the Brecon Beacons National Park, we are responsible for preparing policies that guide decisions on all current and future development and land use within the National Park.

These policies can be seen in detail in the Local Development Plan. The Local Development Plan does not seek to duplicate national policies and should be read in conjunction with these, such as Planning Policy Wales and Technical Advice Notes. These can be viewed on the Welsh Government website, [www.wales.gov.uk](http://www.wales.gov.uk)

The Local Development Plan is a fifteen year plan and aims to give a policy framework and guidance through to 2022.

Additional formal guidance in the form of Supplementary Planning Guidance (SPGs) and Planning Advice Notes (PANs) can be found on our website at [www.beacons-npa.gov.uk](http://www.beacons-npa.gov.uk)



## Listed Buildings

Cadw is the historic environment service branch of the Welsh Government with the power to list any building in the interest of conservation of the historic environment. It aims to protect the historic environment, including scheduled ancient monuments, historic parks, gardens and landscapes and underwater archaeology. In the National Park there are approximately 1,500 listed buildings including 29 Grade I Listed Buildings.

Formal consent is required for the majority of work on a Listed Building and can also be necessary for changes in detail, material or finish of a Listed Building. Listed Building Consent is a formal process and is often required alongside a planning application for physical works to a Listed Building.

If you are unsure as to whether your building is listed or not, do not hesitate to contact the National Park Authority.



## Conservation Areas

Conservation Areas were created by the Civic Amenities Act of 1967 and are areas of 'special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance.' In the National Park there are four Conservation Areas: **Brecon, Talgarth, Hay-on-Wye and Crickhowell/Llangattock.**

If you wish to demolish a structure or carry out works to a tree within a Conservation Area you should seek advice from the National Park Authority to ascertain whether Conservation Area Consent is required.

## Archaeology

The historic environment of the Brecon Beacons National Park (BBNP) is a fragile and finite resource. It needs to be carefully managed and conserved so that all aspects of the historic environment are protected, conserved and enhanced, and survive for future generations to enjoy. This includes Archaeological remains and Scheduled Ancient Monuments; Listed Buildings and Historic Buildings; Conservation Areas; and Historic parks, gardens and landscapes. Most developments will not adversely affect the Brecon Beacons National Park's historic environment, however, planning and development has the potential to damage or destroy historic sites, buildings and archaeological remains.

The Brecon Beacons National Park Authority plays a vitally important role in securing the conservation of the historic environment, whilst ensuring that it accommodates and remains responsive to present day needs. This is achieved by working in conjunction with other bodies and organisations such as the Welsh Government, Cadw and the Welsh Archaeological Trusts.



## Trees

Trees are an important part of the landscape within a National Park due to their visual amenity, character and ecological importance.

Many trees within the National Park are covered by Tree Preservation Orders (TPO). Formal consent from the National Park Authority must be obtained for any works on a tree covered by a TPO. Prior notification of work intended to be carried out to trees in a conservation area is also required. The combined 1APP form for these applications is available from our website at [www.beacons-npa.gov.uk](http://www.beacons-npa.gov.uk)

If you wish to carry out work to trees within the National Park, you should always check to see whether formal consent from the National Park Authority is required.



# Development Management

Our Development Management section handles many types of applications and notifications. These include various different types of Planning Applications, Advertisement Consent, Listed Building Consent, Conservation Area Consent, Agricultural/Forestry Notifications and many more.

## Pre-application advice

The National Park Authority encourages pre-application negotiations with prospective applicants as the first step towards gaining planning permission. This process can identify and provide applicants with an opportunity to resolve possible issues before the submission of an application.

We offer pre-application advice to householders and the public contemplating minor householder developments through our weekly planning surgeries. We hold two surgeries, one every Wednesday at our offices in Brecon and one every second and fourth Tuesday between 2pm and 3pm at the One-Stop Shop, Town Hall, Abergavenny.

When attending a planning surgery you will need to bring with you as much information as possible. Information such as the description of development, photographs, sketches and plans are very helpful. The more information you can bring the better informed our designated planning officer will be to assess your proposal against current planning policy. For more information regarding planning surgeries please consult our Planning Advice Note 6 which is available at [www.beacons-npa.gov.uk](http://www.beacons-npa.gov.uk).

We also welcome e-mails to [planning.enquiries@beacons-npa.gov.uk](mailto:planning.enquiries@beacons-npa.gov.uk) where your enquiries will be forwarded to a planning officer. However, we cannot guarantee an immediate response to this type of enquiry.

For developments other than householder proposals we offer a comprehensive formal pre-application service on a chargeable basis. Our advice note on [Pre-Application Charging](#) is available on our website.

Advice obtained at the pre-application stage is officer opinion based on the information provided to the officer at that time and will not be binding on any subsequent decision of the National Park Authority.





# Planning Applications

As the statutory planning authority for the Brecon Beacons National Park area we receive around 800 planning applications each year and we have to determine them in accordance with the adopted Development Plan: the Local Development Plan (December 2013) along with any other material planning considerations.

## The Application Process

## How do I submit a valid application?

To ensure your application is capable of being registered as valid you will need to consider your project carefully in order to ensure you know what information is required.

The National Park adopts the national validation requirements (under the Town and Country Planning (Development Management Procedure) (Wales) Order 2012) and has its own Local Validation Requirements for major developments (i.e. developments of 10 or more houses, the provision of buildings where the floor space created is 1,000 square metres or more etc.).

If, following an opportunity to provide any outstanding information, you fail to provide the required information your application will not be registered and will be made invalid. In order to ensure that your application is valid please consult our Local [Validation Requirements](#) document which lists the details and documents that are needed for different applications. These documents are available on our website along with our Planning Advice Notes (PANs) which give a range of advice from planning fees to our enforcement procedures.

It is also now possible to submit planning applications online through the [Planning Portal](#) and pay the planning application fee using a debit or credit card. Alternatively you can complete the nationwide standard 1APP application forms and hand or post them to our office, along with all the supporting documents. The forms are available to download from our website.

**Parc Cenedlaethol Bannau Brycheiniog**  
**Brecon Beacons National Park**

**PLANNING ADVISE NOTE 11 (June 2013)**

**Design and Access Statements**

The Minister for Environment, Sustainability and Housing has agreed to introduce Secondary legislation to require a Design and Access Statement to accompany any specified planning application from 1 June 2019.

The Assembly Government considers that design statements are a useful tool for ensuring that the sustainability and other design implications of proposed new developments are expressly outlined when the application for planning permission is made. The existing requirements for access statements will be carried forward.

This secondary legislation came into force on 1<sup>st</sup> June 2009 and a replacement [Technical Advice Note 12](#), which includes further guidance on design and access statements, has also been issued. A short introduction to the new [Design and Access Statements](#) is available from the Welsh Assembly Government Website.

You are required to submit a [Design and Access Statement](#) as set out in "The Town and Country Planning (Development Management Procedure) (Wales) Order 2012" as part of your planning application unless your application is for:

- Applications for a material change of use of land or buildings (provided the new use will not necessitate access by employees or offers goods and services to the public)
- Applications for Engineering or mining operations.
- Advertisement consents, tree preservation orders and storage of hazardous substances
- Householder applications

We, as the local planning authority have a dual role to ensure effective stakeholder involvement in developing design policies and guidance and providing information on design issues. We also help applicants and potential applicants to respond effectively to the planning and design process, through an advisory as well as regulatory role. Pre-application discussions and advice on preparing a design and access statement can create clarity for applicants.

Your statement should explain your reason for the way you have chosen to design your proposal, we will be looking for a good understanding of local character and circumstances, and that you have followed a design process that includes, assessment, involvement, evaluation and design.

**Application for Planning Permission**  
**Town and Country Planning Act 1990**

**Pre-application Planning Advice**

**Guidance Note – 1 April 2014**

The Brecon Beacons National Park Authority welcomes and encourages discussions with prospective developer and/or landowner before the submission of a planning application so that matters can be raised at the very early stages of the planning process to improve the overall quality of development in the National Park. This guidance note and fees also applies to the intended submission of retrospective planning applications.

Since April 2010, the Authority has operated a fee paying service for pre-application planning advice to sustain and improve current service levels and to recover the cost of the service. This latest review of the service was approved by the Authority on 21 March 2014, and became effective on 1 April 2014.

This advice note sets out what the Authority will charge for pre-application advice and what we will do as a result and the information you are required to provide.

Some pre-application planning advice will still remain free of charge (e.g. advice given at the planning surgery meetings that are currently available to members of the public for discussions relating to household proposals) but for the remainder, a fee will apply.

The pre-application planning advice fee is in addition to the formal planning application fee, further details of which can be found via [www.brecon-npa.gov.uk](#).

Pre-application advice is given on an informal without prejudice basis by Planning Officers based on the information known at that time. Any advice given will not be binding on the Authority in determining any future applications. However, the advice provided will give prospective developers and landowners a good understanding of the key issues that would need to be addressed in support of a subsequent planning application.

If you require formal confirmation whether or not planning permission is required for a development, you will need to submit an application for a lawful development certificate<sup>1</sup>.

**PRE-APPLICATION PLANNING ADVISE CHARGES**

**Guidance Note – 1 April 2014**

**3. Description of the Proposal**

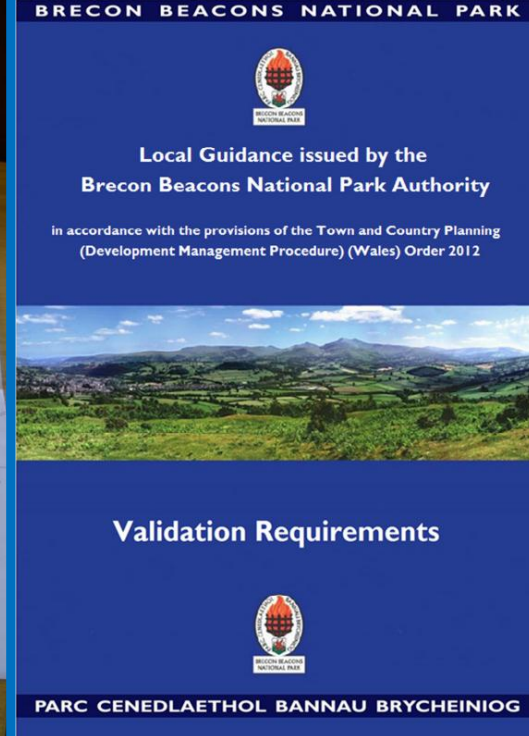
Please describe the proposed development, including any change of use:

Yes the building, work or change of use already started? ☐ Yes ☐ No

If Yes, please state the date when building, work or use was started (DD/MM/YYYY): \_\_\_\_\_ (date must be pre-application submission)

Has the building, work or change of use been completed? ☐ Yes ☐ No

If Yes, please state the date when the building, work or change of use was completed (DD/MM/YYYY): \_\_\_\_\_ (date must be pre-application submission)



## What happens to my application?

Once the application is received, the information is initially registered and passed to our Principal Planning Officers who allocate your application to one of our Planning Officers. The allocated Planning Officer will validate the application against the Local Validation Requirements.

Once valid, the allotted Planning Officer will process the application in accordance with Planning Legislation. Officers will consult with statutory and non-statutory consultees (e.g. Town/Community Councils, Highway Authorities) and organisations, such as Natural Resources Wales and Dŵr Cymru/Welsh Water for their views on the proposed development. These organisations can provide comments and suggest conditions which will be taken into account when making the decision. The Planning Officer assigned to your application will also undertake a site visit.

Neighbours of the development site are notified of the application through letter and site notices and are given 21 days to respond and comment on the proposal. Details of all applications are published on our website and updated daily. Plans and consultee comments can also be viewed online. A paper copy of the file can be viewed at our headquarters in Brecon on an appointment basis by contacting the Planning Administration team on 01874 620431.

When considering the application the Officer must have regard to the relevant policies of the Adopted Development Plan and will take into account all aspects of the proposed development, including any comments from consultees and neighbours.

## Who makes the decision?

Most applications are determined by authorised Officers (e.g. Director of Planning) under powers delegated to them by the National Park Authority under the approved Scheme of Delegation. The assigned planning officer will write a report which includes a recommendation as to whether planning permission should be granted or not. All reports and recommendations are reviewed by a Principal Planning Officer, before being formally determined by an authorised Officer.



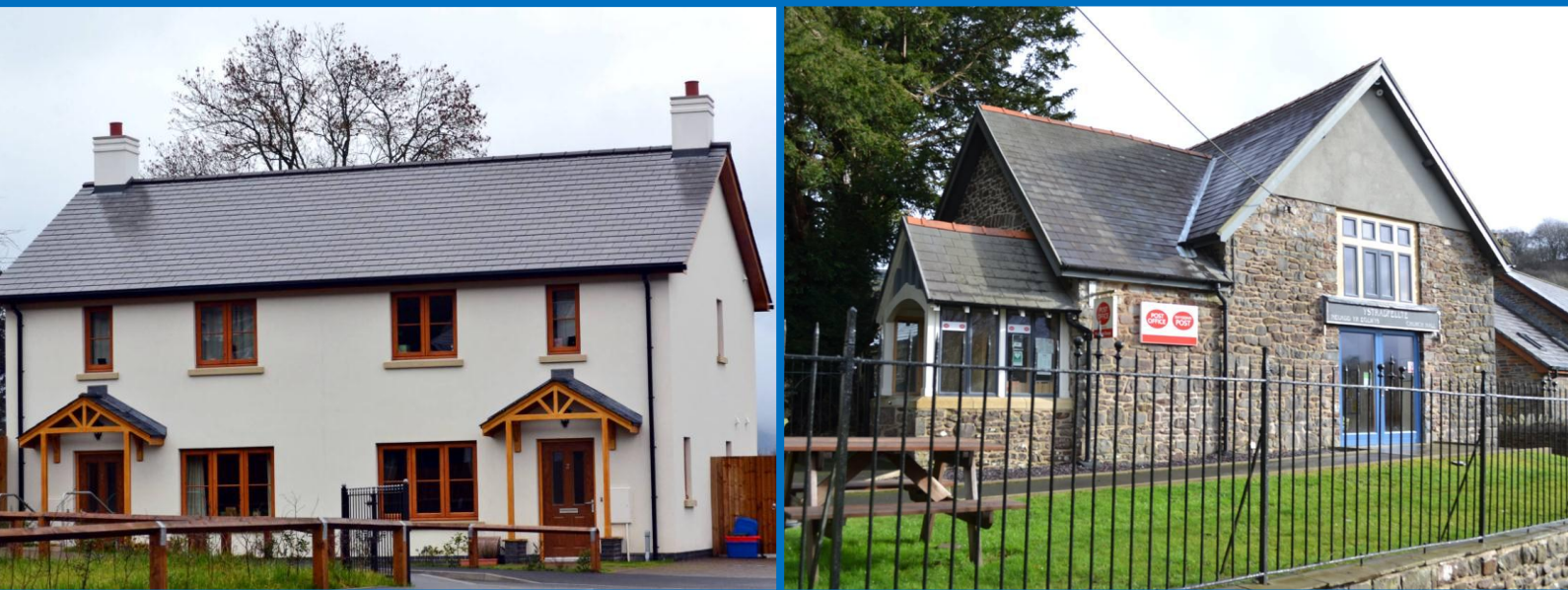
Applications for major developments, departures from policy, or applications which are the subject of objections from consultees or raise significant issues can be referred to our Planning, Access and Rights of Way Committee (PAROW) for determination. Applications which Members or Officers have a personal interest in will also be referred to our PAROW committee. [PAROW](#) committee agendas are available on our website.

If an application you are interested in appears on the agenda for PAROW you may attend the meeting to witness the debate or access the live webcast of the meeting via the NPA's website. In certain circumstances you can take part in public speaking at the PAROW meeting. [The Public Speaking Procedure](#) to address PAROW is available on our website.

## What if I don't like the decision?

If you are not satisfied with the decision or conditions imposed on your planning permission you have the right to appeal to the Planning Inspectorate at the Welsh Assembly. An applicant has six months from the date of the decision to lodge an appeal. There are no third party rights of appeal.

Planning Advice Note 13 (PAN13) regarding planning appeals is available from our website.



## Enforcement

The Authority recognises the importance of an effective planning enforcement service within the National Park and has a dedicated Enforcement team who investigate reported breaches of planning control and monitor new developments.

There are two main ways in which a breach of planning control can occur:

- Building works or engineering operations or changes in the use of land or buildings that are carried out without necessary planning permission;
- Where planning permission has been granted but the approved plans and/or conditions attached to the approval have not been followed properly.

If you wish to report a breach of planning control you must submit your complaint to the National Park Authority in writing, this can also be done by e-mail. If you contact us by telephone we will post or e-mail you a complaint form to be completed and returned to us. We do not process anonymous complaints.





## Building Control

Both planning permission and, in most cases, Building Regulations approval are required before building works can commence on site. Building Control is not a function that is carried out by the National Park Authority as it is administered by the relevant Unitary Authority. You will find a list of the Unitary Authorities together with contact details at the end of this guide.

## Complaints and Feedback

If you would like to leave feedback on the planning application process we now have a Planning Applications Service Questionnaire online that can be filled in online at:

[www.beacons-npa.gov.uk/planningsurvey](http://www.beacons-npa.gov.uk/planningsurvey).

If you would like to comment or complain about the quality of the service you have received or areas of improvement that we could address please contact Vickie Page at Brecon Beacons National Park Authority, Plas y Ffynnon, Cambrian Way, Brecon, Powys, LD3 7HP.

## Contacts

Brecon Beacons National Park Authority  
01874 620431  
[www.beacons-npa.gov.uk](http://www.beacons-npa.gov.uk)  
[planning.enquiries@beacons-npa.gov.uk](mailto:planning.enquiries@beacons-npa.gov.uk)

Powys County Council  
01874 612009  
[www.powys.gov.uk](http://www.powys.gov.uk)

Carmarthenshire County Council  
01267 234567  
[www.carmarthenshire.gov.uk](http://www.carmarthenshire.gov.uk)

Monmouthshire County Council  
01633 644644  
[www.monmouthshire.gov.uk](http://www.monmouthshire.gov.uk)

Blaenau Gwent County Borough Council  
01495 350555  
[www.blaenau-gwent.gov.uk](http://www.blaenau-gwent.gov.uk)

Rhondda Cynon Taff County Borough Council  
01443 442100  
[www.rhondda-cynon-taff.gov.uk](http://www.rhondda-cynon-taff.gov.uk)

Torfaen Borough Council  
01495 762200  
[www.torfaen.gov.uk](http://www.torfaen.gov.uk)

Merthyr Tydfil Borough Council  
01685 725000  
[www.merthyr.gov.uk](http://www.merthyr.gov.uk)

Planning Portal  
[www.planningportal.gov.uk](http://www.planningportal.gov.uk)

Welsh Government – Planning Division  
<http://wales.gov.uk/topics/planning/?lang=en>

Planning Inspectorate  
02920 823889  
[www.planning-inspectorate.gov.uk](http://www.planning-inspectorate.gov.uk)

Land Registry  
01792 355000  
[www.landregistry.gov.uk](http://www.landregistry.gov.uk)

Natural Resources Wales  
0300 065 3000  
[www.naturalresourceswales.gov.uk](http://www.naturalresourceswales.gov.uk)

Cadw  
02920 826156  
[www.cadw.wales.gov.uk](http://www.cadw.wales.gov.uk)

# Glossary of Planning Terms

This section is designed to help you understand the words and terms used in this guide and the planning system generally.

**Adopted/Adopted Development Plan** - The development plan has been completed, it has been examined by the Welsh Government Inspector and has been agreed by the Authority, and can be used for development control purposes.

**Agricultural Permitted Development** – Developments/buildings/works on agricultural land that do not require formal planning permission under Part 6 of the General Permitted Development Order.

**Agriculture/Agricultural Land** - Land used for agriculture, and for farming trade or business purposes. It does not include dwellings, gardens, fish farming or equestrian businesses.

**Agricultural or Forestry or Rural Enterprise Dwelling** - A dwelling which is subject to a planning condition or legal agreement restricting occupation to someone employed, or was last employed, in agriculture, forestry or other appropriate rural employment.

**Affordable Housing** - Housing, whether for rent, shared ownership or outright purchase, provided at a cost considered affordable in relation to incomes that are average or below average, or in relation to the price of general market housing.

**Allocated Site** - Land which is identified within the Development Plan for a particular use (e.g. housing, mixed use, employment, retail, open space, etc.).

**Appeal/Appellant** - An applicant for planning permission can appeal against the decision of the Local Planning Authority. Appeals can also be lodged if a planning authority does not decide an application within a set time and against the imposition of a condition attached to a consent. The person who makes an appeal is the appellant. Appeals are decided by the Planning Inspectorate.

**Applicant** - The person who signs and submits the planning application forms. An agent can submit applications on behalf of the applicant.

**Backland Development** - Proposed building on land to the rear of existing properties, usually in large residential gardens; often thought of as inappropriate because of access problems, overlooking/shadowing and preventing future comprehensive planning.

**Building Regulations** - Building regulations set standards for the design and construction of buildings. They are designed to keep people in and around buildings safe and healthy. They also deal with energy saving measures and provide disabled access into and around buildings.

**Call In/Called in Applications** - The Welsh Government has powers to 'call in' planning applications. This means that the WG makes the final decision, not the local planning authority.

**Certificate of Lawfulness of a Proposed or Existing Use or Development** – People can apply to find out whether a proposed development does not require Planning permission or an existing development is lawful in planning terms. If it is, the Certificate is issued by the local planning authority, meaning that the proposed development will not require separate planning permission and cannot be the subject of enforcement action.

**Change of Use** - Changing the use of a building or land, from one use class to another use class is a form of development and would normally require planning permission.

**Committee Report/Report to Committee** - Before an application goes to planning committee, the officer dealing with the application compiles a report to explain the issues and the reasons for the recommendation. It usually includes a summary of consultee and third party (public) responses to the application, provides an analysis of the issues and relevant policies, and makes a recommendation to approve or refuse. Conditions, or reasons for refusal, are also added to the recommendation.

**Community and Town Councils** - The local administrative body in a ward, town or community area. Usually consulted about planning issues. Known as parishes in England.



**Community Infrastructure Levy (CIL)** - A levy allowing local authorities to raise funds from owners or developers of land undertaking new building projects in their area.

**Conditions** - Attached to a planning permission, conditions control how different parts of a development should be carried out. Conditions can be used to control many things - building materials, landscaping and access are just a few examples.

They can be **statement conditions** e.g. - *The development shall be carried out in all respects strictly in accordance with the approved plans (drawing nos. NP1v1, NP2v1, NP5v1 and NP6v1), unless otherwise agreed in writing by the Local Planning Authority* or **pre-commencement conditions** e.g. - *Prior to the commencement of development details of all new joinery at a scale of 1:20 shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details* or **pre-occupation or beneficial use conditions** e.g. - *Prior to the use or occupation of the dwelling hereby permitted, and at all times thereafter, the window[s] marked "X" on the approved plans shall be glazed with obscure glass only.*

*Reason: In order to protect the residential amenity of adjacent properties* or **ongoing/restrictive conditions** e.g. - *The occupation of the dwelling shall be limited to a person solely or mainly working or last working, in the locality in agriculture or in forestry, or a widow or widower of such a person, and to any resident dependants.*

**Conservation Areas** - Conservation areas are parts of villages or towns which are special because of their architecture or history. LPA's designate conservation areas to preserve or enhance their special qualities. A higher standard of design is expected in the area, and any demolition of buildings or felling of trees is controlled.

**Consult/Consultation** - Asking people or organisations what they think about something. Comments are usually asked for on a particular matter (such as a planning application), or a set of issues, or a draft document (such as public participation in preparing a plan). Consultation can be formal or informal. It can involve everybody in an area, or a small selection of people or groups.

**Contamination/Contaminated land** - Land that has been polluted or harmed in some way, making it unfit for safe development. Development can only happen after it has been decontaminated.

**County Councillors** - A locally elected politician. Often known as a Member of the authority. The National Park Authority is composed of 24 members, 16 councillors appointed by the local authorities who have land in the National Park i.e. Powys (8 members), Monmouthshire (2 members), Carmarthenshire (2 members), Merthyr Tydfil (1 member), Torfaen (1 member), Blaenau Gwent (1 member) and Rhondda Cynon Taff (1 member). In addition, the Welsh Government appoints 8 members who may have experience or specialist knowledge of a particular area, such as environment, tourism, farming or community work. Terms of office for local authority members are usually for 4 years, until the next local government elections, and 4 years for Welsh Government appointed members (up to a maximum of three terms).

**Curtilage** - Land surrounding, and ancillary to, a building which is necessary for its function and enjoyment, for example, the domestic garden of a dwelling or the storage yard of a factory. The curtilage of a house is usually shown in the title deeds and is referred to as the Residential Curtilage of the dwelling.

**Decision Notice** - The formal letter that gives the decision on a planning application.

**Delegated Powers** - A power given to certain planning officers (usually the Director of Planning, the Head of Development Control or Principal Planning Officers) to determine applications without having to refer them to the planning committee in line with a clear Scheme of Delegation.

**Delivery Agreement** - A document which sets out the local planning authority's timetable for preparing its Local Development Plan. It also contains a Community Involvement Scheme, setting out how the authority will involve people, groups and organisations at different stage of plan-making. The Delivery Agreement needs to be agreed with the Assembly Government.

**Density** - Usually used to describe a housing development, density describes the number of houses in a given area (usually an acre or hectare). The standard density of residential development is 33 dwellings per hectare.

**Departure/Departures** - A proposed development which is not in line with the policies contained in an adopted development plan. In these cases the application is advertised as such on site and in the local press.

**Design and Access Statement** - A short report accompanying and supporting a planning application to illustrate the process that has led to the development proposal, and to explain and justify the proposal in a structured way.

**Development** – The legal definition of development is "the carrying out of building, mining, engineering or other operations in, on, under or over land, and the making of any material change in the use of buildings or other land" (Sec 55 of 1990 Act); this covers virtually all construction activities and changes of use.

**Development Control** - The process by which a local planning authority receives, considers the merits of, and determines planning applications. Development control decisions are based on the development plan and other material considerations.

**Development Plan** - The document which uses words and proposals maps to set out the local planning authority's policies and proposals for future development in its planning area. Usually looking fifteen years forward, it contains policies for specific sites and for different types of development. Development plans include Local Development Plans, Unitary Development Plans, Structure Plans and Local Plans. Most planning authorities in Wales have now adopted their Local Development Plan.

**Development Plan Policies** - Policies are usually contained in the development plan. They set out how different types of development and land uses should be controlled. Policies can be for a small area, for a type of development, or apply over the whole plan area.

**Drainage** - The way water (foul and surface) moves around and off a site. Foul water can either be directed to the mains system or a private treatment works (e.g. septic tank). Surface water is usually directed into streams, rivers or lakes following the attenuation of flow using Sustainable Drainage Systems, soakaways, attenuation tanks, balancing ponds etc.

**Enforcement/Enforcement Notice** - A local planning authority uses its enforcement powers to make sure all the terms and conditions of a planning decision are carried out. Enforcement is also used to control development which has not got a planning permission, but which needs it. An enforcement notice sets out what needs to be done to put something right, or to control an activity which has not got planning permission.

**Environmental Impact Assessment** - Some types of development, usually bigger schemes, need an Environmental Impact Assessment. Applicants will need to prepare an Environmental Statement and include it with the planning application. The statement considers the likely impacts of the development on the environment. It also looks at how the impacts can be reduced. It is used to help decide the planning application.

**Environmental Statement** - Looks at the likely environmental impact of a proposed development. It contains the findings of the Environmental Impact Assessment, and often a lot of supporting background information. The statement should contain a description of the development, measures to be taken to avoid harming the environment, and the main likely effects on the environment. The statement should also describe alternatives looked at, and reasons for choosing the final proposal. A layperson's summary is also provided.

**Examine/Examination** - A Local Development Plan is examined by an independent Inspector to see if it is 'sound'. The plan Examination includes the Inspector considering written representations on the Deposit plan, as well as sessions where people can speak (give evidence) either for (support) or against (object) proposed policies and allocations.

**Freedom of Information Act** - Gives any person the legal right to ask for, and be given, most of the information which is held by public authorities.

**Full Application** - A planning application with all the details of a development proposal. Sometimes referred to as a detailed application, it can be given a full planning permission. There are no matters which are reserved for discussion and approval at a later date (*see 'Outline Permission'*).

**Greenfield Land** - Land (or a defined site) usually farmland, that has not previously been developed.

**Habitable Room** - Any room used for sleeping, cooking, living or eating purposes. Enclosed spaces such as bath or toilet facilities, service rooms, corridors, laundries, hallways, utility rooms or similar spaces are excluded from this definition.

**Hearing** - A planning appeal hearing which is carried out in a structured way, but which is not as formal as a local inquiry.

**Highway Authority** - The department which is responsible for maintaining public roads and access onto them, pavements and verges.

**Human Rights Act** - The Human Rights Act protects people's human rights. Human rights are the basic freedoms and values which all people have a right to. It also limits some individual rights, to protect protected characteristics and the rights of others and the wider community.

**Judicial Review** - Where the High Court looks at whether a decision made by a planning authority is reasonable. Some planning decisions are tested by a Judicial Review.

**Landscaping/Landscaping Proposals** - Includes plants, trees, paths and structures. A landscaping proposal should be prepared for areas of land which will not be built on. Often forming part of a planning application, it might include garden layouts, walls and fencing, trees and planting areas, and 'hard' road and pavement surfaces.

**Late Representations** - A letter of objection or support which is received after a set legal period for consultation. The comments can sometimes still be considered.

**Listed Building Consent** - Required to alter or extend a listed building, where the work would affect the building's character or special interest. Consent is also needed for any work to other buildings in the grounds of a listed building – these buildings are referred to as curtilage buildings.

**Listed Building** - A building which is protected from development because of its special historic interest or architecture. LPA's hold a list of the listed buildings in its area, which the public can access.

**Local Development Plan** - A type of plan which has replaced the Unitary Development Plan system. All LPA's in Wales have prepared, examined or adopted their LDPs. It will be the statutory development plan for a local planning authority area. It should include a vision and a broad strategy, as well as policies for different areas and types of development. It will identify land suitable for new development, and set out proposals for key areas of change and protection. Policies and development land will be shown on a map base, called the Proposals Map.

**Local Planning Authority** - The local authority or council that is responsible for preparing plans and for making planning decisions for that area. In Wales, there are currently twenty five planning authorities, including the three National Parks. The planning authorities also deal with waste and minerals matters.

**Local Plan** - An old-style development plan which sets out detailed policies and proposals for the development and use of land. In some authorities, local plans are still used to guide decisions on planning applications.

**Major development** - development involving any one or more of the following:

- a) the winning or working of minerals or the use of land for mineral-working deposits;
- b) waste development;
- c) the provision of dwellinghouses where
  - i) the number of dwellinghouses to be provided is 10 or more; or
  - ii) the development is to be carried out on a site having an area of 0.5 hectare or more and is not known whether the development falls within paragraph (c)(i);
- d) the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more, or
- e) development carried out on a site having an area of 1 hectare or more.

**Material/Material Considerations** - If something is material, it is relevant and needs to be taken into account before a decision is made. Whether or not something is material often depends on the individual case.

**National Park Management Plan (NPMP)** - The single most important policy document for the National Park. It is a plan for the geographic area of the Park and not for any one authority and, as a strategic over-arching document, it co-ordinates and integrates other plans, strategies and actions in the National Park, including the Local Development Plan.

**National Resources Wales (NRW)** - undertakes the functions of the now disbanded Countryside Council for Wales, Environment Agency Wales and Forestry Commission Wales. They are the statutory body for the protection of the Environment in Wales.



**Outline Planning Application** - Planning applications can be submitted in Outline to find out if the principle of a development on a site is acceptable. If a proposal obtains Outline consent, details of the development will need to be approved at a later date. Usually only used for larger applications.

**Permitted Development/Permitted Development Rights** - There are certain types of development which do not need planning permission. These include small works, and things which will not have much of an effect on other people. The General Permitted Development Order sets out those things which can be done without needing to apply for planning permission.

**Planning Inspector** - An experienced planner appointed by the Planning Inspectorate. The Inspector makes independent planning decisions on behalf of the Welsh Government. Inspectors consider appeal cases, and test the 'soundness' of development plans at examination. They also make decisions at public inquiries into larger proposals. Inspectors write reports considering all the planning evidence, and decide cases.

**Planning Inspectorate** - An independent agency which acts for the Welsh Government. It is responsible for processing planning and enforcement appeals, and holds inquiries into local development plans. It also deals with listed building and advertisement appeals, as well as reporting on applications which are 'called in' by the WG.

**Planning Permission** - Formal approval from a local planning authority that a proposed development can go ahead. It is often granted with conditions. Usually, the development needs to be started within a given time of permission being granted. Planning Permission can be full or in outline.

**Planning Policy Wales** - Sets out the national policy framework for land use planning in Wales, and includes many different areas of planning. Prepared and updated by the Welsh Government to give LPA's and others a clear understanding of how the system should work.

**Pre-application Discussions** - Discussions which happen before a planning application is submitted. Usually between LPA Officers and the person thinking of developing a proposal. They can improve the quality of an application and are usually seen as good practice.

**Public Consultation** - Informing members of the public about a planning application, or about future plans for an area. Usually involves asking people to make comments within a set time. Comments received are taken into account before a decision is made.

**Public Inquiry** - A formal hearing held by a planning inspector into a planning matter. It might be into a local development plan, or an appeal. Members of the public can attend public inquiries as observers, and can also be invited to comment on an issue.

**Recommendation** - A planning officer makes a recommendation to the planning committee. It is usually set out towards the end of the committee report on the planning application. The recommendation is the professional opinion of the planning officer, but the committee do not have to accept the recommended decision provided that they have robust reasons to go against it. Recommendations are usually to refuse, to approve, or to defer.

**Registered Social Landlord (RSL)** - Registered Social Landlords are government-funded not-for-profit organisations that provide affordable housing. They include housing associations, trusts and cooperatives. They work with local authorities to provide homes for people meeting the affordable homes criteria. As well as developing land and building homes, RSLs undertake a landlord function by maintaining properties and collecting rent.

**Representations** - Comments which are submitted to a local planning authority. They can either be in support of something, or they can object to something. Representations are usually made in connection with a planning application, or a proposed policy in a development plan for the area.

**Reserved Matters** - Things to do with a proposed development which will need to be decided at a later date. The reserved matters are Appearance, Scale, Access, Landscaping and Layout. These are reserved matters because they still need to be approved.

**Section 106 Agreement** - A legal agreement under section 106 of the 1990 Town & Country Planning Act. Section 106 agreements are legal agreements between a planning authority and a developer that ensure certain additional works related to a development are undertaken, e.g. a new play area, commuted sums towards Affordable Housing etc. Can also

be used to control development where a condition cannot be used (e.g. ensuring Shared Ownership housing remains as such even when sold on to subsequent purchasers).

**Stop Notice** - A legal notice served by the local planning authority which aims to make somebody stop a development or an activity. Used as part of enforcement powers.

**Structure Plans** - An old-style development plan. They set out strategic planning policies for county areas. Structure plans may still operate in some areas if a Unitary Development Plan or a Local Development Plan has not been adopted.

***Sui generis*** - A latin word which describes a land use, or building which is not in a specific Use Class. Examples of uses which are considered to be *sui generis* include theatres, launderettes, car showrooms and petrol filling stations.

**Supplementary Planning Guidance** - Detailed guidance prepared by the LPA to support policies and proposals.

**Sustainable Development** - 'Development that meets the needs of the present without compromising the ability of future generations to meet their own needs'. The planning system is important for sustainable development - it can bring about more sustainable ways of living and working. It can also encourage new types of development which use less energy.

**Technical Advice Notes** - Technical Advice Notes are prepared and updated by the Welsh Government, and provide more detail about national planning policies. They deal with a specific area of planning, such as affordable housing, flood risk, or protecting wildlife.

**Third Party** - A party with an interest in the application but not the applicant. Usually somebody supporting or objecting to a planning application.

**Tree Preservation Order (TPO)** - A mechanism for securing the preservation of single or groups of trees of acknowledged amenity value. A tree subject to a tree preservation order may not normally be topped, lopped or felled without the consent of the local planning authority.

**Unitary Development Plan** - Often called a 'UDP', a plan covering the whole local planning authority area. It replaces old-style structure and local plans. Contains policies for the whole plan area, and identifies land for different kinds of development. Local Development Plans are replacing Unitary Development Plans in Wales.

**Use Class** - Planning law puts the different ways of using land and buildings into different Use Classes. To change the use of a piece of land, or a building from one use to another use within the same Use Class does not require planning permission. However, a change of use from one Use Class to another will usually need planning permission.

**Visual Amenity** - The contribution made by the look of a place to how the public enjoy it. An area with high visual amenity is pleasing and attractive to the eye.

**Written Representations** - A written statement setting out comments, or an argument for or against something. The simplest way of processing an appeal to the Planning Inspectorate as it does not require a Hearing or an Inquiry.