



Ein cyf/Our ref: MA/JJ/2524/20

Local Authority Leaders and Chief Executives National
Park Authority Chief Executives

24 September 2020

Dear Colleagues,

I am conscious that a number of Local Planning Authorities (LPAs) are becoming increasingly concerned regarding the end date of their Local Development Plan (LDP) and the implications this will have for rational and consistent decision making at a local level. There are also questions over the ability to charge a Community Infrastructure Levy (CIL) apply Supplementary Planning Guidance (SPG) and the reduced certainty this will have for your communities and stakeholders.

The Planning and Compulsory Purchase Act (PCPA) 2004 was amended through the Planning (Wales) Act (PWA) 2015. The Act, amongst other matters, introduced provisions specifying the period to which a plan has effect and providing that it shall cease to be the LDP at the end of the specified period.

Planning is becoming seen as an important tool in recovering from the recent Covid-19 virus, creating a more socially equitable and greener society than before, focusing around Placemaking and sustainability. To achieve this goal a plan-led system is essential.

With many LDPs nearing the end of their plan period, particularly from 2021 onwards, the perception has been that LDPs will no longer be extant once they have reached the end of their plan period. I would like to take this opportunity to clarify the position.

The provisions in the PWA 2015 regarding the period to which a plan has effect were commenced on 4 January 2016. These provisions do not have retrospective effect. This means that the provisions do not apply to LDPs adopted prior to this date. Plans adopted prior to 4 January 2016 will remain the LDP for determining planning applications until

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We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi

replaced by a further LDP. For those LDPs adopted after 4 January 2016, the plan will cease to be the LDP on expiry of the period specified in the plan.

The first LDP to expire under the end date provisions will be on 1 January 2026. This period of just over 5 years to 2026 does provide an opportunity to explore the position further and consider whether further legislation is needed.

For the two remaining LPAs which do not yet benefit from an adopted LDP, but have an adopted Unitary Development Plan (UDP), the period to which a plan has effect provisions do not apply. The two UDPs remain extant until replaced by their respective LDP.

Yours sincerely,

A handwritten signature in blue ink that reads "Julie James". The signature is written in a cursive style with a large initial 'J'.

Julie James AS/MS
Y Gweinidog Tai a Llywodraeth Leol
Minister for Housing and Local Government