

***Header: Wales V England***

***Stand first: Wayne Reynolds, Director of Atriarc Planning offers an insight into the differences in the Welsh and English planning systems***

The planning system is often quoted in the national press and television media. However simple snippets of information can often lead to confusion, particularly as the English Planning system often dominates front-page headlines.

In simplified terms; in Wales and England the planning system can be broken down to a few key elements, National, Regional and Local Planning policy. Higher-level documents generally contain strategic as well as generic policy for development, whilst lower level policy documents (and guidance) contain Council and site specific policy (commonly in the form of land allocations). The planning system is also supported by Legal Statute, for example, the Town and Country Planning Act 1990 (covering both Wales and England).

While Wales and England share some Statutory provisions; in recent years there has been an increasing divergence between Welsh and English planning law as more powers are transferred to the Welsh Assembly Government. Essentially, whilst both systems retain a similar framework and still share some of the founding legal parameters, key differences now exist in planning law. This is where confusion starts.

Permitted Development Rights (PDR) is one of the leading areas for confusion arising from Statutory differences between the Welsh and English system. PDR allow for some forms of development to be undertaken without the need for planning permission, for example, household extensions. However some aspects of PDR may still require you to notify the Council of a project to enjoy these rights, for example if they fall within Prior Notification procedures e.g. agricultural roads.

In England relaxed planning rules now allow for conversion of rural agricultural barns for residential purposes under PDR. However there is a subset of planning requirements that need to be adhered to, as well as the Prior Notification process before a project commences. In Wales no such rights exist, with full planning permission being required to convert redundant outbuildings. This may sound simple but you would be surprised by the number of enquiries we receive from landowners facing enforcement action, who have incorrectly started projects without first checking with the Local Planning Authority, or qualified consultant. The Welsh Assembly provides a basic overview of PDR which landowners can access via [www.gov.wales/topics/planning](http://www.gov.wales/topics/planning) or other guidance is available via [www.planningportal.co.uk](http://www.planningportal.co.uk). However if accessing the Planning Portal web pages, please ensure you are reviewing the Welsh site (if applicable) by clicking on the welsh link in the top left hand corner of the webpage. Also if using a search engine to review an enquiry, always make sure there is a specific reference to what location the advice relates to – if it isn't specific to Wales or England then it is worth getting a second opinion from the Planning Authority.

For further advice or assistance please contact Wayne Reynolds on 01994 220 667 or email [wayne@atriarcgroup.com](mailto:wayne@atriarcgroup.com)

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