



Planning Guide - Glossary

Advertisement: any word, letter, model, sign, placard, board, notice, awning, blind, device or representation, whether illuminated or not, in the nature of, and employed wholly or partly for the purposes of, advertisement, announcement or direction, and (without prejudice to the previous provisions of this definition), includes any hoarding or similar structure used, or designed or adapted for use, and anything else principally used, or designed or adapted principally for use, for the display of advertisements, and references to the display of advertisements shall be construed accordingly (See Planning Quick Guide 55).

Appeal: a legal challenge to a decision made by a Local Planning Authority (see Planning Quick Guides 51 and 52).

Areas of 'special control': an area may fall under this definition if it is a rural area or if it is an area which appears to the Minister to require special protection on grounds of amenity (See Planning Quick Guide 55).

Building: any structure or erection, and any part of a building, as so defined, but does not include any plant or machinery comprised in a building (See Planning Quick Guide 46).

Building operations: includes demolition of buildings, rebuilding, structural alterations of or additions to buildings, and other operations normally undertaken by a person carrying on business as a builder (See Planning Quick Guide 46).

Call-in: the process of the National Assembly for Wales taking responsibility for a planning decision away from a Local Planning Authority (See Planning Quick Guide 53).

Change of use: more correctly defined as a material change of use it is the change of a building or other land to another use. If the change is within the same class of the **Use Classes Order** it does not constitute development (See Planning Quick Guide 49).

Community Involvement Scheme: the framework in which communities must be involved in the development of a Local Development Plan (See Planning Quick Guide 44).

Completion notice: Local Planning Authorities have the power to issue completion notices to encourage developers to complete development for which planning permission has been obtained. The penalty for failure to comply with a valid completion notice is that planning permission will be deemed to have expired (See Planning Quick Guide 50).

Conditions: a Local Planning Authority may impose conditions on a planning consent to limit or direct the manner in which a development is carried out. Any deviation from these conditions is unlawful (See Planning Quick Guide 47).

Deemed consent: the ability to display advertisements without express consent, provided they fall under one of fourteen classes. Deemed consent can be revoked by the National Assembly for Wales (See Planning Quick Guide 55).

Delivery agreement: the timetable prepared by a Local Development Authority for preparation of a Local Development Plan (See Planning Quick Guide 44).



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Departure applications: development applications that would depart significantly from the Development Plan (UDP or LDP) but which due to exceptional circumstances the local planning authority proposes to accept. They must be notified to the Welsh Assembly Government (See Planning Quick Guide 47).

Development: the carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land (See Planning Quick Guide 46).

Development Control: the process whereby a local planning authority decides whether a planning application meets the requirements of planning policy, particularly as set out in development plans (See Planning Quick Guide 47).

Development Order: can either grant planning permission for the development specified in the Order or set out the procedures to be followed in dealing with applications for planning permission (See Planning Quick Guide 45).

Development Plan: document (a UDP or LDP) that sets out in writing and/or in maps and diagrams a local planning authority's policies and proposals for the development and use of land and buildings in the authority's area (See Planning Quick Guide 43).

Duration of permission: every new planning permission is deemed to be subject to a condition that development shall be commenced within three years – or any other such period as the planning authority imposes – of permission being granted (See Planning Quick Guide 48).

Enforcement: where land use constitutes a breach of development control, authorities may instigate enforcement action (See Planning Quick Guide 50).

Engineering operations: the formation or laying out of a means of access to highways (See Planning Quick Guide 46).

Environmental Impact Assessment (EIA) - *The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 (SI 1999/293)* require an EIA to be carried out for certain types of development. The EIA process evaluates the likely significant effects of a development on the environment and examines mitigation measures to remove or reduce these effects. The information is assembled and reproduced as an environmental statement (ES). A local planning authority must take the ES into account and comments on the ES from the public and statutory consultees before they reach a decision on whether to grant development consent.

Established use: a use which does not conform to a plan but against which enforcement proceedings cannot be taken, often because of the length of time a use has been in operation.

Express consent: the class of consent required if an outdoor advertisement does not fall into one of fourteen 'deemed consent' categories (See Planning Quick Guide 55).

Full Planning Permission: where planning permission is granted with or without conditions for a development proposal.



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General Permitted Development Order: sets out specific classes of development that have been granted general planning permission, also known as **permitted development rights** (See Planning Quick Guide 45).

Green Belt: specially designated area of countryside protected from most forms of development in order to stop urban sprawl and the coalescence of settlements, preserve the character of existing settlements and encourage development to locate within existing built-up areas.

Judicial review: the process of assessing a planning decision where there is cause to suspect procedural impropriety, manifest unreasonableness, or irrationality in the decision-making process.

Listed Building: a building or other structure of special architectural or historic interest included on a statutory list and assigned a grade (I, II* or II).

Listed Building Consent: a permission required for the alteration or demolition of a listed building

Local Development Plan (LDP): Every Local Planning Authority in Wales now needs to prepare a Local Development Plan to replace its Unitary Development Plan (See Planning Quick Guide 44).

Local Planning Authority: an authority authorised to make planning decisions. In Wales, these are the 22 Unitary authorities and the 3 National Park Authorities (See Planning Quick Guide 43).

Material consideration: any consideration which relates to the use and development of land is capable of being a planning consideration. Whether a particular consideration falling within that broad class is material in any given case will depend on the circumstances (See Planning Quick Guide 47).

Minerals Planning Policy Wales: the equivalent to Planning Policy Wales for Minerals Planning (See Planning Quick Guide 42).

Ministerial Interim Planning Policy Statements (MIPPS): statements issued by Welsh Assembly Government that amend specific policy areas (eg: Retailing/Town Centres) within Planning Policy Wales, the statement of national planning policy in Wales (See Planning Quick Guide 42).

Outline Planning Permission: where planning permission is granted in principle for a development proposal, usually with certain detailed or **“reserve matters”** to be the subject of a further application (See Planning Quick Guide 46).

Permitted Development rights: apply to specific classes of development that have been granted general planning permission, such as certain alterations to a dwelling house, some changes of use etc. These classes are set out in the **General Permitted Development Order** (See Planning Quick Guide 45).

Planning application: the procedure through which consent for development is sought from the local planning authority (See Planning Quick Guide 47).

Planning Decision Committee: a Committee of Assembly Members that in the First and Second Assemblies elected to determine called-in planning applications and recovered planning appeals. In the Third Assembly, the power to call-in and determine the most



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important or controversial planning applications and planning appeals will transfer to Welsh Ministers (See Planning Quick Guide 53).

Planning Inspectorate Wales: an executive Agency of the National Assembly for Wales (Welsh Ministers from May 2007) that processes and determines most planning and enforcement appeals, along with a range of other planning-related work.

http://www.planning-inspectorate.gov.uk/cymru/wal/index_e.htm

Planning Obligations and Agreements: legal agreements between a planning authority and a developer, or offered unilaterally by a developer, ensuring that certain extra works related to a development are undertaken, usually under **Section 106** of the *Town and Country Planning Act 1990*.

Planning permission: the permission necessary in order to develop or change the use of land or buildings. Permission granted can be **outline planning permission**, **full planning permission** or for **reserved matters**. (See Planning Quick Guide 46).

Planning Policy Wales: the Welsh Assembly Government's national land use policy, published in March 2002 and updated by Ministerial Interim Planning Policy Statements (MIPPS) (See Planning Quick Guide 42).

Recovered Appeal: an appeal that the National Assembly for Wales (Welsh Ministers from May 2007) decides that it wishes to determine, usually in cases involving large scale or controversial developments (See Planning Quick Guide 53).

Reserved Matters: when **outline planning permission** is granted, there is usually a condition attached that a subsequent application must be submitted for certain "reserved matters" not covered by the outline application. (See Planning Quick Guide 46).

Section 106 agreements: see Planning Obligations and Agreements.

Strategic Environmental Assessment: European Directive 2001/42/EC "on the assessment of the effects of certain plans and programmes on the environment" requires a formal environmental assessment of certain plans and programmes which are likely to have significant effects on the environment. Authorities which prepare and/or adopt such a plan or programme must prepare a report on its likely significant environmental effects, consult environmental authorities and the public, and take the report and the results of the consultation into account during the preparation process and before the plan or programme is adopted. They must also make information available on the plan or programme as adopted and how the environmental assessment was taken into account. Although distinct from **Sustainability Appraisal**, it is possible for both to be carried out through a single appraisal process.

Statutory undertaker: persons authorised by any enactment to carry on any railway, light railway, tramway, road transport, water transport, canal, inland navigation, dock, harbour, pier or lighthouse undertaking or any undertaking for the supply of hydraulic power and a relevant airport operator.

Stop notices: where a Local Planning Authority considers it expedient that activity should cease before the expiry of the period for compliance with an enforcement notice, it may serve a notice prohibiting the carrying out of that activity on the land to which the enforcement notice relates, or any part of the specified land (See Planning Quick Guide 50).



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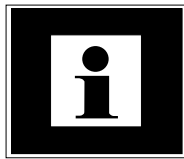
Supplementary Planning Guidance: additional advice issued by a local planning authority expanding upon its statutory policies.

Sustainability Appraisal (SA): a mandatory requirement under the *Planning and Compulsory Purchase Act 2004* to promote sustainable development through the integration of social, environmental and economic considerations into the preparation of revisions of new or revised Development Plan Documents and Supplementary Planning Documents. See also **Strategic Environmental Assessment**.

Technical Advice Notes (TANs): Provide supplementary national planning policy guidance to local planning authorities alongside **Planning Policy Wales**. There are also a series of Minerals Technical Advice Notes (MTANs) (See Planning Quick Guide 42).

Unitary Development Plan (UDP) : The type of development plan that each Local Planning Authority was required to prepare, prior to the introduction of **Local Development Plans**. Some authorities are completing their UDP before proceeding with a LDP. (See Planning Quick Guide 44).

Use Classes Order: the *Town and Country Planning (Use Classes) Order 1987* puts land and buildings into various classes of development. A **change of use** within the same class does not involve development of the land and therefore does not require planning permission (See Planning Quick Guide 49).



Further Information:

The statutory provisions cited above may be subject to subsequent amendment; the consolidated text of those provisions can be obtained from Butterworths' *LexisNexis* service:

http://assembly/presidingoffic/mrs/resources/electronic/qlinks_lexisnexis.htm

The Welsh Assembly Government planning home page is
<http://new.wales.gov.uk/topics/planning/?lang=en>

The Planning Portal provides useful information about the operation of the planning system and includes its own glossary:
<http://www.planningportal.gov.uk/wales/genpub/en/1105619049142.html>



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