



Llywodraeth Cymru
Welsh Government

Local Authorities
Planning Authorities
Local Authority Lead Childcare Officers
Local Authority Family Information Services Managers

27 March 2026

Dear Colleagues

PLANNING AND CHILDCARE IN WALES

This letter covers the issue of planning, child minding and day care provision and comes jointly from the Local Government and Planning Directorate and the Early Years, Childcare and Play Division of the Welsh Government. It restates the importance of childcare provision set out in previous letters and clarifies that the provision of sufficient childcare within each local authority area is a crucial part of the supporting infrastructure necessary to achieve sustainability as part of the approach to Placemaking required by Planning Policy Wales. It emphasises the role childminders play in the provision of childcare and steps local authorities can take in the planning process to support childminders.

This letter replaces Policy Clarification Letter CL-01-16 Planning and Childcare in Wales which is hereby cancelled.

Access to affordable childcare is a key Welsh Government priority. It enables parents to work, access training, and supports our drive to increase economic growth, tackle poverty and reduce inequalities. Planning authorities and local authorities should work together to help support the development and availability of childcare services, including childminding, for children and families. This is in line with the Welsh Government's key priority to provide affordable, accessible childcare.

The Childcare Act 2006 places a statutory duty on all local authorities to secure, as far as is reasonably practicable, sufficient childcare to meet the needs of parents/carers in their area, who require childcare to train, work or study.

To help local authorities assess the level of provision in their area, Childcare Sufficiency Assessments (CSAs) are carried out which identify any shortfall of

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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

provision. This enables local authorities to put in place arrangements to address any gaps in provision and to plan for future demand.

Childminders are a key element of childcare provision in Wales, and consideration of childminder provision in CSAs and in local authorities' approach to supporting the childcare sector is vital.

As set out in the [Independent Review Of Childminding](#), the decline in the number of registered childminders is likely to have a significant impact on childcare availability and accessibility.

Welsh Government is committed to taking forward the recommendations of the Review and it is therefore crucial that we seek to remove any barriers to childminding provision so that we can sustain and grow this vital part of the sector to support local provision and meet parents' demand.

Clarification of Planning Policy Wales set out in **Annex A** should be supported by regular dialogue between planning authorities and those local authority officers responsible for childcare provision. By working together, all stakeholders will play a part in delivering better outcomes and a consistent approach across all local authorities which will have a lasting and beneficial effect on the communities they support.

Care Inspectorate Wales (CIW) is the regulatory body responsible for ensuring that childcare regulations and [National Minimum Standards](#) (NMS) for Regulated Child Care are met.

In the case of childminders, CIW Inspectors determine if premises are safe and suitable for the provision of care, taking into account the maximum number of children that a childminder will look after at any one time based on the available space for each child. The criteria against which CIW register and inspect provision are set out in The Child Minding and Day Care (Wales) Regulations 2010¹, and standards as set out in the NMS. This standard of care is assured through inspection and regulation by CIW. These are principally concerned with the safety and welfare of the children receiving childcare and the quality of the care they receive.

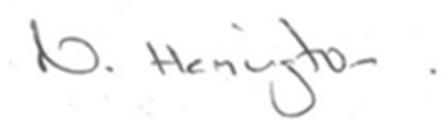
While planning authorities and CIW both have roles to play in the approval of new childcare provision, these processes operate independently. In determining any planning applications which may be needed to accommodate childminding, planning authorities must have regard to their statutory development plan and the circumstances of each case.

The responsibility for complying with planning legislation rests with the childcare provider. Therefore, for example, where a child minder is considering expanding their provision, they may want to seek advice from the planning authority about their intentions. There is a suggested model letter at **Annex B**, and a questionnaire at **Annex C**, for childminders to use to ask a planning authority for an informal view about whether their proposal requires planning permission.

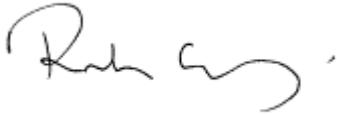
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Given the importance of childcare provision, the Welsh Government encourages planning authorities to respond to such enquiries without charge.

Yours sincerely



Neil Hemington
Chief Planner



Ruth Conway
Deputy Director Early Years Childcare and Play Division

Annex A

This annex provides policy clarification on the provision of child minding and day care services in Wales and includes further background information about the relevant regulatory framework. It contains guidance for both local authorities and childminders regarding planning permission and the provision of advice on individual situations.

THE DELIVERY OF CHILD MINDING AND DAY CARE

Planning Policy Clarification

Access to affordable childcare is a key Welsh Government priority. It enables parents to work, access training, and supports our drive to increase economic growth, tackle poverty and reduce inequalities. Local planning authorities and local authorities should work together to help support the development and retention of childcare services for children and families.

Chapter 5 of [Planning Policy Wales](#) (PPW) relates to economic development, defined as the development of land and buildings for activities that generate sustainable long term prosperity, jobs and incomes. It states that the planning system should be support the Welsh Government's aim to maximise opportunities to strengthen the foundational economy. Decisions should take account of local development policies and locally specific evidence. This should include Childcare Sufficiency Assessments (CSAs) undertaken by local authorities.

Planning authorities should adopt a positive approach to applications for economic development.

Points for action:

- Local authority CSAs play a key role in assisting local authorities in assessing and managing the sufficiency of childcare provision in their area. By its very nature childcare is cross cutting and for this reason interacts with a range of policy areas across local authorities, including planning departments. The CSAs should reflect this and colleagues in planning departments should ensure they are aware of the demands for childcare places within their areas and how these are or are planned to be met.
- When formulating planning policy, considering planning applications, and providing pre-application advice, planning authorities should have regard to all relevant factors in the local area and should take full account of local need for childcare places.

Guidance for Planning Authorities

The Need for Planning Permission

Planning permission may be required in relation to carrying out childminding or day care if:

- New premises are to be developed
- Existing premises are to be physically extended or altered
- Starting or intensifying childminding or day-care uses in existing premises constitutes a "material change of use"

Change of Use

Planning permission is not normally required where the use of part of a home for business purposes does not change the overall character of the property's use as a dwelling.

Planning permission may still be required if, in the judgement of the planning authority, a business use within a home (such as child minding), ceases to be merely incidental to the main residential use. In this case, the authority will have taken the view that a material change of use is likely to have taken place, and planning permission will need to be sought.

The established planning principle of ancillary (or incidental) uses recognises that new activities may be started in a building or within its curtilage without the need for planning permission, provided they remain ancillary to the main use. The possibility of there having been such a material change of use may be indicated where the business or non-residential use consistently generates visitors, traffic, noise or fumes over and above what would normally be expected if the property were in use as a home without any such ancillary use. Whether a use is ancillary, or constitutes a material change of use, is a judgement to be made by the planning authority.

Those considering carrying out child minding work at home are advised to seek the advice of their [planning authority](#) at an early stage. Previous Welsh Government guidance encouraged the provision of planning advice for childminders operating from their home and we would like this informal arrangement to continue. Questions about whether planning permission is required fall outside the scope of the statutory pre-application advice service offered by planning authorities.

Prospective childminders may find it helpful to use the letter at **Annex B** to inform the planning authority of their intention to begin childminding at their home address, enclosing the questionnaire at **Annex C** to provide basic information to help the planning authority to respond. The advice provided should be clear, consistent and timely. As set out above, given the importance of childcare provision, the Welsh Government encourages planning authorities to respond to such enquiries without charge.

If someone wants to be **certain** that a planning application is not needed to do what they propose, they can apply for a certificate from the planning authority. The Certificate of Lawfulness of a Proposed Use or Development (CLOPUD) process

provides a measure of formality and certainty that informal enquiries cannot. A fee is payable to the planning authority, and there is a right of appeal if a certificate is refused. The questionnaire at **Annex C** could be used in connection with an informal enquiry or to provide additional information in connection with an application for a CLOPUD.

When it is likely or already known that planning permission is required for a change of use, for example in respect of day care, the statutory pre-application advice service can be used. The fee for pre-application advice for a change of use up to 999 square metres of gross floor space will be £332².

In addition to advice from planning authorities, those seeking planning permission may also obtain advice from Planning Aid Wales. [Planning Aid Wales](#) is a voluntary service, offering independent and professional advice on planning matters, to community groups and individuals.

Local Planning Policy - the planning authority's statutory development plan

Planning authorities are required to make decisions in accordance with policies in their development plans, unless material considerations lead them to decide otherwise. Authorities are required to consult locally and consider representations made when preparing development plans. Authorities preparing Local Development Plans will be required to demonstrate that local people and organisations have been effectively involved in plan preparation from the outset.

Officers in planning authorities can advise on development plan policies for their area, and can indicate how and when interested parties will be involved in plan preparation. This will provide an opportunity for those responsible for childcare development to make representations on policies that should form the basis for the planning authority's subsequent decisions on planning applications which may be needed for childcare uses.

Planning Appeals

It is possible to appeal against the planning authority's refusal of planning permission, or its failure to decide a planning application within eight weeks. An appeal must be made within six months of the decision, or, in the case of non-determination, from the end of the eight week period from the registration date of the application. Planning appeals are dealt with by Planning and Environment Decisions Wales on behalf of the Welsh Ministers (www.gov.wales/planning-and-environment-decisions-wales).

The Planning System and the number of children being cared for

The National Minimum Standards (NMS) for Regulated Child Care state that the maximum number of children for whom a child minder may care for is ten children up to 12 years of age.

Some childminders may work together in the same premises or employ an assistant, and this can increase the total number of children who may be looked after on those

² Pre-application services fees are subject to an annual increase, in line with inflation.

premises. The space available for children on the premises also affects the numbers for which provision can be registered - set out in the NMS under Standard 22.

CIW decides the appropriate number of children capable of being minded at a particular location by taking into account a variety of facts and circumstances. This assessment includes a check of the premises, both indoors and out, and covers aspects of health, hygiene and safety (including arrangements for fire safety and prevention) as well as the space available for children's activities. The number of children to be looked after is an integral part of the CIW registration and inspection process. CIW Inspectors determine if premises are safe and suitable for the provision of care, taking into account the maximum number of children that a child minder will look after at any one time and the available space for each child.

If planning authorities consider, in the light of the advice set out above that planning permission should be required for an individual to use their home for childminding purposes, then unless there are specific planning reasons for doing so through conditions, ***they should not specify or restrict the number of children to be minded.***

Guidance for Local Authorities

The Childcare Act 2006 places a statutory duty on all local authorities to secure as far as is reasonably practicable sufficient childcare to meet the needs of parents/carers in their area, who require childcare to train, work or study.

To help local authorities assess the level of provision in their area and to fulfil their statutory duty, Childcare Sufficiency Assessments (CSAs) are carried out by them to assess the demand for and availability of childcare provision within their area. The CSAs identify any shortfall of provision in their area which enables local authorities to put in place arrangements to address gaps in provision and to plan for future demand. Given the high priority which the Welsh Government attaches to the provision of childcare, it is important that relevant parties, involved in childcare provision, work together to ensure there are sufficient child minding and day care facilities provided within their local authority area.

Annex B

Draft template for a letter from a prospective child minder seeking an informal opinion on the need for planning permission.

Dear [Chief Planning Officer of relevant planning authority]

I am considering becoming a registered child minder. My household members are [adults and/or children and ages]. My childminding business will be run from my home at this address.

I intend to mind a maximum of [eg. 10 children] under the age of 12 years per day. I confirm that the following applies to my proposed business:

- My home will continue to be used as a private residence
- My business will not result in traffic or people calling beyond what would reasonably be expected at a private residence
- My business will not involve any activities unusual in a residential area
- My business will not disturb my neighbours at unreasonable hours or create other forms of nuisance such as noise or smells

I can confirm that my home is still mainly a home while I carry on my business as a registered child minder.

My understanding from the Welsh Government leaflet: [Planning permission – a guide for business](#), is that I do not require planning consent to undertake my childminding business as I have described it above. However, I would be grateful if you would provide your informal opinion on whether planning permission is required. I understand that your opinion will not be binding on the local planning authority. Also, should my business change in any way in relation to any of the above issues it is my duty to inform you.

I have enclosed a completed questionnaire providing details about my business. If you need further information please contact me.

Yours sincerely

Prospective child minder

Annex C

CHILD MINDING QUESTIONNAIRE FORM

YOUR ANSWERS TO THESE QUESTIONS WILL GIVE THE LOCAL PLANNING AUTHORITY INFORMATION TO HELP IT TELL YOU WHETHER YOU NEED PLANNING PERMISSION TO CHILDMIND

1.	Name(s) of child minder(s) and full address of child minding premises. Please also give telephone number(s) and/or e- mail address	Name(s) Address Tel No E-mail
2.	Name, address and telephone number of enquirer (if different)	Name Address Tel No E-mail
3.	Please confirm that the child minding place is a dwelling	
4.	Intended maximum number of children who will be "minded"	
5.	Age range of children to be "minded"	
6.	In addition to the above children and their parents/carers, will anyone else (e.g. a childminding assistant or caterer) work at or visit the premises? If so, please give details.	
7.	What are the expected days and hours of child minding?	
8.	Please list the number and types of room in the dwelling	
9.	Will any particular room be set aside solely for child minding? If so, please give details.	
10.	Is the dwelling, or its curtilage, used for any other non-domestic purpose (For example, storage in	

	<p>connection with a business, keeping vehicles which are not used for domestic transport by people living at the house, office use, keeping a lot of pets, or any other activity which is in excess of normal domestic use of a dwelling by people who normally live there)? Please give details, even if you are doubtful about the relevance of any such activity.</p>	
11.	<p>If you answered “yes” to Question 6, please estimate how many cars would be parked at or near the dwelling</p>	
12.	<p>Please estimate how many “vehicle trips” would be generated daily by the childminding operation (a parent/carer dropping off and collecting a child would count as 2 “vehicle trips”)</p>	
13.	<p>Where do you expect that vehicles calling briefly, or parking all day, would be parked? (you may wish to include a sketch to illustrate parking arrangements)</p>	
14.	<p>Any other information you may wish to give (attach further notes if you wish)</p>	

Your Signature **Date**

NB. This is an informal procedure, which is intended to enable you to access professional advice about planning from local planning officers quickly, but the response to your enquiry will not be legally binding on the authority. You can get a formal response by making a formal application for a Certificate which states whether planning permission is needed, and planning officers can advise further about this.