



Llywodraeth Cymru
Welsh Government

Implementation of the Planning (Wales) Act 2026 and the Planning (Consequential Provisions) (Wales) Act 2026



August 2026

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Part 1 – Background

- 1.1 The Planning (Wales) Act 2026 (“the Planning Act”) and the Planning (Consequential Provisions) (Wales) Act 2026 (“the Consequential Provisions Act”) received cross party support at their final vote in Senedd Cymru on 10 March 2026, and received Royal Assent on 27 April 2026, thereby becoming Acts of the Senedd.
- 1.2 The Planning Act marks a historic legislative separation of Wales from England in terms of planning law. By consolidating and codifying planning legislation specifically for Wales, it establishes a distinct legal framework that reflects the planning system in Wales. It provides the most comprehensive and accessible statement of the legislation governing town and country planning anywhere in the UK.
- 1.3 The Planning Act brings together existing provisions into a single, coherent, bilingual statute, replacing a fragmented framework developed over decades. It modernises and clarifies the law making it easier to understand and use. Whilst the structure and wording of the law has changed, its legal effect remains the same.
- 1.4 The Consequential Provisions Act supports the Planning Act by making the necessary amendments and repeals to existing legislation, including transitional and savings provisions to support the smooth implementation of the new Planning Act. Having these provisions in a separate Act avoids burdening the main Planning Act with lengthy technical Schedules that either have a limited lifespan in practice or will be of very limited interest to most readers of planning law.
- 1.5 The Acts and supporting information, such as the Explanatory Notes and Drafters’ Notes, can be found on legislation.gov.uk, accessible on the following links:
 - [The Planning \(Wales\) Act 2026](#)
 - [The Planning \(Consequential Provisions\) \(Wales\) Act 2026](#)
- 1.6 Information relating to the scrutiny of the Bills that became the two Acts is available on the [Senedd website](#):
 - [The Planning \(Wales\) Act 2026](#)
 - [The Planning \(Consequential Provisions\) \(Wales\) Act 2026](#)

- 1.7 As set out in the Explanatory Memorandum to the Acts, commencement is expected to take place 18 months after Royal Assent. Therefore, it is anticipated that the new legislative framework will come into force in **October 2027**. The exact commencement date will be confirmed in '[A Practitioner Guide to the Planning \(Wales\) Act 2026](#)', which is due to be published in **Spring 2027**.
- 1.8 When the Acts come into force they will be supported by a suite of subordinate legislation. Until both the Acts and relevant subordinate legislation are commenced, the existing legislative framework will continue to apply.

Purpose of document and overall approach to implementation

- 1.9 This document sets out the Welsh Government's approach to implementation of the Acts, including the key steps and timeline for their commencement.
- 1.10 The planning system is supported by a substantial and complex body of subordinate legislation, together with an extensive range of guidance, policy documents, and operational resources all of which will need to be amended and updated to align with the Planning Act. Given the breadth and technical nature of the supporting legislation and documentation, a phased approach to updating and restating this material will be required to enable timely commencement of the Acts.
- 1.11 The first phase ("the implementation phase") which is anticipated to be delivered between **now and October 2027** will focus on making consequential amendments to subordinate legislation, starting the programme of restating subordinate legislation, as well as amending and updating the guidance most frequently used by practitioners, and which require substantive updates as a result of the Acts. This is to ensure stakeholders have the essential tools in place from day one, while maintaining the existing legal effect of the system.
- 1.12 The second phase will continue the programme of restating, in modernised and updated form, the remaining subordinate legislation that underpins the planning system and amending and updating the wider suite of guidance and policy documents over the medium to long term.
- 1.13 This approach seeks to strike a proportionate balance between the timely commencement of the Acts and the practical constraints associated with updating and amending a substantial and technical body of subordinate legislation, guidance and policy documents and other operational materials.

1.14 The implementation phase will consist of three key, interrelated parts which will together support the effective commencement of the Acts:

- i. [The preparation and making of subordinate legislation \(see Part 2\);](#)
- ii. [The updating of existing guidance, policy and operational materials \(see Part 3\);](#)
- iii. [Supporting stakeholders \(see Part 4\).](#)

1.15 This implementation plan sets out the approach and work across these three key areas, together with the work being undertaken by Planning and Environment Decisions Wales (PEDW) to prepare for commencement of the Acts.

Part 2 – Preparation and making of subordinate legislation

- 2.1 To support the commencement of the Acts, a package of subordinate legislation will be brought forward. This will include regulations making consequential amendments to existing subordinate legislation, as well as regulations making new provision for the protection of trees. It will also include the restatement (i.e. the simplification and modernisation) of a small number of existing statutory instruments.
- 2.2 The detail of this legislative programme continues to be refined. In particular, the number and sequencing of Welsh statutory instruments (WSIs) that form part of the implementation phase may change during the drafting process. This may include identifying additional instruments to be restated, or new provision being set out in standalone WSIs.
- 2.3 In addition, there may be instances where policy development is required to support the objectives of the new Government, which could necessitate consultation and wider stakeholder engagement. Where this is the case, and to ensure appropriate scrutiny and policy development, this may affect when the restated WSIs come into force. This approach ensures that implementation remains deliverable while maintaining flexibility to respond to emerging requirements.
- 2.4 The following provides a list of the WSIs currently anticipated to form part of the first phase of implementation and that will be brought into force alongside commencement of the Acts. The legislation will be laid in accordance with Standing Orders of the Senedd and it is anticipated it will come into force during **October 2027**.

Commencement Order

- 2.5 A commencement order will be required to bring provisions of the Acts into force. This will specify which provisions of the Acts are to be commenced, and the date on which they will come into force. Consideration will also be given to whether any uncommenced provisions in existing legislation consolidated by the Planning Act should be brought into force.

Consequential Provisions Regulations

- 2.6 These regulations will make changes resulting from the Planning Act to subordinate legislation. A number of amendments are required to preserve the current legal position due to changes made to the existing legislation which has been consolidated in the Act. We also intend to include provision amending references in subordinate legislation to primary legislation that has been consolidated so that they refer to the correct provisions of the Planning Act. Whilst provision in the Legislation (Wales) Act 2019 ensures subordinate legislation will continue to work correctly when the Act comes into force without these changes being made, amending subordinate legislation to refer to provisions in the Planning Act will assist the accessibility of the legislation.
- 2.7 There may also be a need to make limited amendments to primary legislation to reflect changes elsewhere in the statute book that have been made since the Consequential Provisions Act received Royal Assent.

The Planning (Tree Preservation) (Wales) Regulations 2027

- 2.8 Part 9 of the Planning Act restates the provisions of the Town and Country Planning Act 1990, relating to the protection of trees and woodlands, that were amended by the Planning Act 2008. Those amendments, which will have been brought into force in Wales immediately before the coming into force of Part 9 of the new Act, enable all the relevant procedural details to be contained in regulations, rather than in each preservation order.
- 2.9 New regulations, made under powers in Part 9 of the Planning Act, are required to enable the new system to operate satisfactorily. The Planning (Tree Preservation) (Wales) Regulations 2027 will therefore come into force at the same time as Part 9, completing the consolidation of the legal framework for the protection of trees and woodlands in Wales. A consultation undertaken by the previous Welsh Government on the proposals for tree and woodland regulations was held between November 2024 and February 2025. The supporting information can be viewed on the Welsh Government [website](#).
- 2.10 The Planning (Tree Preservation) (Wales) Regulations 2027, together with Part 9 of the Planning Act itself, simplify and strengthen the legal framework for the protection of trees and woodlands of special amenity value, including veteran trees and ancient woodlands. They also implement some of the recommendations made by the Law Commission in its report: *Planning Law in Wales*. Existing tree preservation orders will remain valid, and those that relate to

woodlands will automatically become woodland preservation orders under the transitional provisions in the Consequential Provisions Act.

Restatement of subordinate legislation

- 2.11 The implementation phase will also include the restatement of a small number of instruments. This will mark the beginning of the Government's longer-term programme and ambition to restate the body of subordinate legislation supporting the Planning Act, ensuring it is equally as clear and accessible to stakeholders as the Planning Act itself.
- 2.12 Where subordinate legislation is not restated during this implementation phase, provision in the Legislation (Wales) Act 2019 means the exiting subordinate legislation will continue to have effect as if it has been made under the Planning Act.
- 2.13 In order to meet the timescale for commencing the Acts, it is anticipated the subordinate legislation to be restated during this phase will not include policy reforms. However, consideration will be given to incorporating reforms that have already undergone public consultation.
- 2.14 It is anticipated that the implementation phase will include the restatement of the following subordinate legislation.

The Town and Country Planning (Development Management Procedure) (Wales) Order 2012 ("the 2012 Order")

- 2.15 The 2012 Order has been identified for restatement due to its central role in the operation of the development management system, the number of amendments which have been made to the Order since it came into force in 2012 and the amendments needed resulting from the Planning Act.
- 2.16 We will also consider whether related procedural provisions currently contained in other existing regulations or orders, such as the Town and Country Planning General Regulations 1992, can be included in the restatement of the 2012 Order.

The Town and Country Planning (Use Classes) Order 1987 ("the Use Classes Order")

- 2.17 The Use Classes Order has been identified for restatement due to its important role in how land and buildings may be used within the planning system, and its significance in day-to-day development management decisions. Given its age and

the number of amendments made to it, including amendments that apply only to England, the current instrument is increasingly becoming inaccessible and confusing for all stakeholders, particularly to understanding how it applies in Wales. Restating the instrument as it applies in Wales allows all provisions that apply only to England to be omitted. This will result in a bilingual instrument drafted to modern standards, improving accessibility and providing a clear and coherent basis for future reforms to be made.

- 2.18 The restated Use Classes Order and the 2012 Order will be made in the form of regulations, rather than orders. This is because the Welsh Ministers' powers to make provision on the matters currently found in the original orders have been restated as powers to make regulations in line with current drafting practice.

Non-Site Specific Directions

- 2.19 The Welsh Ministers have issued a number of non-site specific directions under articles 18(1), 20, 22(5) and 31 of the 2012 Order, including [the Town and Country Planning \(Notification\) \(Coal and Petroleum\) \(Wales\) Direction 2026](#) and the [Town and Country Planning \(Flood Risk Area Development\) \(Notification\) \(Wales\) Direction 2025](#).
- 2.20 We intend to restate these Directions to reflect the new legislative framework and republish them on the Welsh Government website. The substantive requirements of each set of Directions will remain unchanged.
- 2.21 Consideration will also be given to improving the accessibility of these Directions, including whether it is possible for them to be restated as a single instrument.

Part 3 – Updating guidance, policy and operational materials

- 3.1 A number of key guidance and procedural documents will be updated and published on the Welsh Government website upon commencement of the Acts (anticipated to be during **October 2027**).

Development Management Manual

- 3.2 The Development Management Manual (“the Manual”) will be updated to reflect the legislative changes introduced by the Acts and the restated subordinate legislation. This will include amendments to existing sections, the introduction of new material where necessary, and updates to cross-references and terminology to ensure consistency with the new legislative framework.
- 3.3 This work will ensure that the Manual continues to provide a clear and comprehensive source of operational guidance for planning authorities and practitioners following commencement of the Acts.

The use of planning conditions for development management (WGC 016/2014)

- 3.4 The Circular on the use of planning conditions will be reviewed and updated to reflect the Acts, relevant case law, and changes in practice since its publication in 2014. As a key procedural document within the development management process, the updated material will be incorporated into the Development Management Manual as a new Annex.

Development Plans Manual

- 3.5 The Development Plans Manual will be reviewed and updated to ensure alignment with the new legislative framework. This will include updates to terminology and legislative references arising from the Acts.
- 3.6 Although the required changes are expected to be limited in scope, the publication of an updated Development Plans Manual, alongside the Development Management Manual, will ensure that practitioners have access to up-to-date procedural guidance from commencement of the Acts.

Application forms

- 3.7 The suite of application forms, published by the Welsh Ministers, will be amended and republished on the [Welsh Government website](#). These will be shared with external online application service providers in advance of commencement to enable necessary system updates to be made.
- 3.8 Amendments will include updates to the agricultural holdings and ownership certificate requirements, which will have implications for validation processes. Further detail will be provided in '[A Practitioner Guide to the Planning \(Wales\) Act 2026](#)' – the user guide to accompany the Acts.

National Planning Policy

- 3.9 The National Development Framework, Planning Policy Wales (PPW) and several associated Technical Advice Notes (TANs) will need to reflect the new legislative framework established by the Acts. These amendments will be driven by the next significant policy reviews of these documents, which will likely follow the commencement of the Acts.

Welsh Government website

- 3.10 Various key pages regularly used by stakeholders on the planning section of the Welsh Government website will be updated to reflect the new legislative framework.

Part 4 – Supporting stakeholders

- 4.1 Targeted support for stakeholders will form a key part of the implementation phase to ensure practitioners are well prepared for the new legislative framework ahead of commencement. This will include the publication of three substantial guidance documents.

A Practitioner Guide to the Planning (Wales) Act 2026

- 4.2 Ahead of the Act's commencement, a 'user guide' to the Act will be published in **Spring 2027**. This document will support all users of the planning system in understanding and using the new legislative framework in readiness for its formal commencement. It will highlight key changes arising from the new legislation and provide guidance to support stakeholders in preparing for its commencement, including specific guidance for planning authorities to assist with the transition.

Preserving Trees and Woodlands in Wales: A Guide to the Law and Good Practice

- 4.3 Alongside Part 9 of the Planning Act and the Planning (Tree Preservation) (Wales) Regulations 2027 (see above), guidance will be issued explaining how the new system will operate. It will, in particular, highlight the introduction of woodland preservation orders, the factors to be considered when making orders, the simplification of order-making procedures, and the amended exceptions to the need to obtain consent for works to protected trees. The guidance is being prepared in collaboration with a working group of key stakeholders.
- 4.4 It is likely that this guidance will be issued in **Summer 2027** in advance of the coming into force of the new legislation, to enable authorities and practitioners to become familiar with it.

Planning for minerals in Wales: A Guide to the Legislation

- 4.5 The legal framework governing minerals development has evolved incrementally over time. It has been spread across a number of Acts and subordinate legislation, with extensive use of modification powers. This has made the law complex and difficult to navigate. The Planning Act addresses this by bringing together all of the relevant primary legislation for minerals development, including provisions previously contained in the Town and Country Planning Act 1990 (including provisions as modified by regulations), the Planning and Compensation Act 1991, and the Environment Act 1995 into a single, coherent framework. The Act also

updates terminology and removes provisions that are no longer required. This enables mineral operators, planning authorities and other users to access the law more easily in one place.

- 4.6 The Welsh Government will issue guidance alongside the Planning Act, explaining how the Act applies to minerals development. This guidance will be published during **October 2027**.

Welsh Language planning terminology

- 4.7 The making of the Planning Act marks a significant milestone for Welsh-language planning terminology. To coincide with the Act's publication on legislation.gov.uk, a comprehensive bilingual English–Welsh glossary of planning terminology has been launched on the [BydTermCymru website](#).
- 4.8 This stand-alone glossary brings together around 300 key terms from the Planning Act and the closely related Infrastructure (Wales) Act 2024, providing an authoritative, accessible resource to aid anyone wanting to use planning terminology or engage in the planning system through the medium of Welsh. It is the first comprehensive, published list of Welsh-language planning terminology in 30 years.
- 4.9 Familiar terms were confirmed where appropriate, while others were refined or adjusted to ensure clarity, consistency and legal robustness.
- 4.10 The glossary is available in various electronic formats, making it easy to reuse across organisations and systems.
- 4.11 However, it is important to note some of the new terms in the list are subject to commencement of the relevant provisions in the Planning Act, and the terms in the current existing legislative framework will continue to apply until those provisions are in force.

Engagement

- 4.12 Regular engagement with stakeholders will be maintained through established events, such as quarterly meetings with the Planning Officers Society Wales (POSW), to ensure that implementation is smooth, supportive and collaborative.
- 4.13 Our aim is to provide stakeholders with the tools they need to help them navigate the changes, while providing channels for raising specific questions as they begin to apply the new legislation in practice. As we engage with stakeholders, any

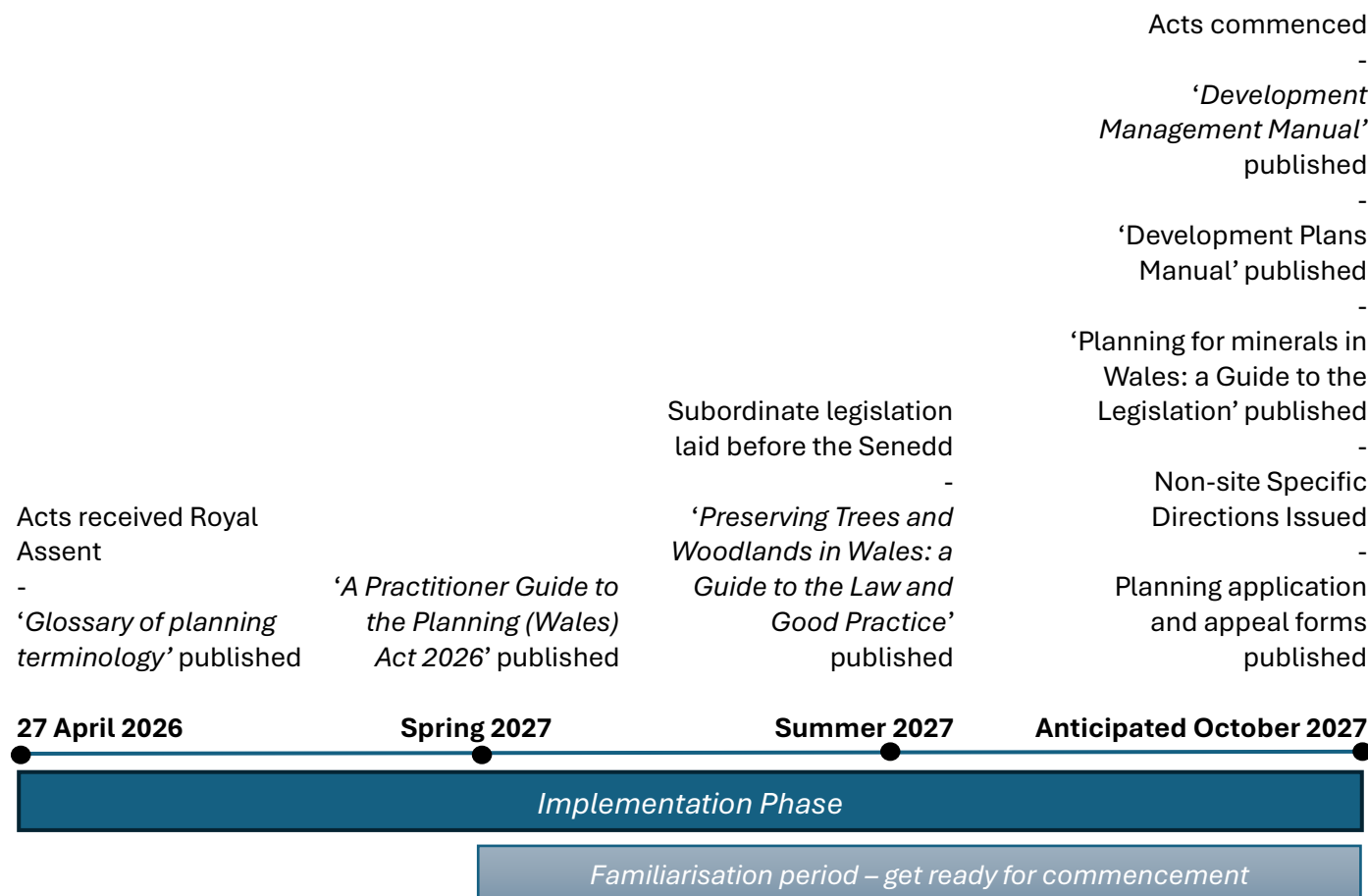
frequently asked questions will be compiled into a list and published alongside the user guide on the Welsh Government website. Any questions around the implementation phase can also be directed to planningconsolidation@gov.wales.

- 4.14 As we move closer towards the commencement date, should any novel, specialist matters arise that are not captured by the user guide, focused engagement events will be provided.

Part 5 – Planning and Environment Decisions Wales (PEDW)

- 5.1 Planning and Environment Decisions Wales (PEDW) manages casework relating to the development and use of land in the public interest, on behalf of the Welsh Ministers. This includes planning and enforcement appeals and recovered applications currently under the Town and Country Planning Act 1990, but that will be replaced by the provisions of the Planning Act and the Consequential Provisions Act. Therefore, PEDW needs to prepare for the new Acts by updating published guidance, template letters, site and press notices and appeal forms.
- 5.2 PEDW publish guidance for parties involved in their work on their web pages [Planning and Environment Decisions Wales | GOV.WALES](https://gov.wales/planning-and-environment-decisions-wales). This guidance will be reviewed and updated to reflect the legislative changes introduced by the Acts and the restated subordinate legislation in advance of commencement. This will include amendments and introduction of new material where necessary, and updates to cross references and terminology to ensure consistency with the new legislative framework. This will ensure that PEDW's guidance continues to be clear and comprehensive following commencement of the Acts.
- 5.3 The suite of appeal forms, published by PEDW on behalf of the Welsh Ministers, will also be updated and republished on their website upon commencement of the Acts during **October 2027**.
- 5.4 PEDW will also review and update as necessary their own standard letters, press and site notices, as well as their Inspector Training Manual, in advance of commencement.

Part 6 – Summary of Key Dates



- 6.1 The Planning Act, the Planning Consequential Provisions Act, and all subordinate legislation made to support the new legislative framework is anticipated to come into force during **October 2027**.
- 6.2 The user guide to the Planning Act, '[A Practitioner Guide to the Planning \(Wales\) Act 2026](#)', will be published approximately 6 months prior to commencing of the Acts (therefore during **Spring 2027**). This will provide practitioners and organisations with sufficient time to become familiar with, and prepare for, the forthcoming changes before their formal commencement.
- 6.3 The subordinate legislation set out in [Part 2 of this document](#) will be made¹ and subsequently published on legislation.gov.uk during **Summer 2027**. The guidance to accompany the Planning (Tree Preservation) (Wales) Regulations 2027 -

¹ In some cases, depending on the requirements of the Acts, the legislation must be laid before and approved by the Senedd before it can be made by the Welsh Ministers

'Preserving Trees and Woodlands in Wales: a Guide to the Law and Good Practice'
- will also be published at this time.

- 6.4 The suite of materials set out in [Part 3 of this document](#), the *'Planning for minerals in Wales: a Guide to the Legislation'* set out in Part 4, and the materials to be produced by PEDW as set out in Part 5, will be published during **October 2027** to support the commencement of the Acts.

Part 7 – Forward look (Phase Two)

- 7.1 Phase Two will begin following commencement of the Acts. This will be a phased programme to restate in modernised and updated form, the remaining body of planning subordinate legislation. This will include key instruments such as the Town and Country Planning (General Permitted Development) Order 1995, together with updates to the wider suite of planning guidance and policy documents.
- 7.2 Phase Two will be delivered over the medium to long term, with restatement of subordinate legislation carried out in a structured sequence so the system continues to operate effectively while the wider programme progresses. This phase will be informed by ongoing prioritisation and the extent of any policy development required, including possible policy reforms. The order in which subordinate legislation will be restated will depend on a number of factors, including its use by practitioners, the extent of amendments made to the instrument and number of references to legislation that has been restated in the Planning Act. Where practicable, this may be linked to the timing of proposed changes to subordinate legislation required by policy reforms.
- 7.3 Further detail on the restatement of subordinate legislation is anticipated to be set out in the Government’s forthcoming programme to improve the accessibility of Welsh law (required to be made under Part 1 of the Legislation (Wales) Act 2019)².

² This programme will be made and published by mid-November 2026 at the latest