



**RTPI Cymru**

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30 April 2020

e-mail response sent to: [LeaseholdReform@gov.wales](mailto:LeaseholdReform@gov.wales)

Dear Sir/Madam,

**Response to: Estate Charges on Housing Developments: Call for Evidence**

The Royal Town Planning Institute (RTPI) is the largest professional institute for planners in Europe, representing some 25,000 spatial planners. RTPI Cymru represents the RTPI in Wales, with 1,100 members. The Institute seeks to advance the science and art of planning, working for the long-term common good and well-being of current and future generations. The RTPI develops and shapes policy affecting the built environment, works to raise professional standards and supports members through continuous education, training and development.

This response has been formed drawing on the expertise of the RTPI Cymru Policy and Research Forum which includes a cross section of planning practitioners from the private and public sectors and academia from across Wales.

Thank you for the opportunity to respond to the above consultation. We note the aim of this consultation, which is calling for evidence at this stage.

Local planning authorities (LPA) have the ability to control the maintenance of privately owned open spaces, equipped play areas, landscaping etc via a condition or legal agreement i.e. they can require the details of maintenance to be submitted to the LPA for approval. These can then be enforced via a Breach of Condition Notice etc.

From a planning perspective we would stress the importance of the relationship between any charges/arrangements and the planning permissions/legal agreements (S106), to ensure that common spaces etc. remain in use and to the standard required by the planning permission. Green infrastructure in particular plays an increasingly important part in meeting the Well-being Goals and the placemaking aims of Planning Policy Wales etc.

Any proposed changes to charges/arrangements should be made in full consultation with all LPAs, given the ongoing lack of resources within local authorities. There is flexibility in the current system as it provides local authorities the discretion dependent upon their resource to decline adoption. Some local authorities may prefer to adopt all open spaces, whereas others may struggle with resources to maintain existing open spaces, so would prefer the developer to take the route of setting up management companies etc.

In the event that the local authority would prefer to adopt all open spaces, landscaping, roads, drainage etc. there isn't the ability to impose this upon a developer, it has to be done via negotiation and carefully worded conditions and S106 clauses, again possibly taking time and resources.

We will take an active interest in following this work as it progresses and would be please to comment on specific options at a later stage.

If you require further assistance, please contact RTPI Cymru on 020 7929 8197 or e-mail Roisin Willmott at [walespolicy@rtpi.org.uk](mailto:walespolicy@rtpi.org.uk)

Yours sincerely,



Dr Roisin Willmott OBE FRTPi  
**Director**  
**RTPI Cymru**