

# Permitted Development Amendments to the Town and Country Planning (General Permitted Development) Order 1995

## Consultation Response Form

Respondents are encouraged to submit their responses online:

<https://www.smartsurvey.co.uk/s/5RJZZK/>.

Alternatively, please complete the consultation response form and email to

[planconsultations-e@gov.wales](mailto:planconsultations-e@gov.wales).

Your name: [REDACTED]

Organisation (if applicable): Natural Resources Wales

email / telephone number: [REDACTED]

Your address: [REDACTED]

**Q.1** Should the additional days granted by Class A of Part 4A be retained permanently, permitting temporary uses to take place for up to 56 days (28 days for specified uses) in a calendar year?

Yes ☐

No ☐

Other ☒

**Comments:**

Whilst we have no objection to the principle of the proposed amendments, we have concerns with the permanent extension of time allowed under permitted development rights for those uses which are highly vulnerable to flood risk (e.g. campsites) where located within an area identified as being at risk of flooding.

Paragraph 11.22 of TAN15 recognises the vulnerability of camping sites to flood risk.

We therefore recommend that any decision to adopt this proposal should also ensure provision to mitigate flood risk within areas of flood risk. We therefore recommend that you consider the proposal is modified so that uses that have are highly vulnerable to flood risk do not benefit from additional days under permitted development rights where they are located in in Zone 3 of the Flood Map for Planning, or at least include a requirement that such proposals in flood risk areas are subject to a prior approval from the LPA so that flood risk is adequately considered by the authority. Consideration should also be given to require flood warning and evacuation procedures are in place for such proposals.

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|------------|--|-----------------------------|---|
| <b>Q.2</b> | <b>Do you have any evidence as to any benefits and impacts as a result of introducing the additional number of days for temporary uses to take place since April? If yes, please specify.</b>  |                             |   |
|            | Yes <input type="checkbox"/>   | No <input type="checkbox"/> | Other <input checked="" type="checkbox"/> |
|            | <b>Comments:</b><br>We do not have specific examples, but are aware of an incident where associated temporary car parking (under permitted development rights) was located with an area which had historic flooding events whereby a large number of cars being impacted with owners unaware of flood risks. <a href="#">Festival No.6 changes after 2016 car park flood problems - BBC News</a> |                             |   |

  

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| <b>Q.3</b> | <b>Do you have views on whether there should be additional restrictions on the use of this PDR to mitigate against potential impacts of making this permanent? If yes, please specify.</b> |                             |                                |
|            | Yes <input checked="" type="checkbox"/>  | No <input type="checkbox"/> | Other <input type="checkbox"/> |
|            | <b>Comments:</b><br>Please see our response to Question 1 above.   |                             |                                |

  

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| <b>Q.4</b> | <b>Should the number of days for holding a market generally be extended? If Yes, what is an acceptable number of days for holding a market? What conditions should apply to manage the planning impacts?</b> |                             |   |
|            | Yes <input type="checkbox"/>   | No <input type="checkbox"/> | Other <input checked="" type="checkbox"/> |
|            | <b>Comments:</b><br>We have no comments to this proposal.  |                             |   |

  

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|------------|---|-----------------------------|---|
| <b>Q.5</b> | <b>Should any additional days over the permitted 14 days be provided for markets operated by or on behalf of a local authority?</b> |                             |   |
|            | Yes <input type="checkbox"/>  | No <input type="checkbox"/> | Other <input checked="" type="checkbox"/> |
|            | <b>Comments:</b><br>We have no comments to this proposal.   |                             |   |

  

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|------------|--|--|--------------------------------|
| <b>Q.6</b> | <b>Do you agree the permitted changes of use within town centres should become permanent? If not, please provide your reasons for disagreeing.</b>   |  |                                |
|            | Yes <input type="checkbox"/>   | No <input checked="" type="checkbox"/> | Other <input type="checkbox"/> |
|            | <b>Comments:</b><br>As currently presented, the proposals potentially include provision for uses that are of low vulnerability to flood risk to change to a use that is highly vulnerable to flood risk under permitted development rights. We have concerns that such changes within an area of flood risk will not be informed by an adequate understanding of flood risk. |  |                                |

Furthermore, some D2 (assembly and leisure) uses could also fall under the Highly Vulnerable Development category in TAN15 if they might be used to provide emergency shelter during flooding events.

We therefore suggest that the implementation of this proposal should be amended so uses of low vulnerability to flood risk do not benefit from permitted developments rights where the proposal is for a highly vulnerable development within a flood risk area. Prior approval should be sought from the relevant planning authority for such proposals to ensure adequate consideration of flood risk, and that all appropriate flood mitigation measures are implemented e.g. flood warning/evacuation plans.

**Q.7 Do you agree the permitted development right for the use of the highway adjacent to a hospitality use for that purpose should be made permanent? If not, please provide your reasons for disagreeing.**

Yes ☐

No ☐

Other ☒

**Comments:**

We have no comments to this proposal.

**Q.8 If you answered yes to Q7, are any additional conditions required to mitigate potential amenity impacts?**

**Comments:**

n/a

**Q.9 Do you agree the permitted development right for the installation of awnings at hospitality uses should be made permanent? If not, please provide your reasons for disagreeing.**

Yes ☐

No ☒

Other ☒

**Comments:**

We have no comments to this proposal.

**Q.10 Do you have any comments regarding Part 3A?**

Yes ☒

No ☐

Other ☐

**Comments:**

Whilst we understand the rationale too enable swift responses to an emergency, we have concerns that the proposal, as currently presented, could lead to highly vulnerable development being located within flood risk areas.

And we are aware that in response to the Covid-19 pandemic, some field hospitals were located in flood risk areas. We therefore advise that consideration should be given to preventing highly vulnerable development benefitting from permitted development rights if the land or building is in Flood Zone 3 of the Flood Map for

Planning, or at the very least should be subject to prior approval from the relevant planning authority to ensure flood risk is adequately considered.

**Q.11 Do you have any comments regarding Part 12A?**

Yes ☒ No ☐ Other ☐

**Comments:**

Whilst we do not object to the rationale for the proposed provision, we have concerns that this may lead to temporary uses being installed without adequate consideration of flood risk. We consider, a provision should be included to ensure adequate consideration of this risk within flood risk areas, and ensure appropriate flood warning/evacuation procedures are established.

**Q.12 Do you agree that HMOs should not benefit from permitted development rights for alterations and extensions to a dwellinghouse granted by Part 1 of the GPDO? If not, please provide your reasons for disagreeing.**

Yes ☒ No ☐ Other ☐

**Comments:**

We welcome this proposal as it will help allow consideration of flood risk impacts.

**Q.13 Do you agree with the proposed alterations to Class F? If not, please suggest alternative approaches, restrictions or thresholds that could be adopted.**

Yes ☒ No ☐ Other ☐

**Comments:**

In light of the potential benefit to support flood risk management, we support this proposal.

**Q.14 Do you agree greater flexibility should be provided through permitted development rights to accelerate the rollout of electric vehicle charging infrastructure? If not, please provide your reasons for disagreeing.**

Yes ☐ No ☐ Other ☐

**Comments:**

No comment.

**Q.15 Do you agree with reintroducing permitted development rights for the protection of poultry and other captive birds?**

Yes ☐ No ☐ Other ☒

**Comments:**

We have no comments to make on this proposal.

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| <b>Q.16</b> | <b>Do you agree with the proposals for amending Article 4 Directions?</b> |                                    |  |
|             | <b>Yes</b> <input type="checkbox"/>                                       | <b>No</b> <input type="checkbox"/> | <b>Other</b> <input checked="" type="checkbox"/> |
|             | <b>Comments:</b><br><br>We have no comments to make on this proposal.     |                                    |  |

|             |   |  |  |
|-------------|---|--|--|
| <b>Q.17</b> | <b>We would like to know your views on the effects of the proposals would have on the Welsh language, specifically on opportunities for people to use Welsh and on treating the Welsh language no less favourably than English.</b> |  |  |
|             | <b>What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?</b>   |  |  |
|             | <b>Comments:</b><br><br>We have no comments to make on this matter.   |  |  |

|             |  |
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| <b>Q.18</b> | <b>We have asked a number of specific consultation questions. If you have any related issues which we have not specifically addressed, please use the space below to raise them.</b> |
|             | <b>Comments:</b><br><br>We have no further comments.   |

Responses to consultations are likely to be made public, on the internet or in a report. If you would prefer your response to remain anonymous, please tick here: ☐