

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

Your name: [REDACTED]

Organisation (if applicable): Neath Port Talbot Council

email / telephone number: [REDACTED]

Your address: The Quays, Brunel Way, Baglan Energy Park, Neath, SA11
2GG.

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:

The proposals would allow for motor sport activities or similar to be extended from 14 to 28 days. These types of uses can result in amenity issues that are not easily resolved by planning or other legislation quickly. Whilst some uses may benefit from an increase to 56 days, others can cause issues.

For example, where land is used for temporary car parking – overspill parking, with little or no formal highway control or input adjoining existing tourism or other uses that draw the public can result in significant impacts. Furthermore, access arrangements associated with such uses may be at a location that would ordinarily be refused for reasons of highway safety – the extension of PD rights in terms of duration may therefore result in an increased risk of a vehicle accident.

There is no limit on the total number of days within any month for example, so therefore an event such a temporary parking, market or motorsport could continue for 28 days or 56 days and that continued day-to-day use over an extended period might result in a more sustained disturbance.

56-day use for camping and caravanning would also be of concern – i.e. in relation to potential flood risk and also the appropriate disposal of waste and sewerage. Is 56 days appropriate for porta loos? It is considered that this should require further consideration.

Q.2	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.		
	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Other <input type="checkbox"/>
	Comments: No comment.		

Q.3	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.		
	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Other <input type="checkbox"/>
	Comments: No comment.		

Q.4	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?		
	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Other <input type="checkbox"/>
	Comments: It is considered that if an event such as a market continued for up to 56 days, the continued day-to-day use over an extended period may result in a more sustained level of disturbance.		

Q.5	Should any additional days over the permitted 14 days be provided for markets operated by or on behalf of a local authority?		
	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Other <input type="checkbox"/>
	Comments: It is considered that this would be beneficial to allow for the various festivals / markets or similar types of temporary 'pop up' events within pedestrianised town centres that are organised and managed by the Local Authority to add viability and vitality to the main centres.		

Q.6	Do you agree the permitted changes of use within town centres should become permanent? If not, please provide your reasons for disagreeing.		
	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Other <input checked="" type="checkbox"/>
	Comments: It should be noted that extraction and control over odour are issues that generally arise for any A3 use that requires hot food cooking. Whilst any external plant may necessitate planning as a separate application (and Environmental Health have powers etc.), it is an issue where there is little or no assessment of the acceptability of the proposals from a residential or general amenity point of view. These uses also appear not to be controlled by hours of operation, and an A3 use in a specific building may require planning to control opening hours, rather		

than licencing. How this would work in the long term would need careful consideration.

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:

Whilst noting that this relates more to the highway, the Planning Department has received some amenity issues from uses of land around existing uses, noise and disturbance etc. There is also the need to ensure that any such uses have regard to the Equalities Act in so far as they do not result in the placement of tables/chairs etc. which form an obstacle to those with mobility or sight loss issues.

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

Comments:

Not applicable.

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:

It is noted that in Para 2.30 reference is made to conditions seeking to limit the visual impact by requiring awnings to be fully retractable (and fully retracted between 10 p.m. and 8 a.m.), with no means of support from the public highway and exclude any side or front panels extending towards the ground in the interest of highway safety.

However, it is considered that retrospective installation of canopies can result in unsightly externally mounted boxed canopies that are not integrated into existing shopfront design or signage, and as such, there appears little control over visual impacts of such additions on the character of the property or street scene with also the potential for accumulation of these types of proposals.

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

Yes ☒

No ☐

Other ☐

Comments:

The Authority has received confirmation of one field hospital/vaccination centre seeking to apply for Planning permission for a further 3 years. However, there has been confusion around the need for and scope of PAC and there is the assumption that the development can be retained through the submission of a location plan only and form, with no supporting information or plans.

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

	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Other <input type="checkbox"/>
	Comments: No comment.		

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 <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Other <input type="checkbox"/>
	Comments: Yes – any external alterations and/or extensions, plus outbuildings in curtilage can result in unacceptable 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 <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Other <input type="checkbox"/>
	Comments: Yes, however this would need to be very widely publicised and would likely result in increased levels of enforcement, confusion and conflict. It would be extremely difficult, if not impossible to determine a date a hardstanding was placed, retrospectively, and experience shows that the Department has already seen issues with the scale of hardstanding in rear gardens and the confusion with SABs.		

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 <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Other <input type="checkbox"/>
	Comments: Yes, but further thought is needed on householders and especially where properties have no or little frontage to create off street parking, and/or terraced properties.		

Q.15	Do you agree with reintroducing permitted development rights for the protection of poultry and other captive birds?		
	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Other <input type="checkbox"/>
	Comments: No comment.		

Q.16	Do you agree with the proposals for amending Article 4 Directions?		
	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Other <input type="checkbox"/>
	Comments: No comment.		

Q.17	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.
	What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?
	Comments: No comment.

Q.18	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.
	Comments:
	No comment.

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: ☐