

# CENTRAL ASSOCIATION OF AGRICULTURAL VALUERS



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

Planning Directorate,  
Welsh Government,  
Cathays Park,  
Cardiff.  
CF10 3NQ

15<sup>th</sup> February, 2022

Dear Sirs,

## **Welsh Government Consultation – Permitted Development**

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

I write on behalf of the Central Association of Agricultural Valuers (CAAV) in response to the consultation, generally welcoming the flexibility that permitted development right offers, especially at such a time of change, when all too often the planning system acts to frustrate reasonable rural development. The Welsh relaxations in the Covid-19 pandemic have offered some experience to inform responses to this consultation.

The Central Association of Agricultural Valuers (CAAV) represents, briefs and qualifies over 2900 professionals who advise and act on the very varied matters affecting rural and agricultural businesses and property throughout the United Kingdom. Instructed by a wide range of clients, including farmers, owners, lenders, public authorities, conservation bodies, utility providers, government agencies and others, this work requires an understanding of practical issues.

The CAAV does not exist to lobby on behalf of any particular interest but rather, knowing its members will be called on to act or advise both Government and private interests under developing policies, aims to ensure that they are designed in as practical a way as possible, taking account of circumstances to the benefit of the agricultural and rural economy.

**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?**

In general yes, subject to our observations in answering Q3 below.

**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.**

At a time of very strong demands for domestic holiday facilities, the additional period for temporary camping proved very beneficial for those who could offer it and those who took it.

**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.**

While the permitted temporary use of land for camping does not require the permanent facilities of a permanent site, the permitted right should be subject to conditions making it subject to the provision of toilet facilities and the removal of waste and litter. Upholding standards, that is important for the general reputation of Welsh holiday sites, for public health and the environment.

**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?**

We offer no views on this.

**Q.5 Should any additional days over the permitted 14 days be provided for markets operated by or on behalf of a local authority?**

We offer no views on this.

**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, seeing the need for all such help for the viability of town centres. With the general pressures on the retail sector accumulating over time but crystallised for many by the pandemic, we suggest that this could be considered more widely than the stated town centres.

**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. This is welcome for a sector that needs all the opportunities it can get

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

No.

**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, we agree.

**QQ.9 to 12** We offer no comments on Parts 3A and 12A or HMOs.

**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.**

This change may make the rules for this permitted development right clearer to all.

**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.**

We agree that the greater flexibility should be provided and approve the proposals.

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

Yes. The repeated outbreaks of Avian Influenza and the scale of the present one make it essential to have a continuing permitted development right available for outbreaks.

**Q.16 Do you agree with the proposals for amending Article 4 Directions?**

Yes – these changes appear practical.

**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?**

While the effect will be very marginal, any such relaxation that makes it easier to operate and gives flexibility to a business generating income in a Welsh speaking rural area adds to the economic strength and resilience of that area, supporting the people in it. The planning system can be an obstacle to that and so such measured relaxation are, at the margin, helpful to the Welsh language.

**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.**

We urge the Welsh Government to look positively at changes to the permitted development rights for agricultural buildings and, in particular, at following where England and Scotland have gone in:

- permitting agricultural buildings of up to 1,000 m<sup>2</sup>, rather than the 465 m<sup>2</sup> still holding in Wales, a figure set in the very different circumstances of 1960
- permitting changes of use to dwellings and commercial uses, as with England's Classes Q and R of Part 3 of its 2015 Order and Scotland's Classes 18B and 18C of Part 6 of its 1992 Order as amended. With the operational experience now gained in England

and, more recently, in Scotland it can be seen how these rights are useful for rural housing and commerce and the limitations and conditions that are appropriate. We are very happy to discuss these points in further and more specific detail with officials.

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[REDACTED] [REDACTED]

[REDACTED] **Central Association of Agricultural Valuers**

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