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Consultation Document

Proposed Changes to Non-Domestic Permitted Development Rights

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Overview

This consultation paper seeks your views on the Welsh Government's proposed changes to Part 3 (Changes of Use), Part 8 (Industrial and Warehouse development) and Part 32 (Schools, Colleges, Universities and Hospitals) of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995.

The paper also proposes the introduction of new permitted development rights for office buildings, shops, financial and professional services establishments (use classes B1(a), A1 and A2 of the schedule to the Town and Country Planning (Use Classes) Order 1987) and the restriction of permitted development rights in World Heritage Sites.

The document forms part of the Welsh Government's review of the planning application process in Wales and specifically provides a response to some of the recommendations contained in the 2010 research report, "Study to Examine the Planning Application Process in Wales", which was commissioned by the Welsh Government and undertaken by GVA Grimley.

This consultation relates to Wales only. References to the Town and Country Planning (General Permitted Development) Order 1995 are, unless the context requires otherwise, references to the Order as it applies or as it is proposed to apply, in relation to Wales.

How to respond

The closing date for replies is 11/01/2013. You can reply in any of the following ways:

E-mail: Please complete the consultation response form (at Annex 2) and send it to: planconsultations-c@wales.gsi.gov.uk. [Please include 'PDRs- WG-15462' in the subject line.]

Post: Please complete the consultation response form at Annex 2 and send it to the address provided in the "Contact Details" section below.

Further information and related documents

Large print, Braille and alternate language versions of this document are available on request.

Further related information can be found here:

The Town and Country Planning (General Permitted Development) Order 1995 as originally made. (<http://www.legislation.gov.uk/uksi/1995/418/contents/made>)

Study to Examine the Planning Application Process in Wales, [<http://wales.gov.uk/topics/planning/planningresearch/planningappprocess/papers/planningappstudy/?lang=en>]

Contact details

All responses should be sent by 11/01/2013 to:

Non-Domestic PDRs Consultation
Development Management Branch
Planning Division
Welsh Government
Cathays Park
Cardiff. CF10 3 NQ

Or by e-mail to: planconsultations-c@wales.gsi.gov.uk

If you have any queries regarding this consultation please

use the e-mail address above or phone Alan Groves on 029 2082 5362

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1 Introduction: the main issues and reason for this consultation document

- 1.1 This consultation document forms part of the Welsh Government's programme of measures to improve the planning application process. The paper takes forward a commitment to consult upon potential changes to non-domestic permitted development rights (PDRs) in the Town and Country Planning (General Permitted Development) Order 1995 (the GPDO) with the aim of improving the operation of the planning application system.
- 1.2 The GPDO allows minor development to be undertaken under a deemed grant of planning permission without the need to submit a planning application, this is known as "permitted development".
- 1.3 This consultation paper seeks your views on the Welsh Government's proposed changes to Part 3 (Changes of Use), Part 8 (Industrial and Warehouse development) and Part 32 (Schools, Colleges, Universities and Hospitals) of the GPDO. The proposed changes seek to expand, and in some cases tighten, PDRs in these particular classes. The proposals would require, in certain cases, new hard surfaces associated with industrial or warehouse development to be made of permeable material, and would provide greater protection for World Heritage Sites. The consultation paper also seeks responses on proposed new PDRs for office buildings, shops, and financial and professional services establishments (use classes B1(a), A1 and A2 of the schedule to the Town and Country Planning (Use Classes) Order 1987) (the Use Classes Order).

2 Background: the evidence for change

- 2.1 The Welsh Government's review of the planning application process focuses on the role of planning in facilitating economic recovery whilst maintaining the Welsh Government's commitment to sustainable development.
- 2.2 The review of the planning application process supports the Welsh Government's strategy for economic recovery, which places an emphasis on the role that the planning system has to play in supporting the growth of business.
- 2.3 One measure that can improve the operation of the planning system is to reduce the number of minor, uncontentious planning applications. Extending PDRs for uncontentious applications would release limited resources to allow local planning authorities to concentrate on more complex applications and, especially for small and medium sized businesses, could help to stimulate economic recovery or innovation by reducing unnecessary regulation.
- 2.4 This consultation document is informed by a research report, undertaken by White Young Green Planning and published by the Department for Communities and Local Government (DCLG).
<http://www.communities.gov.uk/publications/planningandbuilding/finalconsentsreview>
- 2.5 The White Young Green report reviewed the operation of the GPDO, with evidence gained from a wide range of stakeholders and sources, including the Welsh Government and the Welsh Planning Officers' Society. The report's brief was to seek to reduce the number of applications that businesses and other applicants needed to submit in order to reduce unnecessary regulation, and ensure that the planning system is focussed on those development schemes that generate most impact.
- 2.6 The White Young Green report reviewed the GPDO using an "impacts approach". In describing the impacts approach, the report noted that when planners consider a development proposal, their primary concern is to assess the impact of that development. However this approach is not reflected in the existing GPDO which controls development based on size or volume thresholds. The report stated that a more consistent approach would be to align the GPDO with planning practice by focussing on the impact that a development would have on its surroundings.
- 2.7 The research report explored a wide range of non-domestic uses including shops, offices, institutions, agriculture, and waste management. However at this stage the Welsh Government's priority is to consult upon proposed changes to the GPDO that would most benefit business, industry and institutions.

- 2.8 The intention is that the proposed changes would serve to reduce unnecessary regulation and costs on business by allowing minor extensions and alterations of premises to be undertaken without the need to submit formal planning applications. At the same time any potential adverse impacts such as overlooking, overshadowing and effect on the character of an area would be controlled. This consultation document proposes amendments and additions to the GPDO in respect of the following: industrial and warehouse development, educational institutions and hospitals, offices, shops and professional/financial services establishments.
- 2.9 The proposals contained in this consultation document build upon the changes introduced to the GPDO in England through UK Statutory Instrument 2010 / 654. The amendment order in England is itself informed by the findings of the White Young Green report.
- 2.10 The draft Regulatory Impact Assessment (Annex 1) considers in greater detail the likely impacts of the proposals outlined in this consultation document, if the proposals were to be adopted.
- 2.11 The following documents have been taken into account in drafting the proposed changes to the GPDO:

Final Report – Non Householder Minor Development Consents Review (DCLG), November 2008.

[web-link

<http://www.communities.gov.uk/publications/planningandbuilding/finalconsentsreview>]

Improving Permitted Development – Consultation. Department for Communities and Local Government (DCLG), July 2009.

[web-link

<http://www.communities.gov.uk/publications/planningandbuilding/changesdevelopmentconsultation>]

Improving Permitted Development – Consultation: Summary of Responses. Department for Communities and Local Government (DCLG), March 2010.

[web-link

<http://www.communities.gov.uk/publications/planningandbuilding/improvingdevelopmentsummary>]

Planning for Sustainable Economic Renewal - Research Report to the Welsh Government. Welsh Government, June 2011.

[web-link

<http://wales.gov.uk/topics/planning/planningresearch/publishedresearch/suseconrenewal/?lang=en>]

Revision of Chapter 7 of Planning Policy Wales – Supporting the Economy – Consultation Document. Welsh Government, 28th November 2011.

[web-link

<http://wales.gov.uk/consultations/planning/ppwch7consultation/?lang=en>]

The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2010 – Statutory Instrument 2010 No. 654

[web-link:

<http://www.legislation.gov.uk/ukxi/2008/2362/contents/made>]

Understanding Permeable and Impermeable Surfaces: Technical Report on Surface Options and Cost Benefit Analysis, DCLG, September 2009

[web-link:

<http://www.communities.gov.uk/publications/planningandbuilding/permeablesurfacesreport>]

Consultation on Non-Domestic Elements of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992. The Scottish Government, March 2011.

<http://www.scotland.gov.uk/Publications/2011/03/21151708/0>

3 What changes are we proposing?

A. Industrial and Warehouse Development

- 3.1 Part 8 of Schedule 2 to the GPDO provides PDRs for industrial and warehouse development.
- 3.2 Part 8 Class A.1 currently allows, subject to some restrictions, the extension and alteration of the floor space of existing buildings up to 1,000 square metres or up to 500 square metres when located on article 1(5) land. This allowance is subject to the increased volume of the original building not being exceeded by more than 25%, or 10% when located on article 1(5) land.

New buildings

- 3.3 The White Young Green report indicated that existing PDRs are generally set at the right level for industry and warehousing. However the evidence base, contained in the study, supported some extension to PDRs in order to allow the erection of new buildings - the study noted an inconsistency in the existing GPDO, i.e. that Part 32 currently allows the erection of new buildings in relation to educational institutions and hospitals but there is no such provision in Part 8.

Research and development facilities

- 3.4 The White Young Green study also supported the inclusion of research and development (R&D) facilities within the definition of industrial and warehousing development. This would allow R&D facilities to benefit from the same Part 8 rights as industrial and warehousing development.

Cubic content as a volume threshold

- 3.5 Part 8 of the GPDO currently uses cubic content to measure the volume of permitted development in relation to industrial and warehouse development. However, the White Young Green study found that the requirement to measure cumulative volume is proving difficult and onerous for stakeholders. Instead, in line with the impacts based approach, the report recommended the removal of cubic content as a threshold limit and a greater emphasis on height and distance as a means of setting PDR limits.

Impact on Listed Buildings

- 3.6 The current Part 8 Class A does not restrict PDRs for industrial and warehouse development within the curtilage of listed buildings. The White Young Green study recommended that such a restriction should be included in any amendments to Part 8.

Impact on external appearance

- 3.7 Currently, Part 8 Class A.1 (f) does not allow the extension or alteration of an industrial/warehouse building where it would materially affect the external appearance of the premises. The White Young Green report considered that this limitation is contradictory as, "an extension of up to 1,000 sqm (as allowed for by Part 8) will almost certainly materially affect the appearance of the building, so there is a sense in which Part 8 gives with one hand and takes away with the other". The report also considered that Part 8 Class A.1 (f) is not helpful as "impact on external appearance of the premises" is a subjective test that requires occupiers to seek confirmation from the LPA to determine whether planning permission is required.

Proposals

- 3.8 The Welsh Government proposes the following amendments to Part 8 of Schedule 2 of the GPDO, shown in table 1 overleaf.

Table 1: Summary of Proposed Changes to Part 8 of Schedule 2 to the GPDO

Part 8 Existing	Part 8 Proposed
<p>Part 8 currently relates to the extension or alteration of an industrial building or warehouse</p>	<p>Amended.</p> <p>Part 8 to allow the erection of new buildings as well as extensions and alterations.</p> <p>Part 8 also to apply to R&D facilities</p> <p><u>New build allowance</u></p> <p>The construction of new buildings up to 100sqm gross floor space to be allowed, subject to the following restrictions:</p> <ul style="list-style-type: none"> - the height of any new building not to exceed 5m if within 10m of the boundary of the curtilage of the premises - in other cases, the height of the building not to exceed 15m or the height of the highest building within the curtilage of the premises, whichever is lower.
<p>Part 8 A.1(a) - only applies to development used for industrial/warehousing purposes</p>	<p>Retained - but will include R&D facilities and will now apply to new build as well as extensions/alterations</p>
<p>A.1(b) - requires the building to be used for: (i) in the case of an industrial building,</p>	<p>Retained - but will include reference to R&D facilities</p>

<p>the carrying out of an industrial process or the provision of employee facilities</p> <p>(ii) in the case of a warehouse, storage or distribution or the provision of employee facilities</p>	
<p>A.1(c) - ensures that the height of the building as extended or altered would not exceed the height of the original building</p>	<p>Amended.</p> <p>The height of the building as extended or altered not to exceed:</p> <ul style="list-style-type: none"> - 5m if within 10m of a boundary of the curtilage of the premises - in all other cases, the height of the building being extended or altered
<p>A.1(d) - restricts the cubic content of any extended/altered building</p>	<p>Removed.</p>
<p>A.1(e) - floor space not to exceed the floor space of the original building by 1,000sqm or 500sqm if located on article 1(5) land</p>	<p>Amended.</p> <p>The gross floorspace of the original building not to be exceeded by more than:</p> <ul style="list-style-type: none"> - 10% in respect of development on article 1(5) land or 25% in any other case or - 500sqm in respect of development on article 1(5) land or 1,000sqm in any other case - whichever is the lesser
<p>A.1(f) - development not to materially affect the external appearance of the premises</p>	<p>Amended.</p> <p>Any new building, extension or alteration on article 1(5) land to be finished using materials which have a similar appearance to those used for the existing building/the building being extended or altered.</p>
<p>A.1(g) - no part of the development to be undertaken within 5m of any</p>	<p>Retained.</p>

boundary of the curtilage of the premises	
A.1 (h) - no reduction in the space available for the parking or turning of vehicles	Retained.
Listed buildings - currently Part 8 does not place any restrictions on development within the curtilage of listed buildings	No development permitted within the curtilage of a listed building.
Part 8 A.2	Retained with reference to R&D facilities and an additional condition to confirm that development must be within the curtilage of an existing industrial building or warehouse

Question 1

Do you agree with the above proposed amendments to Part 8 of Schedule 2 to the GPDO?

Part 8 Class C - hard surfaces

- 3.9 Part 8 Class C of Schedule 2 to the GPDO allows the provision of a hard surface within the curtilage of an industrial building or warehouse. However, as the White Young Green report notes, the unrestricted addition of hardstandings can have negative consequences for surface water runoff by increasing both the amount of water that flows through storm drains and the speed of runoff. The White Young Green report therefore recommends that all hardstandings should be constructed in porous material except in cases where a use could give rise to ground contamination, in which case non-permeable surfacing would be appropriate. Alternatively provision should be made to direct surface water run-off to a permeable or porous area within the curtilage of the industrial/warehouse building.

Question 2

(a) Do you agree that Part 8 Class C of Schedule 2 to the GPDO should be amended in order to require all new hard surfaces, including the part or whole replacement of hard surfaces, to either be constructed of porous or

permeable materials or to direct run-off to a permeable or porous area within the curtilage of the industrial/warehouse building, except where there is a risk of groundwater contamination?

(b) Should an allowance be made for the partial replacement of hard surfacing? If yes, how large should this allowance be?

Part 8 Classes B and D

- 3.10 This consultation paper does not propose any change to Part 8 Class B or Part 8 Class D of the GPDO.

Permitted Changes of use between industrial classes

- 3.11 Part 3 Class B of the GPDO currently allows the change of use of a building:
- (a) to a use for any purpose falling within Class B1 (business) of the schedule to the Use Classes Order from any use falling within Class B2 (general industrial) or B8 (storage and distribution) of that schedule; and
 - (b) to a use for any purpose falling within Class B8 (storage and distribution) of that schedule from any use falling within Class B1 (business) or B2 (general industrial).

However development is not permitted by Class B where the change is to or from a use falling within Class B8 of that schedule, if the change of use relates to more than 235 sqm of floor space in the building.

- 3.12 The 235 sqm threshold is considered to be relatively modest and has been unchanged for a number of years. In order to provide greater flexibility for business and industry, the Welsh Government proposes that the threshold is increased to 470sqm and seek views on the desirability of larger or more modest increases in the size limits. Given that Part 3 Class B of the GPDO relates solely to the change of use of buildings and not new build, an increase in the threshold size for changes of use involving B8 development should not have a significant impact.

Proposals

- 3.13 The Welsh Government proposes that Part 3 Class B.1 of the GPDO be amended to read:

"Development is not permitted by Class B where the change of use is to or from a use falling within Class B8 of that Schedule, if the change of use relates to more than 470 square metres of floor space in the building"

Question 3

Do you agree that the size thresholds for changes of use of B8 floorspace in Part 3 Class B.1 of the GPDO should be increased?

Question 4

If so, is 470m² the correct threshold, or should the increase be larger or more modest?

B. Schools, Colleges, Universities and Hospitals

- 3.14 Part 32 of Schedule 2 to the GPDO provides PDRs for schools, colleges, universities and hospitals.
- 3.15 The White Young Green report found that stakeholders considered that Part 32 of the GPDO does not provide institutions with sufficient ability to undertake minor extensions or alterations to buildings. Stakeholders also considered that the current PDR limits are set so low as to be of little practical use.
- 3.16 Part 32 of the GPDO currently provides schools, colleges, universities and hospitals with PDRs to erect new buildings subject to the cumulative floor space being limited to 10% of the overall floor space of the original buildings with an overall volume limit of 250 cubic metres. The PDRs under Part 32 do not apply when any part of the building is located within 20m of the boundary of the site or where a proposal would prejudice the use of an existing playing field.
- 3.17 The White Young Green report recommended amending Part 32 in order to provide additional flexibility for institutions, including rights to

extend or alter buildings. The report also recommended a move away from threshold limits based on volume calculations towards restrictions based on floor space and height.

Proposals

- 3.18 The Welsh Government proposes the following amendments to Part 32 of the GPDO:

Table 2: Summary of Proposed Changes to Part 32 of Schedule 2 to the GPDO

Part 32 Existing	Part 32 Proposed
Part 32 currently only applies to the erection of a building that is required for use as part of or for a purpose incidental to the use of a school, college, university or hospital.	Part 32 to allow extensions and alterations as well as the erection of new buildings.
Part 32 A.1(a) ensures that Part 32 development is only permitted when the predominant use of the existing buildings on site is for the provision of education, medical or health services	Retained
A.1(b) no development permitted where the cumulative total floor space of any buildings erected on a particular site (other than the original school, college, university or hospital buildings) would exceed 10% of the total floor space of the original school, college, university or hospital buildings on that site.	Amended. No development permitted where the cumulative total floor space of any buildings erected, extended or altered on a particular site would exceed 25% of the total floor space of the original school, college, university or hospital buildings on that site or 100sqm, whichever is the lesser.
A.1(c) no development where the total cubic content of buildings erected on a particular site (other than the original school, college, university or hospital building) would exceed 250 cubic metres	Amended. The reference to cubic content is removed. Instead, the height of any new build is not to exceed 5m. The height of any extension is not to exceed 5m if within 10m of the boundary of the

	curtilage of the premises or, in all other cases, the height of the building being extended.
A.1(d) no development within 20m of the boundary of the site	Amended No part of the development to be within 5m of the boundary of the curtilage of the premises.
A.1(e) no development where, as a result of the development, any land, used as a playing field immediately before the development took place, could no longer be so used	Retained
A.2 Development is permitted subject to the condition that, in the case of article 1(5) land, any materials used shall be of a similar appearance to those used for the original school, college, university or hospital building	Retained
No restriction on development within the curtilage of a listed building	No development allowed within the curtilage of a listed building

Question 5

Do you agree with the above proposed amendments to Part 32 of the GPDO?

C. Office Buildings

- 3.19 There are currently no specific PDRs for alterations or extensions to buildings used for purposes in B1(a) of the schedule to the Use Classes Order. The White Young Green report concluded that there is a strong case to allow minor alterations and extensions to such office buildings, providing that PDRs are impact-based in order to guard against any potential adverse effects on the amenity of adjoining uses.
- 3.20 No new PDRs for freestanding office accommodation were recommended in the White Young Green report - other than rights to erect new refuse storage buildings - as offices were considered unlikely to require additional buildings for operational purposes compared with industrial or institutional users.
- 3.21 New PDRs for offices used for purposes in B1(a) of the schedule to the Use Classes Order - informed by the White Young Green report - were introduced in England in 2010 (SI 2010/654).

Proposals

- 3.22 The Welsh Government proposes the following new PDRs for offices used for purposes in use class B1(a) of the schedule to the Use Classes Order:

Extensions and alterations of existing office buildings allowed providing that the gross floor space of the original building is not exceeded by more than 25% or 50sqm, whichever is the lesser.

Height of the extension to be no greater than the existing building, unless within 10 metres of a boundary, in which case the maximum height would be 5 metres.

No development, except alterations, within 5 metres of the boundary of the curtilage of the premises.

Alterations limited to the ground floor only.

The use of any extended/altered floor space to only be used as part of, or for a purpose incidental to the office use of that office building.

No extensions or alterations on article 1(5) land.

No development within the curtilage of a listed building.

Question 6

Should new PDRs for offices be introduced to the GPDO as detailed above?

D. Shops and financial/professional services establishments

- 3.23 The White Young Green report found that a relatively large number of minor applications were generated by retail proposals, including changes to external areas, small extensions, new shopfronts and ATMs (cash machines).
- 3.24 However retail uses are commonly located in historic town centres, within conservation areas and can be accommodated in listed buildings. Therefore introducing PDRs for shops and service uses could generate some significant impacts on the town centre environment and need to be carefully considered.
- 3.25 Also, different forms of retail development, e.g. out-of-centre schemes or smaller local shopping parades, have different characteristics with different impact issues.
- 3.26 The evidence base generated by the White Young Green report indicated that about 50% of all minor applications for buildings used for purposes in use class A1 of the schedule to the Use Classes Order relate to façade changes, such as shop front alterations, ATMs and disabled access provision. Due to the potential impact of such development on the street scene, the White Young Green report suggested that these forms of development could be dealt with by a new prior approval process.
- 3.27 However the White Young Green report did recommend the introduction of new PDRs for minor extensions and alterations, subject to floor space and height restrictions. The report recommended that extensions be limited to single storey but allowed to within 2m of the

site boundary in order to reflect the close proximity of adjoining town centre uses (a 5m minimum distance to the boundary was considered to have the effect of making the proposed PDRs unusable for many businesses on small sites).

- 3.28 No PDRs were proposed for the erection of freestanding buildings, as shops generally operate from a single building. But an allowance for the construction of trolley stores was recommended.
- 3.29 UK Statutory Instrument 2010/654 introduces a new Part 42 into the GPDO in England, which, among other things, provides PDRs for shops (use class A1) and financial/professional services (use class A2) of the schedule to the Use Classes Order. The amendment order in England is itself informed by the findings of the White Young Green report.

Proposals

- 3.30 The Welsh Government proposes the following new PDRs for shops (use class A1) and financial/professional services (use class A2) of the schedule to the Use Classes Order:

Extensions and alterations of existing premises used for purposes in class A1 or A2 of the schedule to the Use Classes Order allowed providing the gross floor space of the original building would not be exceeded by more than 25% or 50sqm, whichever is lesser

Any extension to be limited to a maximum height of 4m

No part of the development, other than an alteration, to be within 2m of any boundary within the curtilage of the premises

No development within the curtilage of a listed building

No extensions or alterations on article 1(5) land

Development not to consist of or include the construction or provision of a veranda, balcony or raised platform

No development to extend beyond the existing shop front

Development not to include the insertion or creation of a new

shop front or the alteration or replacement of an existing shop front

Development not to involve the installation or replacement of a security grille or shutter on a shop front

Alterations limited to ground floor only

Any extension or alteration to only be used as part of, or for a purpose incidental to, the use of the shop or financial/professional services establishment.

Development not to involve the insertion of ATMs.

Question 7

Should new PDRs for shops and financial/professional services establishments be introduced to the GPDO, as detailed above?

Trolley Stores

- 3.31 Part 42 Class B of the amended GPDO in England (SI 2010/654), informed by the White Young Green report, provides retailers with PDRs for the construction of trolley stores within the curtilage of shops subject to the following restrictions:

Gross floor space of building or enclosure not to exceed 20sqm

No part of the building or enclosure to be within 20m of the boundary of the curtilage of a building used for purposes in class C of the schedule to the Use Classes Order (i.e. hotels and hostels, residential institutions and dwellinghouses).

No part of the building to be sited above or below a building used for any purpose in Part C of the schedule to the Use Classes Order (i.e. hotels and hostels, residential institutions and dwellinghouses).

Height of the building or enclosure not to exceed 2.5m

No development in conservation areas

No development within the curtilage of a listed building

No development between a shop front and a highway where the distance between the shop front and the boundary of the curtilage of the premises is less than 5m.

Question 8

Should new PDRs for trolley stores be introduced to the GPDO, as detailed above?

E. Refuse Storage Facilities

- 3.32 The White Young Green report noted that there is an increasing requirement for all types of commercial and institutional premises to store waste on site prior to collection for recycling or disposal due to tighter waste regulations. As a result there is increasing need for commercial and industrial premises to construct additional buildings for the storage, sorting and transfer of waste. To this end, the White Young Green study recommended introducing new PDRs for all non-residential uses in order to allow construction of waste storage containers to accommodate up to 20 cubic metres of waste - the study considered 20 cubic metres to provide sufficient capacity for business storage needs - subject to restrictions on siting and scale.

F. Cycle Storage Facilities

- 3.33 The Welsh Government is committed to enhancing cycling provision across Wales and increasing the number of cycling facilities.
- 3.34 The Welsh Government's "Walking and Cycling Action Plan 2009-2013" identifies the health and environmental benefits of cycling. One of the core objectives of the action plan is to increase the levels of cycling through the promotion of facilities, and specifically to, "...provide high quality cycle parking and storage facilities for use by cyclists and walkers".
- 3.35 Whilst the White Young Green report recommends that PDRs are introduced for refuse storage facilities associated with non-domestic land uses, in some cases the allowance for a new refuse storage building will not be required by occupiers. However there may be demand from both employees and employers for additional cycle storage, particularly given the increasing focus on the health and financial benefits of cycling.

- 3.36 In order to provide flexibility to business and institutions and to help towards meeting the Welsh Government's objectives for cycle provision, any new PDRs for storage buildings could be extended to include cycle storage.

Proposal

- 3.37 The Welsh Government proposes the provision of additional PDRs for new buildings to accommodate refuse and/or cycle storage. The PDRs would apply to Part 8 and Part 32 of schedule 2 to the GPDO, and the proposed new provisions for offices (use class B1(a)), shops (use class A1) and financial/professional services (use class A2). The new PDRs could operate as follows:

New buildings for the storage of refuse and/or bicycles to be permitted subject to the following restrictions:

- the floor space of any new building not to exceed 20sqm
- the maximum height of any new building not to exceed 2.5sqm
- the building not to be within 10m of the boundary of the site
- not on article 1(5) land
- not within the curtilage of a listed building
- no reduction in the space available for the parking or turning of vehicles
- no part of the building to be within 20m of the curtilage of a building used for any purpose in Part C of the schedule to the Use Classes Order (i.e. hotels and hostels, residential institutions and dwellinghouses).
- no part of the building to be sited above or below a building used for any purpose in Part C of the schedule to the Use Classes Order (i.e. hotels and hostels, residential institutions and dwellinghouses).

Question 9

Should new PDRs for the construction of new buildings to store refuse and/or bicycles be introduced to the GPDO, as detailed above?

G. Your views on a prior approval process for shopfronts and ATMs

3.38 The UK Government has set out intentions, in the future, to expand the prior approval regime in England in order to include shop front alterations and ATMs (DCLG - "Improving Permitted Development - Consultation. Summary of Responses). This consultation paper **does not** propose that a new prior approval process should be adopted for shopfront alterations or the installation of ATMs. However this consultation exercise does provide an opportunity to seek the view of stakeholders on whether this approach would be appropriate in Wales and whether it should be investigated further.

3.39 The prior approval process could operate as follows:

Retain the need to apply for planning permission for new shopfronts and ATMs on article 1(5) land and on/within the curtilage of listed buildings.

Retain the need to apply for planning permission for security shutters or security grilles.

Deemed consent for shop front alterations (outside article 1(5) land & listed buildings) if no comment from the LPA within a 28 day period.

Deemed consent for ATMs (outside article 1(5) land & listed buildings) if no comment from the LPA within a 28 day period.

The 28 day period would allow the LPA to consider design, appearance and siting but not the principle of development.

There would be no requirement to consult during the 28 day period.

Conditions could still be added by the LPA to any prior approval consent.

A fee would be required with a standard prior approval application form.

Question 10

What are your views on the above prior approval process?

H. Protection of World Heritage Sites

- 3.40 A World Heritage Site is a place of special cultural or physical significance, as listed by UNESCO. There are 3 World Heritage Sites in Wales: Blaenavon Industrial Landscape, the Castles and Town Walls of King Edward in Gwynedd, and Pontcysyllte Aqueduct and Canal.
- 3.41 Part 2 of Schedule 1 to the GPDO defines article 1(5) land, and such land includes National Parks, Areas of Outstanding Natural Beauty and conservation areas. Due to the sensitive nature of these areas, some parts of the GPDO limit PDRs on article 1(5) land.
- 3.42 In England, World Heritage Sites have been included in the definition of article 1(5) land. In Wales, World Heritage Sites are not included in the definition of article 1(5) land.
- 3.43 The Welsh Government share the view of the UK Government that World Heritage Sites should be protected from any cumulative impact that inappropriate development could have on their “outstanding universal value”. The Welsh Government also recognise that World Heritage Sites can act as a focus for tourism and economic regeneration and consider that it is important that inappropriate development does not undermine this function.
- 3.44 All references to article 1(5) land in the proposals of this consultation document include World Heritage Sites in addition to the existing GPDO definition.

Question 11

Do you agree that World Heritage Sites should have the same level of protection as article 1(5) land for the purpose of the proposals detailed in this consultation document?

I. Any Other Suggestions?

- 3.45 The above proposals for amendments to the GPDO, as applied to commercial, industrial and institutional development, have been informed by research and approaches undertaken in other national administrations.
- 3.46 Stakeholders may have other suggestions for further amendments to the GPDO which would help to remove other minor and uncontentious developments from the planning application process.

Question 12

Are there any other amendments to the GPDO that you would like to suggest?