



Llywodraeth Cymru
Welsh Government

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Welsh Government

Consultation – Summary of responses

Changes to Permitted Development Rights

Air Source Heat Pumps, Off-street Parking EV Chargers, Temporary Camp Sites, Reverse Vending Machines, Development by Statutory Undertakers (electricity), Affordable Housing and Meanwhile Uses; and change to the definition of major development.

December 2025

Mae'r ddogfen hon ar gael yn Gymraeg hefyd / This document is also available in Welsh
Rydym yn croesawu gohebiaeth a galwadau ffôn yn Gymraeg / We welcome correspondence and telephone calls in Welsh

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1. Introduction

- 1.1 The “Changes to Permitted Development Rights” consultation document was launched on 8 April 2025 and was open for responses until 1 July 2025. A total of 49 specific questions were set out in the consultation document, with a standard form provided for ease of response.
- 1.2 This document details a summary of responses to the consultation, the Welsh Government’s response and the next steps. It is separated into two further sections.
- 1.3 Section 2 provides an overall summary of the consultation and provides details of how the consultation was conducted.
- 1.4 Section 3 provides a summary of all responses received. This includes:
 - A broad statistical analysis of the views expressed on each question (where statistics could be extracted).
 - A summary of the comments and issues raised under each question or group of questions.
 - The Welsh Government’s response following each question or group of questions.
- 1.5 In analysing and summarising the response to this consultation, this report does not address the following:
 - **Matters outside the scope of the consultation:** Where comments have been made which are relevant to this consultation but were made in relation to matters outside of the scope of the question, efforts have been made to summarise under the correct question. However, comments outside of the remit of this consultation will not be addressed.
 - **Comments which incorrectly interpret the proposed policy and existing legislation:** Responses have been received which request changes to policy which either reflect the intentions set out in the consultation paper or reflect existing legislation which is to remain unchanged.

2. Responses

- 2.1 On 8 April 2025 over 300 stakeholders, including individuals and organisations were notified by email of the publication of the consultation. These were drawn from the core consultation list held by the Planning Directorate of the Welsh Government, as well as several other bodies who expressed an interest. This included all local planning authorities (“LPAs”) in Wales, public bodies, special interest groups and other groups. The consultation was made available on the Welsh Government’s consultation website.
- 2.2 The consultation generated 174 responses during the consultation period, as well as 2 late responses. We are grateful to all those who responded. All the consultation responses have been read and considered as part of this analysis.

A consultation form was provided as an annex to the consultation document and separately on the Welsh Government’s consultation website. Respondents were asked to assign themselves to one of six broad respondent categories.

- 2.3 Table 2.1 below shows the breakdown of respondents.

Category	Number	% of Total
Business/Consultant	36	20%
Government Agency/Other Public Sector	11	6%
Local Planning Authority	15	9%
Other Group or Individual (not listed above)	83	47%
Professional Bodies/Interest Groups	21	12%
Voluntary Sector/Community Groups	10	6%
Grand Total	176	100%

Table 2.1: Breakdown of Respondents

- 2.4 Consultation questions 1-46 posed policy specific questions relating to the various aspects of Permitted Development Rights under consideration. The questions required one of the following responses: ‘yes’, ‘no’ or ‘don’t know’. These consultation questions also provided the option to expand on answers further. Consultation questions were grouped into sections, according to each permitted development right topic.
- 2.5 Consultation questions 47 and 48 dealt specifically with the potential impacts the proposed amendments would have on the Welsh language.
- 2.6 Due to the mix of questions asked, it was recognised that many respondents would only complete the sections that were of relevance or interest to them. Consequently, where respondents did not respond to questions at all, these have been recorded as ‘did not answer’. This information does not form part of the statistical analysis. Where “don’t know” was indicated, these responses were considered and the information provided form part of the statistical analysis for each question. Where respondents provided comments and were clear in their

views, but did not specify a particular answer, these responses were either assigned 'yes', 'no' or 'don't know'. Where necessary, statistical data has been rounded to the nearest number, so the percentage in some instances may not add up to 100%. Section 3 of this report is divided into the nine bespoke consultation themes.

- 2.7 A list of respondents can be found at Appendix A of this report. Where respondents have asked for their details to be specifically withheld, they will be treated as 'anonymous' under the category, as well as private individuals, where all of whom will be treated as 'anonymous' to comply with the General Data Protection Regulations.

3. Summary of Responses

3.1 Air Source Heat Pumps

Question 1: Do you agree that condition G.3 (a), which requires an ASHP be used solely for heating purposes, should be removed to also enable the installation of an air-to-air heat pump? Please provide your reasons.

Statistical summary

Organisation	Yes	No	Don't Know
Business / Consultant	19	2	8
Government Agency / Other Public Sector	5	0	1
Local Planning Authority	14	0	1
Other Group or Individual (not listed above)	51	3	11
Professional Bodies/Interest Groups	14	0	2
Voluntary Sector / Community Groups	3	0	2
Total	106	5	25
Percentage	78	4	18

Key themes

3.1.1 The key themes in response to question 1 were as follows:

- The majority of respondents were content with the proposal to enable the installation of air-to-air heat pumps.

Overview

3.1.2 There was strong support for this proposal across all sectors with 78% in agreement. Views that were frequently expressed in the responses included highlighting benefits such as:

- Cost-effectiveness/ affordability.
- Suitability for smaller or older homes.
- Greater consumer choice to suit different properties.
- The ability to provide cooling during warmer months.
- Health benefits
- A reduction in regulatory barriers to the adoption of low-carbon heating technologies.

3.1.3 Respondents highlight the need for flexibility to promote the expansion of low carbon heating solutions and support decarbonization goals in Wales; aligning with similar changes in England is considered to benefit customers and help installers who work cross border.

3.1.4 Some concerns were raised regarding the need for additional data on environmental impacts, noise levels, and potential increases in electricity demand due to cooling. They suggested that any regulatory changes should be

accompanied by further technical guidance and noise controls to ensure that benefits are balanced against potential drawbacks.

Welsh Government Response

- 3.1.5 The majority of responses show strong support for the proposal to remove condition G.3(a). We consider the potential benefits of this proposal will enhance consumer choice and encourage the adoption of low-carbon technologies in households across Wales.
- 3.1.6 All air source heat pumps installed under permitted development rights will need to comply with MCS 020(a) standards, and any other limitations such as unit volume, number, location, design and consideration of sensitive areas etc will also apply.

Question 2: Do you agree that the limitation requiring an ASHP to be 3m from the property boundary should be removed? Please provide your reasons.

Statistical summary

Organisation	Yes	No	Don't Know
Business / Consultant	21	1	7
Government Agency / Other Public Sector	5	0	1
Local Planning Authority	13	0	2
Other Group or Individual (not listed above)	46	7	12
Professional Bodies/Interest Groups	14	0	2
Voluntary Sector / Community Groups	4	1	0
Total	103	9	24
Percentage	76	7	18

Key themes

- 3.1.7 The key themes in response to question 2 were as follows:
- The majority of respondents were supportive of the proposal to remove the limitation requiring an ASHP to be 3m from the property boundary.

Overview

- 3.1.8 There was strong support for this proposal across all sectors with 76% in agreement. Views that were frequently expressed in the responses included:
- Technological improvements which have led to reduced noise levels.
 - The need for policy consistency across UK.
 - Benefits for decarbonization and social equity.
 - The importance of maintaining robust noise control measures.
 - Essential for Wales to meet its net zero targets

- Need to maintain some controls in sensitive locations such as Conservation Areas or Listed Buildings to protect visual and environmental amenity.
- Microgeneration Certification Scheme (MCS) 020 noise assessment is an appropriate standard to regulate ASHPs.
- Need for clear enforcement mechanisms to mitigate any potential negative impacts on neighbours and communities.

3.1.9 A number of responses highlighted that the 3m rule disproportionately affects households with limited outdoor space, where compliance with the rule can be difficult. Its removal is considered a way to enable more low-carbon heating installations in more properties across Wales. The most frequent concern by respondents relates to potential noise nuisance.

3.1.10 Some responses highlighted that removing the 3m rule would reduce administrative burdens by decreasing the number of planning applications submitted, simplifying installations and lowering costs for consumers and local authorities.

Welsh Government Response

3.1.11 The majority of respondents show strong support for the proposal to remove the 3m rule. This proposal will enable more households, particularly those living in homes with limited outdoor space, to benefit from renewable heating solutions. By increasing flexibility in siting ASHPs, the policy supports wider uptake, helping to accelerate progress toward net zero targets and reduce reliance on fossil fuels. It also promotes fairness by ensuring that spatial constraints do not disproportionately exclude certain groups from participating in the transition to cleaner energy.

3.1.12 The Welsh Government is clear that the removal of the 3m rule must be supported by MCS (020)a, and therefore all installations of air source heat pumps must comply with these standards to benefit from permitted development rights. Where compliance is not achieved a planning application will be required.

3.1.13 MCS introduced their amended ASHP standards on 20 March 2025 (further amended 23 April), and whilst these do not apply in Wales yet, they will form part of the permitted development rights should the consultation proposals be brought into force.

3.1.14 MCS (020)a features revised acoustic assessment methodology, supports installations closer to property boundaries subject to acoustic compliance, and improved installer guidance on noise assessments. MCS also provides guidance on what constitutes an acoustic barrier. In this context the Welsh Government will seek to introduce a new condition in Part 40 that any acoustic barrier required to ensure compliance with the Microgeneration Certification Scheme planning standards MCS 020(a) on the installation, alteration or replacement of an ASHP, must be permanently retained and maintained to ensure continued compliance with noise mitigation requirements.

- 3.1.15 The requirement that installations meet MCS(020)a standards is supported by the improvement in heat pump technology and the proposed increase in unit volume which should lead to quieter units and help minimise risk of unacceptable noise impact on neighbouring uses.
- 3.1.16 Following consideration of responses to the consultation the Welsh Government is minded to proceed with the proposal in its first phase of implementation, subject to the considerations above and in the context of the other proposed approaches set out in this report.

Question 3: Do you agree that the current external volume of an ASHP should be increased from 1 cubic metre to 1.5 cubic metres? Please provide your reasons.

Statistical summary

Organisation	Yes	No	Don't Know
Business / Consultant	21	1	7
Government Agency / Other Public Sector	4	1	1
Local Planning Authority	11	2	2
Other Group or Individual (not listed above)	45	8	12
Professional Bodies/Interest Groups	14	0	2
Voluntary Sector / Community Groups	3	0	1
Total	98	12	25
Percentage	73	9	19

Key themes

3.1.19 The key themes in response to question 3 were as follows:

- The majority of respondents were supportive of the proposal to increase the permitted external volume of air source heat pumps (ASHPs) to 1.5 cubic metres.

Overview

3.1.20 There was strong support for this proposal across all sectors with 73% in agreement. Views that were frequently expressed in the responses included:

- Allow larger, slower fans that produce less noise.
- Improved performance and efficiency.
- Supports adoption of ASHPs on more property types
- The need for policy consistency across UK.
- Simplifies the installation process.
- Encourages innovation in heat pump design.
- Concerns about visual impact implications in sensitive locations.
- ASHPs should continue to comply with existing noise limits.
- Greater choice for consumers.

- 3.1.21 Some respondents have raised concerns about the potential visual impact of larger units, particularly in sensitive locations such as National Parks or Conservation Areas. Eryri National Park, Brecon Beacons National Park, Pembrokeshire Coast National Park and Landscapes Wales indicate that they object to the proposal if National Parks are not excluded.

Welsh Government Response

- 3.1.22 The consultation responses show strong support for increasing the permitted external volume of air source heat pumps (ASHPs) to 1.5 cubic metres. The proposed change to permitted development rights enables a flexible response to the needs of different dwellings to benefit from potential performance efficiencies and noise reductions.
- 3.1.23 The Welsh Government acknowledges the concerns expressed by some respondents that larger heat pumps may negatively impact on sensitive areas. Existing permitted development rights place various limitations on the installation of a heat pump, including if it is within the curtilage of the dwellinghouse if the dwellinghouse is a listed building, it would be installed in a site designated as a scheduled monument, or the air source heat pump would be installed on a wall or roof which fronts a highway. Other designated areas such as National Parks are currently subject to the same limitations that apply to locations outside these areas. It should be noted that this consultation seeks to permit ASHPs on a wall fronting a highway see Q6 and Q8.
- 3.1.24 The purpose of National Parks is to conserve and enhance the natural beauty, wildlife and cultural heritage of the National Parks; and to promote opportunities for the understanding and enjoyment of the special qualities (of the Park) by the public. It is not considered that the visual impact of individual ASHPs on properties within National Parks would negatively impact the natural beauty, wildlife and cultural heritage of the National Park, particularly if considered against current heating options which are likely to include off-grid solutions such as Liquid Petroleum Gas (LPG) or Kerosene Oil tanks, which are significantly larger and (on safety grounds) more removed from the dwelling than an ASHP would be, given the need to transfer heat into the dwelling. Also, many dwellings in National Parks are within market towns or villages with more urban attributes so a blanket disapplication would disadvantage those residents. Therefore, on balance, it is considered that the limited visual impact of an ASHP would not outweigh the benefits of low carbon heat technologies in terms of their contribution to decarbonisation, fuel poverty and energy security. Notwithstanding this, Local Planning Authorities, including National Parks can make Article 4(1) Directions that could limit permitted development rights in specific areas if there is clear evidence to support doing so.
- 3.1.25 The Welsh Government considers that the benefits of larger heat pumps outweigh potential impacts and that proposed limitations will further mitigate concerns. On this basis the Welsh Government is minded to proceed with the proposal in the first phase of implementation, subject to other limitations set out in this report.

Question 4: Do you agree that the existing limitation of one ASHP on or within the curtilage of a dwelling house should be increased to a maximum of two where the dwelling house is a detached property? Please provide your reason

Statistical summary

Organisation	Yes	No	Don't Know
Business / Consultant	16	5	8
Government Agency / Other Public Sector	5	0	1
Local Planning Authority	8	1	5
Other Group or Individual (not listed above)	48	5	11
Professional Bodies/Interest Groups	12	2	2
Voluntary Sector / Community Groups	3	0	1
Total	92	13	28
Percentage	69	10	21

Key themes

3.1.26 The key themes in response to question 4 were as follows:

- The majority of respondents were supportive of increasing the limitation on the number of air source heat pumps (ASHP) allowed on a detached dwelling house from one to two.

Overview

3.1.27 There was strong support for this proposal across all sectors with 69% in agreement. Views that were frequently expressed in the responses included:

- Help meet the needs of larger properties.
- Improve heating efficiency.
- Benefits for rural homes
- Want to remove the limitation completely.
- Consider cumulative noise impact.
- The need for policy consistency across UK.
- Importance of MCS standards to prevent noise as a concern.

3.1.28 Some respondents responded “yes” but argue that limitations should be based on floor area or energy use rather than exclusively on detached dwellings and therefore might include other large dwellings of different types such as semi-detached properties.

Welsh Government Response

3.1.29 The consultation responses show strong support for allowing up to two heat pumps on a detached dwelling.

- 3.1.30 With regard to concerns raised about the cumulative noise impact of more than one ASHP, the noise limits and mitigation measures set out in MCS 020(a) will apply to two units, therefore two units in operation together must not exceed the 40db limit.
- 3.1.31 Whilst it is acknowledged that other dwelling types may also have greater than average heating demands, there are several issues that make broadening the permitted development right beyond detached dwellings potentially difficult. A dwelling size approach could be complex in terms of the variability in dwelling layout, determining what aspect of property size would be measurable, variability of dwelling proximity and heightened risk of noise and visual intrusions could be complex to monitor and enforce.
- 3.1.32 The Welsh Government considers the proposal is a reasonable and proportionate approach to addressing the needs of different property types. We are minded to proceed on this basis in the first phase of implementation, while giving consideration to how the approach should apply in sensitive areas as set out later in this report.

Question 5: Do you think that permitted development rights should permit the installation of ASHPs on or within the curtilage of a block of free-standing flats? Please provide your reasons

Statistical summary

Organisation	Yes	No	Don't Know
Business / Consultant	16	0	12
Government Agency / Other Public Sector	4	1	1
Local Planning Authority	5	7	2
Other Group or Individual (not listed above)	39	7	18
Professional Bodies/Interest Groups	8	3	3
Voluntary Sector / Community Groups	2	1	1
Total	74	19	37
Percentage	57	15	28

Key themes

3.1.33 The key themes in response to question 5 were as follows:

- The majority of respondents were supportive of the principle to allowing the installation of air source heat pumps (ASHPs) on or within the curtilage of blocks of free-standing flats.

Overview

3.1.34 There was support for this proposal across all sectors with 57% in agreement. Views that were frequently expressed in the responses included:

- Promotes energy efficiency and decarbonising housing stock.
- Ensures energy equity for flat occupants.
- Ownership complexities could make it difficult.
- Maintenance accessibility and fire safety should be considered.
- Acknowledge that space could be a constraint.
- Concerns regarding visual amenity impacts.
- Importance of MCS standards to prevent noise as a concern.
- Communal solution to low-carbon heating option may be better.
- Concerns regarding noise pollution and the cumulative impact on more than one ASHP.

3.1.35 Some respondents are of the view that full planning permission should remain for flats due to complexity. There are suggestions for the government to develop comprehensive strategies and issue guidance to assist local authorities and standardize decision-making, ensuring a balanced approach between facilitating installations and managing impacts.

Welsh Government Response

3.1.36 The consultation responses show support for permitting the installation of multiple ASHPs on a block of flats. However, whilst there is majority support for this proposal and recognition of the potential benefits and improved choice of heating such installations could offer, it is also clear from the responses that multiple ASHPs raise various issues which may have impacts on both residents of the flats and surrounding communities and environment.

3.1.37 The Welsh Government does not consider that the potential complexities of installing multiple air source heat pumps on a block of freestanding flats has been sufficiently resolved. Issues such as noise, siting, visual impact and other practical aspects of installation require further consideration. For this reason, the Welsh Government is not minded to proceed with this proposal at this time.

Correction

3.1.38 One respondent identified that the definition of dwellinghouse set out in Class J (Interpretation) of Part 40 of the GPDO defines a dwellinghouse so that it “includes a building which consists wholly of flats, or which is used for the purposes of a dwellinghouse”.

3.1.39 A correction is made to the consultation text related to this proposal. The consultation document stated that “Permitted development rights in Wales do not currently permit ASHPs on or within the curtilage of a block of flats”. This statement is incorrect. Part 40, Class G, states the installation, alteration or replacement of an air source heat pump on a dwellinghouse; or within the curtilage of a dwellinghouse, including on a building within that curtilage (subject to limitations) constitutes permitted development.

3.1.40 Under Part 40, section J – Interpretation, it states “dwellinghouse includes a building which consists wholly of flats or which is used for the purposes of a

dwellinghouse”. Therefore, under existing permitted development rights a single heat pump on a block of flats is currently permitted, and this will be retained.

**Question 6: Do you agree that ASHPs should be permitted on a wall fronting a highway (where the installation is not within a Conservation Area, on a listed building or on a scheduled monument)? If yes, do you think up to two ASHPs on a wall fronting a highway would be acceptable?
Please provide your reasons.**

Statistical Summary

Organisation	Yes	No	Don't Know
Business / Consultant	20	1	7
Government Agency / Other Public Sector	4	1	2
Local Planning Authority	5	9	1
Other Group or Individual (not listed above)	38	16	10
Professional Bodies/Interest Groups	10	1	3
Voluntary Sector / Community Groups	1	0	3
Total	78	28	26
Percentage	59	21	20

Key themes

3.1.41 The key themes in response to question 6 were as follows:

- The majority of respondents were supportive of the principle to allowing the installation of ASHPs on a wall fronting a highway (where the installation is not within a Conservation Area, on a listed building or on a scheduled monument).
- General support that conservation areas, listed buildings and scheduled ancient monuments should be excluded from the proposed change to permitted development rights.

Overview

3.1.42 There was support for this proposal across all sectors with 59% in agreement. Views that were frequently expressed in the responses included:

- Provides greater flexibility.
- Provides greater consumer choice.
- Encourages uptake of low-carbon heating systems.
- Helps Wales meet its net zero targets
- Helps alleviate fuel poverty
- Needs sensitive design and appropriate screening.
- Concerns regarding restrictions in sensitive buildings and within World Heritage Sites.
- The need for policy consistency across UK.

- No difference in amenity impacts between one and two units.
- Good design and screening (e.g. fencing, planting) encouraged to reduce visual impact.
- Installations should be subject to acceptable noise levels.
- The appearance of ASHPs will be normalised over time.

Views on up to two ASHPs on a wall fronting a highway

- 3.1.43 There were mixed views regarding the number of units permitted by this proposal. A number of respondents were supportive of the proposal to allow the installation of up to 2 ASHPs on a wall fronting a highway. Some suggest limiting to one, unless technically necessary. Some respondents suggested that the permitted development should include a requirement for planting or other screening methods to reduce visual impact.
- 3.1.44 A number of respondents noted that road traffic noise may mask ASHP noise, reducing impact on neighbours.

Heritage and Conservation Areas

- 3.1.45 Some respondents were of the view that the installation of ASHPs to the front of dwellings in conservation areas or on listed buildings or scheduled monuments should not be permitted. It was considered that any potential impacts to these heritage assets should be properly considered, which can only be done through the planning application process.
- 3.1.46 However, there was also acknowledgement from other respondents that the development is easily reversible and that consideration should be given to the granting of permitted development rights for the installation of ASHPs being extended to listed buildings, buildings in conservations areas and scheduled monuments.

Two ASHPs on a wall facing a highway

- 3.1.47 Of those that responded specifically to the question about two ASHPs on a wall facing a highway over a third indicated support for two ASHPs on a wall facing a highway, although some added caveats concerning location and design. It is unclear how many others supporting the first part of Q6 but who did not answer the second part were also supporting the two ASHPs.

Welsh Government Response

- 3.1.48 The consultation responses show support for the installation of an ASHP on a wall fronting a highway (where the installation is not within a Conservation Area, on a listed building or on a scheduled monument). Respondents expressed support for the improved flexibility this proposal would allow. A number of respondents felt the proposals strike a good balance between enabling uptake and protecting visual amenity where necessary.

- 3.1.49 In terms of the proposal to allow up to two ASHPs on a wall fronting a highway (not in a Conservation Area), it is considered to be a proportionate response to the urgent need for low-carbon heating solutions for domestic properties in Wales. Permitting up to two ASHPs on a wall fronting the highway, subject to compliance with size, noise, and design standards, represents a balanced approach that aligns with statutory provisions, national policy priorities, and the overarching imperative to reduce carbon emissions while safeguarding local amenity.
- 3.1.50 The Welsh Government considers the proposal is a reasonable and proportionate approach to making it easier to install an ASHP on different types of dwellings. We are minded to proceed on this basis in the first phase of implementation, while giving further consideration to how the approach should apply in sensitive areas.

Question 7: Do you agree that the limitation of not permitting the installation of an ASHP where a wind turbine is located in the curtilage of a dwelling should be removed? Please provide your reasons.

Statistical summary

Organisation	Yes	No	Don't Know
Business / Consultant	20	1	7
Government Agency / Other Public Sector	5	0	1
Local Planning Authority	13	1	1
Other Group or Individual (not listed above)	51	3	10
Professional Bodies/Interest Groups	10	0	3
Voluntary Sector / Community Groups	3	0	1
Total	102	5	23
Percentage	78	4	18

Key themes

3.1.51 The key themes in response to question 7 were as follows:

- The majority of respondents were supportive of the proposal to remove the limitation which restricts the installation of an ASHP if there is a wind turbine located in the curtilage of a dwelling.

Overview

3.1.52 There was strong support for this proposal across all sectors with 78% in agreement. Views that were frequently expressed in the responses included:

- Provides greater flexibility
- Enhances energy independence
- Visual impact of ASHP is negligible
- No valid reason why ASHPs and wind turbines can't be co-located on the same property.
- Supports both decarbonisation and energy resilience.

- Express a need to limit noise and adhere to MCS 020(a) standards

Government Response

- 3.1.53 The consultation responses show strong support for the removal of the limitation which restricts the installation of an ASHP if there is a wind turbine in located in the curtilage of a dwelling. Respondents expressed support for the improved flexibility this proposal would allow.
- 3.1.54 The Welsh Government considers that further evidence is required to understand the noise and potential visual impact of installing an ASHP in addition to a wind turbine in the curtilage of a dwelling. Issues such as noise, siting, visual impact and other practical aspects of installation requires further consideration. For this reason, the Welsh Government is not minded to proceed with this proposal.

Question 8: Do you agree that the limitations listed in paragraph 2.33 above (and in relation to paragraph 2.31-2.32) should include reference to restricting installations on a wall (or roof) of a dwellinghouse or within the curtilage of a dwellinghouse (including on a building within that curtilage) which fronts a highway in a Conservation Area? Please provide your reasons.

Statistical summary

Organisation	Yes	No	Don't Know
Business / Consultant	13	6	9
Government Agency / Other Public Sector	4	2	1
Local Planning Authority	12	2	1
Other Group or Individual (not listed above)	30	12	19
Professional Bodies/Interest Groups	10	1	4
Voluntary Sector / Community Groups	3	0	0
Total	72	23	34
Percentage	56	18	26

Key themes

- 56% of respondents noted that they would support the restriction of an installation on a wall (or roof) of a dwellinghouse or within the curtilage of a dwellinghouse (including on a building within that curtilage) which fronted a highway in a Conservation Area.
- Of those respondents that did not agree with the introduction of the limitations, some felt that Conservation Areas needed to be assessed individually and therefore a blanket approach could not be undertaken, whilst others said that the introduction would be overly restrictive and would inhibit the roll out of net zero initiatives.
- The majority of local authorities who responded to the consultation are supportive of the proposal.

Overview

3.1.55 There was a mixed response to this proposal across all sectors. Views that were frequently expressed in the responses included:

- Needed to maintain character and protect heritage assets, as well as visual amenity.
- Some respondents are of the view that the proposed restriction should be in place in other sensitive areas (including all Article 1(5) land, National Parks and National Landscapes)
- Could create an unnecessary barrier to heat decarbonisation in urban areas
- Some respondents consider this proposal to be too restrictive.

Government Response

3.1.56 The consultation responses show support for the inclusion of the limitation which restricts the installation of an ASHP on a wall (or roof) of a dwellinghouse or within the curtilage of a dwellinghouse (including on a building within that curtilage) which fronts a highway in a Conservation Area.

3.1.57 The purpose of National Parks is to conserve and enhance the natural beauty, wildlife and cultural heritage and to promote opportunities for the understanding and enjoyment of the special qualities by the public and to seek to foster the economic and social well-being of local communities within the National Parks. National Parks also include Conservation Areas which would be covered by this proposed limitation. Therefore, it is not considered that the visual impact of an ASHP on a wall or roof of a dwellinghouse which fronts a highway in the remaining area of a National Park (when considered alongside the other conditions that have to be met) would undermine the purpose of the National Park¹ and outweigh the benefits of low carbon technology opportunities for residents within the National Park. Local Planning Authorities, including National Parks can make Article 4(1) Directions that could limit permitted development rights in specific areas if there is clear evidence to support doing so.

3.1.58 The Welsh Government considers the proposal is a reasonable and proportionate approach to protect the setting of Conservation Areas. We are minded to proceed on this basis in the first phase of implementation.

Question 9: Do you agree that the other limitations listed in paragraph 2.33 above should remain unchanged? Please provide your reasons.

Statistical summary

Organisation	Yes	No	Don't Know
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¹ [National Parks and Access to the Countryside Act 1949](#)

Business / Consultant	11	4	13
Government Agency / Other Public Sector	4	1	1
Local Planning Authority	12	3	0
Other Group or Individual (not listed above)	18	12	31
Professional Bodies/Interest Groups	7	3	3
Voluntary Sector / Community Groups	2	0	1
Total	54	23	49
Percentage	43	18	39

Key themes

- 43% of respondents indicated that the other limitations listed in paragraph 2.33 of the consultation document should remain unchanged.
- Of those that agreed that the limitations should remain unchanged, some felt the current restrictions outlined in paragraph 2.33 are reasonable and that maintaining the restrictions will ensure that ASHP will not adversely impact local amenity.

Overview

3.1.59 There was a mixed response to this proposal across all sectors. Views that were frequently expressed in the responses included:

- The majority of respondents agreed that the restrictions contained in paragraph 2.33 of the consultation document are sufficient and appropriate, so should remain unchanged.
- Most Local Planning Authorities agreed with the question.
- Some respondents were of the view that restrictions should include National Parks and National Landscapes, as well as Conservation Areas and World Heritage Sites.
- Calls for the removal of the restriction where an ASHP is installed on a flat roof where it would be sited within one metre of the external edge of that roof
- A small number of respondents noted that the restrictions should be removed in their entirety as the restrictions are not keeping pace with technological changes. In essence, these restrictions inhibit the uptake of ASHP's.

Government Response

3.1.60 The Welsh Government considers the proposals proposed to be taken forward are sufficient in achieving a balance between improving the ease and opportunity for the adoption of ASHPs on domestic properties, and the importance of safeguarding residential amenity and visual amenity. We do not propose to take forward any other changes to the limitations contained in 2.33 of the consultation document at this time.

Question 10: Are there any other planning issues regarding ASHPs that you feel are not covered in the questions above and that you wish to raise?

Overview

3.1.61 Views that were frequently expressed in the responses included:

- There should be guidance produced to ensure that all interested parties are clear as to how the amended Permitted Development Rights should be interpreted. This will ensure that there is transparency, as well as consistent guidance produced.
- Consideration should be given to design, colour, materials, siting and acoustic barriers, and how these would / should work.
- Guidance should also be available for schemes which need planning permission.
- There should be standardised noise assessments.
- Views on whether there should be a fee necessary for installations which require planning permission.
- The monitoring of these changes should also be assessed, to better understand the impacts.

Government Response

3.1.62 Respondents provided useful feedback in this section. We will consider if it is necessary to produce guidance to accompany the proposed changes to permitted development rights.

3.2 Off-street Electric Vehicle (EV) charging

Question 11: Do you agree that the limitation stating wall-mounted outlets for EV charging cannot face onto and be within 2 metres of a highway should be removed? Please give your reasons.

Statistical summary

Organisation	Yes	No	Don't Know
Business / Consultant	15	3	10
Government Agency / Other Public Sector	3	0	1
Local Planning Authority	9	6	0
Other Group or Individual (not listed above)	39	6	11
Professional Bodies/Interest Groups	10	1	1
Voluntary Sector / Community Groups	4	0	1
Total	80	16	24
Percentage	67	13	20

Key themes

3.2.1 The key theme in response to question 11 was as follows:

- The majority of respondents were supportive of the proposal to remove the limitation that wall-mounted outlets cannot face onto or be within 2m of a highway.

Overview

3.2.2 There was support for this proposal across all sectors with 67% in agreement. Views that were frequently expressed in the responses included:

- The proposal would ensure consistency with Scotland and England.
- Removing this limitation may increase uptake of EV across Wales.
- Removing this limitation would provide greater flexibility in installation options.
- Consideration needs to be given to all areas of special historic interest, such as Conservation Areas and Listed buildings.
- Concerns about the visual impact of the consequences of this proposal.
- Concerns about cables overhanging the public highway.

Government Response

3.2.3 The responses reflect broad support for this proposal, emphasising increased consumer choice, flexibility, and adaptation to climate change. It is noted that the proposal would only support the charging of vehicles within the lawful off-street parking area only. The obstruction of a public highway by electrical cables or other related items may constitute an offence under the Highways Act 1980 and could be liable to fine or prosecution. There are concerns raised as to the impact that this will have on areas of special character (such as Conservation Areas and Listed Buildings).

3.2.4 We are committed to progressing amendments to the permitted development rights for electric vehicle charging. These changes will be taken forward when the necessary resources become available in a second phase of implementation, to ensure they are delivered effectively and in line with policy priorities. We will continue to monitor developments and maintain engagement with stakeholders to support future implementation.

Question 12: Do you agree that the permitted height of an upstand for EV charging located within the curtilage of a dwelling house or a block of flats should remain 1.6 metres? Please give your reasons.

Statistical summary

Organisation	Yes	No	Don't Know
Business / Consultant	12	2	14
Government Agency / Other Public Sector	2	1	1
Local Planning Authority	14	0	1
Other Group or Individual (not listed above)	29	9	18
Professional Bodies/Interest Groups	6	2	5

Voluntary Sector / Community Groups	2	1	2
Total	65	15	41
Percentage	54	12	34

Key themes

3.2.5 The key theme in response to question 12 was as follows:

- There was moderate support for the height of an upstand for EV charging located within the curtilage of a dwelling or block of flats to remain at 1.6m.

Overview

3.2.6 There was a mixed response to this proposal across all sectors. Views that were frequently expressed in the responses included:

- Some respondents expressed support for an increase in height of EV upstands within the curtilage of a dwelling or block of flats from 1.6 metres to up to 2.74 metres.
- The proposal would ensure consistency with England.
- Increasing the height limitation may increase uptake of EV across Wales.
- Increasing the height of upstands would provide greater flexibility in installation options.
- Consideration needs to be given to all areas of special historic interest, such as Conservation Areas and Listed buildings.
- Concerns were raised that in a domestic setting, the increase of an upstand height to up to 2.7 metres may have an unacceptable impact on the visual amenity of the area.
- Taller units may appear intrusive, and at night may have lighting that will exacerbate any visual impact.

Government Response

3.2.7 The responses reflect moderate support for a policy change to allow upstands up to 2.7m, emphasising increased consumer choice, flexibility, and adaptation to climate change. However, concerns are raised regarding the potential visual impacts of allowing an increase in height of upstands, including the potential impact it could have on areas of special character (such as Conservation Areas and Listed Buildings).

3.2.8 We do not propose to make any changes to the height of EV charging upstands under permitted development rights at present.

Question 13: Do you agree that the permitted height of an upstand for EV charging located in an area lawfully used for off-street parking, but which is not within the curtilage of a dwelling house, or a block of flats should be increased from 1.6 metres to 2.7 metres? Please give your reasons

Statistical summary

Organisation	Yes	No	Don't Know
Business / Consultant	15	3	9
Government Agency / Other Public Sector	2	0	2
Local Planning Authority	9	4	2
Other Group or Individual (not listed above)	26	13	17
Professional Bodies/Interest Groups	9	2	1
Voluntary Sector / Community Groups	2	0	3
Total	63	22	34
Percentage	53	18	29

Key themes

3.2.9 The key theme in response to question 13 was as follows:

- There was moderate support for increase of EV upstands from 1.6m to up to 2.7m. A high proportion of respondents answered 'don't know' as their answer.

Overview

3.2.10 There was a mixed response to this proposal across all sectors. Views that were frequently expressed in the responses included:

- The proposal would ensure consistency with England.
- Removing this limitation may increase uptake of EV across Wales.
- Removing this limitation provide greater flexibility in installation options.
- Larger upstands require additional space for power units and cabinets, cooling systems and potentially battery storage.
- Non-residential spaces need flexibility for high- capacity charging.
- Consideration needs to be given to all areas of special historic interest, such as Conservation Areas and Listed buildings.
- Concerns about the visual impact of the consequences of this proposal.
- Potential impact of lighting on charging columns on the area as well as on ecology.

3.2.11 It was noted by several respondents that the larger rapid chargers also require a high flow of cooling area, which could be noisy. Some respondents noted that a taller height unit could lead to an increase in detrimental visual impact in area, especially at night, when these upstands are lit up brightly.

Government Response

3.2.12 The responses reflect broad support for this policy change, emphasising increased consumer choice, and flexibility, however, concerns are raised as to the impact that this will have on areas of special character (such as Conservation Areas and Listed Buildings), as well as the visual impact that this will have on local areas, as well as the ecological impact caused by lighting.

3.2.13 We are committed to progressing amendments to the permitted development rights for electric vehicle charging. These changes will be taken forward when the necessary resources become available in a second phase of implementation, to ensure they are delivered effectively and in line with policy priorities. We will continue to monitor developments and maintain engagement with stakeholders to support future implementation.

Question 14: Do you consider that there should be a minimum buffer between a 2.7 metre EV charging upstand and a residential property (including flats)?

Statistical summary

Organisation	Yes	No	Don't Know
Business / Consultant	10	4	14
Government Agency / Other Public Sector	1	1	2
Local Planning Authority	13	0	2
Other Group or Individual (not listed above)	16	19	20
Professional Bodies/Interest Groups	5	1	5
Voluntary Sector / Community Groups	3	1	1
Total	48	26	44
Percentage	41	22	37

Key themes

3.2.14 The key theme in response to question 14 was as follows:

- There was a mixed response to the proposal to have a minimum buffer between a 2.7m EV charging stand and a residential property.
- A high number of respondents answered 'don't know' to the question.

Overview

3.2.15 There was a mixed response to this proposal across all sectors. Views that were frequently expressed in the responses included:

- A buffer is seen as being necessary to mitigate noise, light, visual impacts and for fire safety.
- Screening in areas within close proximity to sensitive landscape and heritage assets could be beneficial.
- Some respondents considered a buffer could limit the number of upstands that could be placed in an area
- Adding a buffer would not be consistent with England.

Government Response

- 3.2.16 The responses reflect uncertainty regarding this proposal and suggest that further studies should be undertaken of the various potential impacts to assess an appropriate buffer size.
- 3.2.17 At present, it is considered that additional research and comprehensive analysis are necessary to ensure that any future changes are robust, evidence-based, and aligned with best practice.

Question 15: Do you agree that the restriction preventing the installation of an electrical upstand facing onto and within two metres of a highway should be removed? Please give your reasons.

Statistical summary

Organisation	Yes	No	Don't Know
Business / Consultant	15	2	11
Government Agency / Other Public Sector	2	0	2
Local Planning Authority	9	3	3
Other Group or Individual (not listed above)	37	8	12
Professional Bodies/Interest Groups	10	1	2
Voluntary Sector / Community Groups	4	0	1
Total	77	14	31
Percentage	63	11	25

Key themes

3.2.18 The key theme in response to question 15 was as follows:

- The majority of respondents were supportive of the proposal to remove the limitation that electrical upstand cannot face onto or be within 2m of a highway.

Overview

3.2.19 There was support for this proposal across all sectors with 63% in agreement. Views that were frequently expressed in the responses included:

- The proposal would ensure consistency with England.
- Removing this limitation may increase uptake of EV across Wales.
- Removing this limitation provide greater flexibility in installation options.
- Consideration needs to be given to all areas of special historic interest, such as Conservation Areas and Listed buildings.
- Some respondents need more information before feeling able to comment on this proposal.
- Increased street clutter

Government Response

3.2.20 It is noted that the proposal would only support the charging of vehicles within the lawful off-street parking area only.

3.2.21 The responses reflect a general agreement with this proposal, as this has the potential to increase uptake of EV across Wales, especially as it will bring legislation in line with England. Additional concerns are raised regarding the impact that this removal would have on visual amenity, as well as the impact on heritage assets.

3.2.22 We are committed to progressing amendments to the permitted development rights for electric vehicle charging. These changes will be taken forward when the necessary resources become available in a second phase of implementation, to ensure they are delivered effectively and in line with policy priorities. We will continue to monitor developments and maintain engagement with stakeholders to support future implementation.

Question 16: Do you agree that permitted development rights should allow for the installation of a unit for equipment housing or storage cabinets needed to support non-domestic upstands for EV recharging? Please give your reasons

Statistical summary

Organisation	Yes	No	Don't Know
Business / Consultant	16	1	11
Government Agency / Other Public Sector	2	0	2
Local Planning Authority	13	1	1
Other Group or Individual (not listed above)	38	4	15
Professional Bodies/Interest Groups	10	0	1
Voluntary Sector / Community Groups	3	0	2
Total	82	6	32
Percentage	68	5	27

Key themes

3.2.23 The key theme in response to question 16 was as follows:

- The majority of respondents were supportive of the proposal to allow for the installation of a unit for equipment housing/ storage cabinets to support non-domestic upstands for EV charging.

Overview

3.2.24 There was support for this proposal across all sectors with 68% in agreement. Views that were frequently expressed in the responses included:

- Aligns Wales with England and Scotland's provisions
- Facilitate faster deployment of EV charging methods

- Reduce planning delays and costs
- Support and expand reliable and accessible EV charging network
- Support net zero goals.
- equipment housing is critical for high-powered commercial EV chargers and associated apparatus. Allowing these under PDR would streamline deployment and support EV uptake.
- Need to consider the size, location, visual impact, and noise of equipment housing to protect amenity, especially in sensitive or residential areas. Concerns regarding noise impacts associated with larger EV housing cabinets.
- Concerns that the scale of such a unit may a detrimental visual impact and that suitable separation distances should be introduced.
- Larger units may result in loss of green space or existing car parking facilities.
- Consideration needs to be given to all areas of special historic interest, such as Conservation Areas and Listed buildings.

Government Response

- 3.2.25 The majority of consultees responding to this question are in favour of allowing installation of equipment housing or storage cabinets for non-domestic electric vehicle (EV) charging infrastructure. However, the Welsh Government recognises the concern expressed by a number of respondents, including local planning authorities, that units of this scale may have certain impacts on amenity, and or affect highways, parking spaces and the amount of landscaping present at a particular site.
- 3.2.26 We are committed to progressing amendments to the permitted development rights for electric vehicle charging. These changes will be taken forward when the necessary resources become available in a second phase of implementation, to ensure they are delivered effectively and in line with policy priorities. We will continue to monitor developments and maintain engagement with stakeholders to support future implementation.

Question 17: Do you agree with the other proposed limitations for units for equipment housing or storage cabinets, including the size limit of up to 29 cubic metres and no more than one unit per car park? Please give your reasons.

Statistical summary

Organisation	Yes	No	Don't Know
Business / Consultant	10	4	13
Government Agency / Other Public Sector	1	2	2
Local Planning Authority	9	5	1
Other Group or Individual (not listed above)	18	13	25
Professional Bodies/Interest Groups	6	2	2
Voluntary Sector / Community Groups	3	0	2

Total	47	26	45
Percentage	40	22	38

Key themes

3.2.27 The key theme in response to question 17 was as follows:

- There was a mixed response to the proposal to have a size limit for units for equipment housing/ storage and a limit to the number of units to one per car park.
- A high number of respondents (38%) answered 'don't know' to the question.

Overview

3.2.28 There was a mixed response to this proposal across all sectors. Views that were frequently expressed in the responses included:

- Proposed size limit would align with England's provisions.
- Proposed size limit is considered either too big or too restrictive or small.
- Restricting to one unit per car park could be limiting especially for large or multi-storey car parks that may require multiple units for adequate charging capacity.
- Varying technology means that some setups could need multiple cabinets.
- Concerns about potential negative effects on local amenity, landscape, conservation areas, listed buildings, and designated landscapes.
- Potential loss of green infrastructure.
- Call for a clearer definition of what constitutes a "car park" for permitted development rights purposes to provide certainty, especially in communal or complex sites.

Government Response

3.2.29 40% of those responding to this question support in principle the proposed size limit, one unit per car park, and other proposed limitations on siting and design. However, the Welsh Government recognises that some respondents whilst supportive are also either concerned about potential amenity impacts of installing such units or believe the proposed limitations are too restrictive.

3.2.30 The Welsh Government acknowledges that the proposed limits on the size and number of units may not accommodate the needs of all electric vehicle (EV) charging scenarios. However, the planning system is designed to balance competing needs and priorities in the public interest. This proposal seeks to support the delivery of EV charging infrastructure within off-street parking areas, while also considering potential impacts on local amenity. The Welsh Government considers that the proposal broadly strikes the right balance, and the consultation responses generally support this approach.

3.2.31 The Welsh Government will consider the need to incorporate additional limitations or conditions to help address concerns raised by some respondents, including a number of local authorities, to help minimise potential impacts.

3.2.32 We are committed to progressing amendments to the permitted development rights for electric vehicle charging. These changes will be taken forward when the necessary resources become available in a second phase of implementation, to ensure they are delivered effectively and in line with policy priorities. We will continue to monitor developments and maintain engagement with stakeholders to support future implementation.

Question 18: Are there any other planning issues regarding EV Chargers located on an area lawfully used for off-street parking that you feel are not covered in the questions above and that you wish to raise?

Overview

3.2.33 Consultation responses highlighted a number of further issues regarding EV chargers, some of which are related to the PDR proposals and some of which are beyond the scope of the consultation.

3.2.34 Views that were frequently expressed in the responses included:

- Call to enable street integrated EV charging for residents without driveways.
- EV chargers should be accessible to individuals with disabilities, ensuring charging points are within reach, unobstructed, and positioned to maintain pathway safety, with equipment housing placed to avoid obstruction.
- Support expressed for promoting bi-directional charging technology, especially in rural areas prone to power interruptions.
- A clear definition of "area lawfully used for off-street parking" is needed.
- Clear guidance should be provided to LPAs on the options for on-street charging using home supplies.
- EV charger installations on existing car parks should not require traffic or trip generation data in planning applications, as they do not change site use or vehicle activity materially.
- Consideration should be given to flood risk in relation to EV charging development.
- Support for harmonising EV charger installation provisions across devolved governments and the UK to reduce complexity and streamline processes for contractors and users alike.

Government Response

3.2.35 The current proposals to amend PDRs for EV chargers located on an area lawfully used for off-street parking does not include within its scope on street parking or issues pertaining to cross pavement infrastructure. Neither do the PDRs cover accessibility arrangements, or canopies.

- 3.2.36 Whilst there is not a statutory definition of an area lawfully used for off street parking this is normally interpreted as land used for off street parking which has planning permission for such a use or where it is an established lawful use.
- 3.2.37 Respondents provided useful feedback in this section. We will consider if it is necessary to produce guidance to accompany any future proposed changes to permitted development rights.
- 3.2.38 We are committed to progressing amendments to the permitted development rights for electric vehicle charging. These changes will be taken forward when the necessary resources become available in a second phase of implementation, to ensure they are delivered effectively and in line with policy priorities. We will continue to monitor developments and maintain engagement with stakeholders to support future implementation.

3.3 Temporary change of use of land for camping

Question 19: Do you agree with the proposed new class within Part 4 of Schedule 2 of the 1995 Order as outlined above, permitting temporary recreational campsites for up to 60 days in a calendar year? Please provide your reasons.

Statistical summary

Organisation	Yes	No	Don't Know
Business / Consultant	13	1	11
Government Agency / Other Public Sector	1	1	2
Local Planning Authority	8	6	1
Other Group or Individual (not listed above)	36	15	14
Professional Bodies/Interest Groups	6	2	2
Voluntary Sector / Community Groups	3	2	0
Total	67	27	30
Percentage	54	22	24

Overview

- 3.3.1 The majority of respondents supported the proposal to extend the duration of permitted development rights for temporary land uses as proposed in the consultation document.
- 3.3.2 Views that were frequently expressed in the responses included:
- The proposal would support rural diversification, and viability of rural hospitality uses.
 - Some respondents of the view that current 28-day provision was not a sufficient duration for such proposals to become economically viable.

- Concerns that the proposals would clash with Article 4(1) Directions which may come into force in different areas.
- Easing PDRs would enable businesses to flourish and to test certain business ideas in the first place.
- Some respondents suggest a need for further advice from NRW and Dwr Cymru Welsh Water in relation to Habitats Regulations Assessment to enable front-loading of the prior approval process.
- Several respondents proposed that a limit to the number of camping pitches be introduced, as is the case in England, where permitted development rights extend to 50 or less pitches only.

3.3.3 It is noted that of the “no” responses, 13 were either opposed to the principle of temporary campsites in general or to the provision of campsites in National Parks.

3.3.4 Some respondents appear to have incorrectly interpreted the consultation as proposing that Article 4(1) Direction to prevent camping uses be constrained only to the presence of highways issues. The responses express a view that the proposal fails to have regard to the statutory duties of National Parks and the Conservation of Habitats and Species Regulations 2017.

Government Response

3.3.5 The majority of respondents supported the proposal to extend the duration of permitted development rights for temporary land uses as proposed in the consultation document and we are minded to implement the proposal as proposed within the first phase of implementation.

3.3.6 We note the concerns raised by a number of respondents relating to the temporary use of land for camping in National Parks. We note the statutory purposes for National Parks. Promoting public enjoyment of the special qualities which lead a national park to be designated as such, can include camping, both as a direct experience of the tranquillity of the rural experience, and also to as an enabler for access to other characteristics.

3.3.7 Camping is an accommodation option which enables closer proximity and experience of the special characteristics of national parks and other landscapes and also provides accommodation opportunities which are significantly lower in cost than more traditional accommodation options. Reducing or withdrawing the ability to camp in large areas of Wales, where it currently exists, would disproportionately affect families and individuals with lower incomes. It would also impact the rural diversification opportunities available to farm owners and operators within those areas.

3.3.8 We also note comments highlighting the Sandford Principle, which suggests that where there is a conflict between the two statutory purposes, precedence should be given to the conservation of natural beauty. We do not agree that the existence of permitted development rights for temporary camping inherently affects the ability National Park Authorities to carry out their duties and pursue both statutory purposes. Where Park Authorities see a specific need to do so they

can introduce a Direction under Article 4(1) of the 1995 Order, withdrawing this, and requiring the submission of a planning application. The relevant Park Authority would be required to provide evidence to justify the extent and form of a Direction.

- 3.3.9 Some respondents, including National Park Authorities, appear to misunderstand the reference to use of Directions under Article 4(1). The consultation document did not propose to limit or constrain the use of such a Direction in relation to camping activity, nor will we seek to do so in the drafting of an amendment Order.
- 3.3.10 Several LPAs raised concerns about resources for enforcement, and the accurate measurement of days of operation. Enforcement of planning control is a routine matter for LPAs, and this requirement already exists under the current permitted development rights regime. The Welsh Government is in the process of substantively increasing planning fee income in order to inject much needed resource into local planning departments. It is for LPAs to allocate this resource to planning functions, including enforcement, as they deem appropriate.
- 3.3.11 A number of respondents highlighted a perceived conflict between the proposed extension of temporary uses and other regulatory regimes. The proposals seek to do no more than extend the number of days to those already permitted; they do not seek to revise the duty to comply with legislative requirements from any other regulatory regime, nor could planning law be used to do so. These issues should continue to be addressed in future as they are under the broader regulatory framework.
- 3.3.12 Regulation 75 of the Conservation of Habitats and Species Regulations 2017 states that where planning permission is granted by Development Order (such as the 1995 Order), development which is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects), and is not directly connected with or necessary to the management of the site, must not be begun until the developer has received written notification of the approval of the LPA under Regulation 77. This duty remains unchanged.

Question 20a: Do you agree with the proposed limitation on the temporary use of land for camping within 100 metres of the curtilage of a “protected building”? Please provide your reasons.

Statistical summary

Organisation	Yes	No	Don't Know
Business / Consultant	6	5	14
Government Agency / Other Public Sector	2	0	1
Local Planning Authority	7	6	2
Other Group or Individual (not listed above)	22	22	21
Professional Bodies/Interest Groups	2	5	3
Voluntary Sector / Community Groups	4	0	1

Total	43	38	42
Percentage	35	31	34

Overview

3.3.13 Responses to this question were closely balanced in support of and in opposition to the proposal. Views that were expressed in the responses included:

- 100m boundary in relation to a “protected building” is considered too onerous and unreasonable. Concerns raised that the introduction of the 100m boundary would result in the withdrawal of permission for business operation.
- Some respondents consider the 100m boundary as not justified with evidence to support the diminution of noise impact over this distance.
- 100m boundary considered insufficient for the protection of the amenity of local residents.
- 100m buffer considered too onerous an obligation and suggested that a smaller buffer distance was required.
- A number of respondents considered the 100m buffer should be larger
- Suggestions that the definition of a protected dwelling should be broadened.

Government Response

3.3.14 Having considered the consultation responses regarding the proposed 100 metre radius around a protected building, we have consulted further with public health and planning professionals on the issue. It is not possible to set a consistent distance on a national basis for the dissipation of sound arising from an in-use campsite, as this is subject to very local circumstances, including urban and rural levels of ambient noise.

3.3.15 In the absence of any suggested alternative, we will seek to introduce a definition of “protected building” within amendments to the 1995 Order in the first phase of implementation, withdrawing permitted development rights within 100 metres of such a building. Where temporary campsites are already operating inside this area, they will be required to seek planning permission to continue this use following the coming into force of the amendment to the 1995 Order. As planning permission has been withdrawn by an Order, there would be no fee for submission of such an application. Where an LPA refuses permission for such an application, the applicant may be entitled to compensation from the LPA. The applicant would also be entitled to appeal to the Welsh Ministers against refusal.

3.3.16 A number of respondents suggested additional factors which could be taken into consideration as part of the prior notification process. We will give these further consideration when drafting the Order.

Question 20b: Do you agree with the list of land types excluded from the new class?

Statistical summary

Organisation	Yes	No	Don't Know
Business / Consultant	4	2	18
Government Agency / Other Public Sector	1	2	1
Local Planning Authority	7	7	1
Other Group or Individual (not listed above)	18	16	28
Professional Bodies/Interest Groups	5	2	3
Voluntary Sector / Community Groups	4	1	0
Total	39	30	51
Percentage	33	25	43

Overview

- 3.3.17 Our analysis of the responses to this question includes suggestions for inclusion of additional land designations raised in responses to other questions.
- 3.3.18 A number of stakeholders, including LPAs, RTPI, Cadw, Landscapes Wales and community groups associated with National Parks proposed the broadening of the definition of protected areas to include land subject to various statutory designations, including:
- The entirety of the National Parks
 - Areas of Outstanding Natural Beauty
 - Sites of special Scientific Interest
 - Land within Special Areas of Conservation
 - Ramsar sites
 - Special Protection Areas
 - World Heritage Sites
 - Registered Parks and Gardens
 - Land within 100m of a Scheduled Monument or Listed Building; and
 - Ancient woodland
- 3.3.19 The National Park Authorities and Landscapes Wales also referred to the statutory purposes of the National Parks. In the cases of all the above designations, respondents observed that the intensification of temporary land use from 28 to 60 days raises an increased likelihood of impact arising in these designated areas.
- 3.3.20 There were conflicting views on including Listed Buildings, their curtilage and their setting within this designation. Some respondents who manage Listed Buildings raised concerns that the income generated from temporary campsites and used to maintain the Listed Building would be lost. Other respondents were keen that revisions to the 1995 Order sought to protect the curtilage and setting of Listed Buildings.

3.3.21 The Office for Nuclear Regulation also requested that designation be extended to areas defined under the Radiation (Emergency Preparedness and Public Information) Regulations 2019 as a detailed emergency planning zone.

Government Response

3.3.22 As addressed in our response to Question 19, we do not support the withdrawal of the existing planning permission for temporary use of land for camping across the entirety of National Parks and AONBs in Wales. We have addressed the Sandford Principle and the potential uses of Article 4(1) Directions in our response to question 19. We note however, the possibility of adverse landscape impacts arising from intensification of temporary use. We agree that a planning application should be required the level of scrutiny required to assess whether this intensification of use in a Protected Landscape would be acceptable.

3.3.23 Other than landscape impacts, stakeholders agreed with the proposed exclusion list and identified statutory designations within which camping for any duration may raise planning impacts that require scrutiny through the submission of a planning application. This included the safety of campers, the potential for ecological damage or significant impacts on heritage assets. As some of these impacts could be permanent or cause irreversible harm, we are minded to exclude them from the new provisions. Not all suggested designations have been included, as we have sought a proportional response to the impacts identified. For those designated areas of land excluded from the proposed PDR, the submission of a planning application would enable the attachment of a condition, where consent is granted, to ensure appropriate mitigation is provided.

3.3.24 Within the first phase of implementation, we propose, to introduce a new PDR class containing two timescales:

- 28 days – where land falls within a national park, AONB or World Heritage Site; and
- 60 days everywhere else, except for land types below.

For both periods of time, development would not be permitted:

- a) in a special area of conservation;
- b) in a site of special scientific interest;
- c) on a site of a scheduled monument; or
- d) in a safety hazard area
- e) in a military explosives storage area;
- f) on a site of special scientific interest;
- g) in a special protection area;
- h) on a Ramsar site;
- i) on a site of a listed building;
- j) within Flood Zones 2 or 3.

Question 21: Are there any other planning issues regarding temporary campsites that you feel are not covered in the questions above and that you wish to raise?

Overview

- 3.3.25 A number of respondents identified additional land designations which could potentially fall within the definition of protected land where permitted development rights for camping should not be granted.
- 3.3.26 A number of respondents reiterated their objection in principle to the grant of permitted development rights for campsites in National Parks, which are substantively addressed in our response to Question 19. Others who owned or operated campsites supported the principle of parity with England for a duration of 60 days of permitted use in each calendar year.
- 3.3.27 A number of respondents suggested that the amendment should introduce a cap on pitch size such the 50-pitch limit introduced under the English legislative change. Others suggested the change should prevent the use of adjoining or nearby sites from being used for camping in an attempt to circumvent the 60-day limit. Some respondents considered that the prior notification should include formal notification of camping dates. One respondent suggested that these rules should not apply to friends or family of the landowner.
- 3.3.28 A number of respondents observed that the installation of structures to support temporary campsites would require planning permission. Others observed that the camping and caravan exemption certificate process adds an additional factor of complexity due to the exemptions granted under those regimes.

Government Response

- 3.3.29 The issues surrounding the inclusion of the entirety of National Parks within the definition of protected land are addressed in our response to Question 19. We do not consider that the introduction of a cap on the number of pitches, combined with the introduction of a new exclusion zone within 100 metres of a protected dwelling, and the proposed broader definition of excluded land, would be a proportionate response to the issues caused by intensification of camping uses.
- 3.3.30 We propose to introduce a new prior approval process for campsites as part of the first phase of implementation. This would be a two stage process, enabling LPAs to screen out any sites at early stage where disposal of waste water, and site access are unlikely to be of concern. A second stage would enable an LPA to consider these two issues in more detail, consulting statutory consultees where necessary.
- 3.3.31 We do not intend to introduce a fee for consideration of this prior approval request, at this stage. We will, however, keep the volume of such applications under review in collaboration with LPAs, and should the workload required to process them justify it, consider introducing the appropriate fee in due course.

3.4 Reverse Vending Machines

Question 22: Do you agree with the revised dimensions for permitted development for RVM outbuildings, to a maximum of 40 square metres, and to a maximum height of 3.5 metres? Please provide your reasons.

Statistical summary

Organisation	Yes	No	Don't Know
Business / Consultant	6	2	15
Government Agency / Other Public Sector	2	0	1
Local Planning Authority	8	2	3
Other Group or Individual (not listed above)	20	5	25
Professional Bodies/Interest Groups	3	0	4
Voluntary Sector / Community Groups	0	0	3
Total	39	30	51
Percentage	33	25	43

Overview

3.4.1 A number of respondents were uncertain about the proposed size dimensions for Reverse Vending Machines (RVMs) given the lack of certainty surrounding uptake of their installation. Views that were expressed in the responses included:

- Concern regarding visual and amenity impact.
- Concern that the proposals do not define a type or size of commercial property where such RVMs would be constructed.
- Some respondents emphasised the need for consistency across administrations.
- The need to explore the proximity of RVMs to the curtilage of a dwelling and how this might affect uptake in urban settings.

Government Response

3.4.2 The Welsh Government remains committed to the introduction of a DRS and the provision of PDRs to support this as part of a second phase of implementation. I

3.4.3 The detail of which retailers will be required to operate a DRS, and whether that function includes self-service machines or an over-the-counter DRS service will be resolved by the governance body responsible for developing and implementing the DRS scheme. Proposals for the drinks container return scheme are [currently subject to further consultation by Welsh Government](#).

3.4.4 The Welsh Government has decided to bring glass recycling within the scope of the DRS regime, which raises distinct issues warranting a separate approach to permitted development rights compared to other UK administrations. In addition, the proposals set out in the consultation paper include dimensions for outbuildings

based on measurement of existing market products and their suitability for use in Wales.

- 3.4.5 We consider that the proposed dimensions make a suitable compromise between enabling installation of external RVMs in suitable locations using proven technology without creating impact due to massing or scale. These measurements include the provision of any awnings or dressing for such installations. Should operators wish to install larger RVMs than those permitted under these changes in order to secure continuity with practices elsewhere, they can seek to do so by applying for planning permission.
- 3.4.6 As with all other proposals in this consultation, there will be local circumstances where the introduction of such PDRs is not suitable, and the relevant LPA can consider the introduction of an Article 4(1) Direction.

Question 23: Do you agree that DRS should not be subject to any specific exceptions relating to advertisement consent and should be subject to the same constraints as exist for other similar developments, such as cashpoints? Please provide your reasons.

Statistical summary

Organisation	Yes	No	Don't Know
Business / Consultant	6	1	16
Government Agency / Other Public Sector	2	0	1
Local Planning Authority	12	1	1
Other Group or Individual (not listed above)	22	2	24
Professional Bodies/Interest Groups	3	0	3
Voluntary Sector / Community Groups	1	0	2
Total	46	4	47
Percentage	47	4	48

Overview

- 3.4.7 The proposal to offer no specific exemption to the Town and Country Planning (Control of Advertisements) Regulations 1992 for DRS was broadly supported by respondents.

Government Response

- 3.4.8 It is considered that the 1992 Regulations sufficiently address concerns raised, including the requirement for all illuminated signs to be subject to express consent. We will not introduce any specific amendments to the 1992 Regulations relating to RVMs.

Question 24: Do you agree that 15 metres distance from the curtilage of a building which is used for residential purposes is a sufficient distance to

mitigate the noise impact of recycling of glass? If not, do you have any information which would assist in justification of a differing distance? Please provide your reasons.

Statistical summary

Organisation	Yes	No	Don't Know
Business / Consultant	5	3	15
Government Agency / Other Public Sector	2	1	0
Local Planning Authority	2	6	6
Other Group or Individual (not listed above)	15	9	25
Professional Bodies/Interest Groups	0	2	5
Voluntary Sector / Community Groups	0	2	1
Total	24	23	52
Percentage	24	23	53

Overview

- 3.4.9 Many respondents raised concerns that the requirement to recycle glass would cause an additional amenity impact due to the increased acoustics from recycling of glass, even where “soft drop” mechanisms were employed to reduce breakage. A number expressed concerns that the proposed 15m distance from the curtilage of a dwelling was not suitable for ensuring the protection of amenity.
- 3.4.10 A number of respondents also noted that the noise impact arising from glass recycling would change due the background noise profile of the setting, which would differ during hours of darkness.

Government Response

- 3.4.11 The Welsh Government’s proposals to introduce RVMs include a provision excluding development with 15m of the curtilage of a dwelling, as introduced in Scotland and proposed in England. Uniquely, the Welsh Government proposes to take forward a glass recycling requirement which was consulted upon in the 2021 exercise, but not introduced in England or Scotland, and so not reflected in the PDR changes already introduced in Scotland.
- 3.4.12 Whilst there is some support for non-glass recycling, the potential adverse noise and soundscape impact arising from the recycling of glass in RVMs, whether in crushing or “soft drop” methods has given rise to thoughtful responses from consultees which require further consideration.
- 3.4.13 We will engage further with expert stakeholders to identify whether a suitable suite of PDRs could be introduced in a second phase of implementation, specifically for RVMs offering glass recycling. This may including a sound dampening requirement, increased amenity distance and restricted hours of operation.

Question 25: Do you consider the other limitations to the new permitted development class under Part 42 of Schedule 2 of the 1995 Order are acceptable? Please provide your reasons

Statistical summary

Organisation	Yes	No	Don't Know
Business / Consultant	5	1	15
Government Agency / Other Public Sector	2	1	0
Local Planning Authority	11	1	2
Other Group or Individual (not listed above)	14	2	33
Professional Bodies/Interest Groups	3	0	2
Voluntary Sector / Community Groups	0	0	3
Total	35	5	55
Percentage	37	5	58

Overview

3.4.14 A number of respondents were uncertain about the limitations to the new permitted development class under Part 42 of Schedule 2 of the 1995 Order. Views that were expressed in the responses included:

- Insufficient detail in the consultation proposal about proximity to the highway to know whether they would be required to apply for planning permission for many sites.
- Concerns regarding potential adverse impact for pedestrians, particularly those who are visually impaired.
- World Heritage Sites, and the curtilage of a Listed Building should be included within the limitation.
- Consider the siting of RVMs should not include land which is liable to flood risk, trees or result in the loss of parking spaces.

Government Response

3.4.15 World Heritage sites and the curtilage of Listed Buildings are already included as the final bullet under para 6.6 of the consultation document, which sets out the proposed revision to Part 42 of Schedule 2 of the 1995 Order. We consider the detail of the proposed changes are sufficient to address whether planning permission is required for frontages along the highway, when assessing the detail of specific sites.

3.4.16 Site operators must accord with the conditions for any planning permission already granted, such as minimum provision of parking spaces for customers. Where these are met then the conversion of additional parking spaces to a site for a DRS installation would be an operational matter.

3.4.17 We note the observation regarding flood risk. Technical Advice Note (TAN) 15: Development, flooding and coastal erosion states that “waste disposal facilities proposed in areas without existing flood defence infrastructure that are regularly or

potentially subject to flooding are unlikely to be acceptable”. When taking forward this PDR in a second phase of implementation, we will include land within flood zones 2 and 3 within the limitation, meaning development will not be permitted in these areas without applying for planning permission. Development of DRS schemes in these areas would then be subject to a flood consequences assessment, which would identify the potential effects of pollution to surface and groundwater.

Question 26: Are there any other planning issues regarding reverse vending machines that you feel are not covered in the questions above and that you wish to raise.

Overview

- 3.4.18 Respondents observed that the installation of RVMs should take account of the need for sufficient parking space to both enable their use and to prevent the loss of parking spaces due to their installation. Some respondents observed that the installation of RVMs could adversely affect compliance with conditions associated with the grant of planning permission.

Government Response

- 3.4.19 We have addressed the need for compliance with existing conditions under our response to Question 25. We will have further regard to the need to impose conditions on hours of operation matching the hours of operation of the relevant business, when considering measures to protect the soundscape from recycling of glass, as outlined under our response to Question 24.

3.5 Development by Statutory Undertakers – Electricity

Question 27: Do you agree the definition of statutory undertakers should be revised to enable the provision of smart meter services? Please provide your reasons.

Statistical summary

Organisation	Yes	No	Don't Know
Business / Consultant	9	0	12
Government Agency / Other Public Sector	2	0	1
Local Planning Authority	12	1	1
Other Group or Individual (not listed above)	23	7	17
Professional Bodies/Interest Groups	5	0	1
Voluntary Sector / Community Groups	3	0	0
Total	54	8	32
Percentage	57	9	34

Overview

- 3.5.1 A small number of respondents opposed the general principle of use of smart meters however these comments are not pertinent to the question.
- 3.5.2 Respondents agreeing with the proposal identified benefits from including smart meter services within this definition, which included increased uptake of smart meters, which would in turn inform decision-making by customers about consumption of electricity and competition between suppliers, as well as modernisation of domestic energy infrastructure.

Government Response

- 3.5.3 There is general consensus supporting this change which we are minded to introduce within a second phase of implementation.

Question 28: Do you agree with the increase in volume of permitted development of an electricity installation from 29 cubic metres to 45 cubic metres, subject to the proposed revised constraints of any replacement installation not exceeding 3 metres in height and not exceeding 29 cubic metres if with 5 metres of a dwelling? Please provide your reasons.

Statistical summary

Organisation	Yes	No	Don't Know
Business / Consultant	5	1	14
Government Agency / Other Public Sector	2	0	1
Local Planning Authority	10	1	1
Other Group or Individual (not listed above)	20	7	23
Professional Bodies/Interest Groups	2	0	3
Voluntary Sector / Community Groups	1	0	2
Total	40	9	44
Percentage	43	10	47

Overview

- 3.5.4 There was a mixed response to the proposal to increase the volume of an electricity installation under permitted development to 45 cubic meters subject to the revised constraints to height and proximity to a dwelling. 47% of respondents answered 'don't know'. Views that were expressed in the responses included:
- Concerns regarding residential visual amenity.
 - The need to have regard to mitigation for protected species.
 - Modern 11kV substations would result in an installation only 1.8m in height, width and length and the limitation to 29 cubic metres within 5m of a dwelling would not be justified.
 - Suggest extending protection to listed buildings and ancient monuments.
 - Need to consider the impact of greater PDRs on moorings or the structural integrity of waterways.

- need for infrastructure to modernise to meet the demand.
- Acknowledge Welsh Government's policy commitments to renewable energy and zero carbon, which will result in increasing demand for electricity from consumers.

Government Response

- 3.5.5 It should be noted that these permitted development rights already exist, albeit to smaller dimensions. The extension to 45 cubic metres would enable a modest size increase from for example, a 3m x3.2m x3m installation, to a 3m x5m x3m installation.
- 3.5.6 We note the concerns expressed by some respondents regarding the need to have regard for protection of the characteristics of designated landscapes when introducing expanded permitted development rights for the installation of electricity substations.
- 3.5.7 We consider this small increase in volume for permitted development rights strikes the right balance in terms of facilitating both modernisation of the electricity network and increase in capacity to meet demand, whilst also ensuring that development which is likely to cause amenity impact remains subject to the formal planning application process. We are minded to take forward this proposal as part of a second phase of implementation.

Question 29: Do you agree that electricity undertakers should be able to replace existing electricity communications line in a National Park, Area of Outstanding Natural Beauty or Site of Special Scientific Interest without the need to seek planning permission, provided the height, design or position of the replacement communications line reflects that of the existing communications line? Please provide your reasons.

Statistical summary

Organisation	Yes	No	Don't Know
Business / Consultant	8	1	13
Government Agency / Other Public Sector	2	0	1
Local Planning Authority	10	2	2
Other Group or Individual (not listed above)	24	12	15
Professional Bodies/Interest Groups	4	1	1
Voluntary Sector / Community Groups	2	2	0
Total	50	18	32
Percentage	50	18	32

Overview

- 3.5.8 There was moderate support for the proposal to allow electricity undertakers to be able to replace existing electricity communications line in a National Park, Area of Outstanding Natural Beauty or Site of Special Scientific Interest without the need

to seek planning permission subject to conditions. Views that were expressed in the responses included:

- Risk that working practices might result in disturbance to sensitive receptors.
- Strong views expressed on the principle of undergrounding for electricity cables, rather than like-for-like replacement.
- Could result in a lost opportunity to seek enhancements as a part of any replacement.

3.5.9 Several respondents observed that where replacement resulted in an identical or very-near equivalent, this may be acceptable in planning terms. A number of respondents also observed that “reflects” was potentially open to broad interpretation and that the definition could be amplified.

Government Response

3.5.10 Class G2a of Part 17 of schedule 2 of the 1995 Order states:

“G.2 Development is permitted by Class G subject to the following conditions—

(a) in the case of any Class G(a) development consisting of or including the replacement of an existing electric line, compliance with any conditions contained in a planning permission relating to the height, design or position of the existing electric line which are capable of being applied to the replacement line”

3.5.11 We consider this is a sufficiently precise definition to inform the assessment of “like-for-like” replacement as described in the consultation. Like-for-like replacement of line is subject to accordance with the conditions attached to the grant of consent for construction of the electricity line in the first instance, which should address any necessary constraints to construction or installation methods. In addition, this change to permitted development rights would not supersede the duties placed upon electricity undertakers to comply with other legislative regimes. Prior approval of development is required for development granted consent under a development order, as outlined in Regulation 75 of the Conservation of Habitats and Species Regulations 2017.

3.5.12 We note the views regarding opportunities for undergrounding in the event of planning permission being sought for replacement of electricity lines. Our preferred planning policy position on new power lines is that, where possible, they should be laid underground. However, it is recognised that a balanced view must be taken between any negative environmental impacts and costs which could render otherwise acceptable projects unviable. Where undergrounding of lines is not possible or applicable, proactive engagement with energy companies and the public to mitigate the visual impact of any potential new transmission lines should take place.

3.5.13 The Welsh Government has set up the Independent Advisory Group for Future Electricity Grid for Wales to develop a better understanding of the possible

approaches to delivering electricity transmission infrastructure, including consideration of pylons and undergrounding of electricity cables. This work will seek the most appropriate solutions for Wales. The outcomes of the Advisory Group will inform the Welsh Government's position going forward.

Question 30: Do you consider the 1,000m limit to replacement of existing electronic communications line remains reasonable and proportionate, given the other constraints to height, design, and position of the replacement communications line? Please provide your reasons.

Statistical summary

Organisation	Yes	No	Don't Know
Business / Consultant	4	2	15
Government Agency / Other Public Sector	2	0	1
Local Planning Authority	7	3	3
Other Group or Individual (not listed above)	20	5	25
Professional Bodies/Interest Groups	4	0	2
Voluntary Sector / Community Groups	2	1	1
Total	39	11	47
Percentage	40	11	48

Overview

3.5.14 There was a mixed response to question 30. 48% of respondents answered with 'don't know'. Views that were expressed in the responses included:

- The proposal considered aggregable and proportionate.
- 1,000m limit could be increased
- The limit could prevent the introduction of newer technology replacements.
- Fibre-optic lines are most effective in single lengths and the 1km limit for replacement lengths could reduce their efficiency.
- Preference for undergrounding.

Government Response

3.5.15 We note the points regarding the efficiency of fibre-optics and whilst we do not currently propose to increase the 1,000m limit, we will keep this under review in consultation with relevant expert stakeholders.

Question 31: Do you agree with the proposed broader definition of investigation works permitted under Class G (c) of Part 17 of Schedule 2 of the 1995 Order? Please provide your reasons.

Statistical summary

Organisation	Yes	No	Don't Know
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Business / Consultant	3	0	18
Government Agency / Other Public Sector	2	0	1
Local Planning Authority	11	2	1
Other Group or Individual (not listed above)	12	3	33
Professional Bodies/Interest Groups	2	2	2
Voluntary Sector / Community Groups	2	0	1
Total	32	7	56
Percentage	34	7	59

Overview

3.5.16 The majority of respondents answered 'don't know' to question 31. Views that were expressed in the responses included:

- Emphasised the requirement for land to be restored to its previous condition following the conclusion of investigation works was an important distinction.
- Need for a fixed timeframe for the works to conclude.
- PDRs should be expanded to reduce uncertainty
- Suggestion that the temporary installation of meteorological masts for onshore renewable energy projects should also be included under Class G.
- Need to avoid peat probing and associated carbon release.
- Need to ensure the techniques used to conduct investigations are the most modern and least invasive.

3.5.17 Those who commented in support of the proposal considered that the revisions were a reasonable broadening of the definition, enabling newer forms of investigative works and the ability to meet the increased requirements to conduct such works prior to the installation of electrical infrastructure.

Government Response

3.5.18 We note the support for the introduction of this modernised definition of investigative works and are minded to proceed with the proposals as consulted upon as part of a second phase of implementation. We will give further regard for the potential for a broadened definition of permitted development rights relating to renewable energy development in a future review.

Question 32: Do you agree with the introduction of a new permitted development right for electricity undertakers under Class G (c) of Part 17 of Schedule 2 of the 1995 Order, to enable them to build a means of enclosure in accordance with their duties under Article 11 of the Electricity Safety, Quality and Continuity Regulations 2002? Please provide your reasons.

Statistical summary

Organisation	Yes	No	Don't Know
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Business / Consultant	5	1	14
Government Agency / Other Public Sector	2	0	1
Local Planning Authority	11	1	1
Other Group or Individual (not listed above)	18	3	26
Professional Bodies/Interest Groups	3	0	2
Voluntary Sector / Community Groups	2	1	0
Total	41	6	44
Percentage	45	7	48

Overview

- 3.5.19 There was broad support for this proposal with 45% agreeing. National Grid, as the major beneficiary to such an amendment, provided an informed and illustrative response which highlighted that the proposed amendment would potentially create unintended consequences. National Grid advised that:

“Class G (f) [of the 1995 Order] already makes provision for ‘any other development carried out in, on, over or under the operational land of the undertaking’. This provision can already be used for the erection of security fencing and other means of enclosures. Creation of a new permitted development right specifically for fencing may have the unintended consequence of carving out fencing from class G (f) and imposing a restriction of 2.5m. Given the lack of controversy of National Grid’s use of Class G (f) for fencing/enclosures on operational land greater than 2.5m, the proposed (unintended) restriction to 2.5m does not appear justified.

- 3.5.20 The introduction of a new provision which specifically relates to means of enclosures and limits the height to 2.5m will be a retrograde step and will result in statutory undertakers (in particular NGET as the transmission undertaker) having to pursue planning permission for works which are currently covered by Class G(f), and which are not controversial in National Grid’s experience. This unintended consequence would increase programme timetables, which would not facilitate the green transition.”

Government Response

- 3.5.21 We agree with National Grid’s summary of the risk that introducing such an amendment could inadvertently withdraw consent for the erection of fencing already covered under Class G (f) of the 1995 Order. We will not proceed with this amendment.

Question 33: Are there any other planning issues regarding electricity that you feel are not covered in the questions above and that you wish to raise?

Overview

- 3.5.22 Consultation responses highlighted a number of further issues regarding development by statutory undertakers, some of which are related to the PDR proposals and some of which are beyond the scope of the consultation.

3.5.23 Issues and views which were frequently expressed in the responses included:

- Impact of overhead lines and pylons in rural Wales and the potential impact on communities, landscapes, wellbeing, and noise pollution near homes.
- Support for undergrounding all new cables was strongly supported.
- Desire for Wales' PDRs for electricity infrastructure to be aligned and consistent with those in England and, where possible, Scotland.
- Concerns regarding perceived noise impact from electricity pylons near residential development arising from such lines.

3.5.24 National Grid suggested that the installation of a third wire on current lines consisting of two wires on wooden poles would significantly increase the capacity of the existing network to meet requests for solar, wind and EV charge points and heat pump connection.

3.5.25 National Grid also suggested a number of other amendments to PDRs for electricity undertakers in order to ease and accelerate the process of improving electricity infrastructure. These include amendments to Para G.1 of the 1995 Order by removing the 25% volume limit for increase in size of electricity installations set out in Para G.1(c)(ii) but retaining the height limitation in Para G.1(b)(ii). National Grid also proposed removing the requirement for prior approval for certain works, including portable relay rooms and substation assets.

3.5.26 The UK Government's Department for Energy Security and Net Zero is in the process of undertaking its own consultation on electricity network infrastructure reforms, which launched on 7 July. Some respondents suggested the Welsh Government should also take account of the outcome of that consultation when it is finalised.

Government Response

3.5.27 We are aware of the UK Government's consultation on electricity network infrastructure and land access and will have regard to relevant comments and conclusions in taking forward our work in this area as part of a second phase of implementation.

3.5.28 We note National Grid's proposals for extensions to PDRs including suggestion of a third cable on lines consisting of two wires on wooden poles, removing the volume limit on extensions to existing buildings for plant and machinery, and removing the need to comply with the prior approval process. We will give further consideration to these suggestions as part of a second phase of implementation.

3.6 Affordable Housing Sites and Meanwhile Uses

Question 34: Do you agree with the introduction of a new permitted development right in Part 12A for housing meanwhile uses? What should the maximum duration for a meanwhile housing use be?

Statistical summary

Organisation	Yes	No	Don't Know
Business / Consultant	3	2	15
Government Agency / Other Public Sector	1	1	2
Local Planning Authority	3	7	3
Other Group or Individual (not listed above)	11	10	29
Professional Bodies/Interest Groups	6	2	1
Voluntary Sector / Community Groups	3	0	1
Total	27	22	51
Percentage	27	22	51

Overview

- 3.6.1 There were 100 respondents to question 34. The majority of respondents answered 'don't know' to this question and there was no majority view on the matter. A little over a quarter of respondents answered 'yes', with half of respondents answering, 'don't know'. Private sector and professional organisations, several LPAs and organisations with an interest in housing provision welcomed the proposals, seeking longer terms for temporary housing. There did appear to be some consensus across the public sector, however, that the current 12-month provision was insufficient to justify the financial and resource requirements to secure temporary affordable housing on land. Views were also expressed that, and where such schemes do come forward it would be unlikely for there to be enough time for the preparation, submission and consideration of a major application for residential development to retain the development beyond the 12-month period.
- 3.6.2 National Park Authorities, RTPI Cymru and the Design Commission for Wales highlighted concerns regarding the likely permanence of affordable housing developed under PDRs and provided examples where this has happened previously. They raised concerns that the loss of public consultation would be detrimental to public faith in the plan-led system. They also raised concerns that the grant of consent via PDRs could lead to development which did not accord with the principles of sustainable placemaking or public amenity provision, which would ordinarily be ensured through the scrutiny of a planning application.
- 3.6.3 Some respondents expressed concern that the grant of consent via PDR would establish the principle of residential development where it is not currently in accordance with planning policy, making it difficult to defend against a subsequent refusal.

- 3.6.4 Some respondents considered that the use of temporary PDRs to generate housing development as a meanwhile use would draw funds away from, and therefore undermine, work towards development of more permanent housing solutions.

Government Response

- 3.6.5 We thank respondents for their contributions on this issue. The responses indicate that additional research and comprehensive analysis are necessary to ensure that any future changes are robust, evidence-based, aligned with best practice, and that suitable safeguards could be included to ensure that planning principles are not inadvertently undermined. The responses received will be taken into consideration as we take forward this work.
- 3.6.6 Welsh Government remains committed to a plan-led approach, as set out in National Planning Policy ensuring that all housing, whether permanent or temporary, is integrated with local development strategies and contributes positively to placemaking.

Question 35: In addition to controls on windows for habitable rooms being too close to each other, what other limitations should the meanwhile use permitted development right be subject to? Please provide your reasons.

Overview

- 3.6.7 Respondents put forward a wide range of other limitations the meanwhile use PDR should be subject to. This included car parking provision, minimum garden size, disability adaptations, scale and size of units, amenity and open space, proximity to public transport, development on previously developed land, only to be restricted for use as affordable housing, and sustainability of development among others.

Government Response

- 3.6.8 As stated above, we consider that additional research and comprehensive analysis are necessary to ensure that any future changes are robust, evidence-based, and aligned with best practice. We will take comments received into consideration as part of that work.

Question 36: Do you consider that provision for public consultation should not be included in the new permitted development right for housing meanwhile uses? If no, what mechanism for public publicity or consultation should be included? Please provide your reasons.

Statistical summary

Organisation	Yes	No	Don't Know
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Business / Consultant	3	2	14
Government Agency / Other Public Sector	1	3	0
Local Planning Authority	1	10	1
Other Group or Individual (not listed above)	9	12	27
Professional Bodies/Interest Groups	2	5	2
Voluntary Sector / Community Groups	1	2	1
Total	17	34	45
Percentage	18	35	47

Overview

- 3.6.9 Although a significant proportion of respondents stated “Don’t Know” in response to this question over a third of respondents did not agree that public consultation should be removed on housing development proposals pursued via PDRs. Although respondents identified that public consultation and engagement was likely to lead to a delay in enabling development even where a site was evidently suitable for such use. A number of LPAs suggested that a 28-day pre-application consultation process could be used, as is currently in place for major applications.
- 3.6.10 The Design Commission for Wales expressed the view that not involving communities in decisions which affect them was contrary to the Wellbeing of Future Generations (Wales) Act 2015.

Government Response

- 3.6.11 Most respondents considered public consultation was necessary prior to such development for a variety of reasons. We will take these comments into account as part of ensuring that any future changes are robust, evidence-based, and aligned with best practice.

Question 37: Should development proposals conforming to ‘exception site’ policies be included within a new class of permitted development right? If no, what are the reasons for not including such policies? Please provide your reasons.

Statistical summary

Organisation	Yes	No	Don’t Know
Business / Consultant	3	2	15
Government Agency / Other Public Sector	2	1	0
Local Planning Authority	1	11	1
Other Group or Individual (not listed above)	6	11	30
Professional Bodies/Interest Groups	4	4	0
Voluntary Sector / Community Groups	1	1	2
Total	17	30	48
Percentage	18	32	51

Overview

- 3.6.12 Just under a third of respondents did not support this proposal with over half answering, “don’t know”. A number of respondents considered that the proposal seeks to address the symptoms of delays in planning decisions rather than the cause, and effort would be better spent in ensuring the planning service is both reasonably resourced and unduly constrained in order to make timely decisions.
- 3.6.13 Some respondents with responsibility for housing provision saw this as an opportunity to increase provision quickly. Several respondents, however, argued that development for 100% affordable dwellings was not justified on unsustainable sites regardless of housing need, especially as such sites were very likely to be in the open countryside or beyond the settlement boundary.
- 3.6.14 Many respondents, including several LPAs, identified that exception sites had not been subject to the same level of assessment as housing sites allocated via the LDP process, such as impact assessments or site investigations, and these issues still required consideration. Some suggested that introducing an exception site allocation process in future LDPs for sites immediately adjacent to settlement boundaries could overcome this.
- 3.6.15 Some respondents identified that LDP policies on issues such as site layout, design and ecological infrastructure varied considerably, which undermined the principle of a national deemed consent via PDR. They also stated that in their view this could be overcome, however, with a requirement for compliance with supplementary planning guidance.
- 3.6.16 Several respondents, including some LPAs, also identified that the use of PDRs for such developments without enabling community participation was likely to lead to an adverse reaction. One LPA noted that whilst community engagement might not result in well informed responses, communities at least felt like their concerns were at least considered. Communities were therefore more likely to accept decisions they disagreed with if they were empowered to engage.

Government Response

- 3.6.17 The responses to this question were varied and it is considered that additional research and comprehensive analysis are necessary to ensure that any future changes are robust, evidence-based, and aligned with best practice.

Question 38: Should prior approval be a two-stage process whereby the first stage involves scoping the further information required to be submitted? Please provide your reasons.

Statistical summary

Organisation	Yes	No	Don't Know
Business / Consultant	3	1	15
Government Agency / Other Public Sector	4	0	1

Local Planning Authority	5	6	3
Other Group or Individual (not listed above)	12	7	29
Professional Bodies/Interest Groups	7	2	0
Voluntary Sector / Community Groups	3	0	1
Total	34	16	49
Percentage	34	16	49

Overview

- 3.6.18 In the context of the responses to question 37 outlined above, where a PDR for residential development on exception sites was not supported overall, the majority of respondents answered 'yes' or 'don't know' to this question. If such PDRs were introduced then the general principle of a two-stage scoping process was broadly deemed appropriate, providing the process was not onerous and not used by LPAs as a method to delay pressure on formal consideration of proposals.
- 3.6.19 Several stakeholders reiterated the view that introducing such PDRs was seen as removing the opportunity for local communities and Members to have their say on proposals, including involvement in decisions on scheme layouts and their impacts which may generate genuine local concern.
- 3.6.20 Some respondents expressed the view that a prior approval process risked undermining the national approach to placemaking and biodiversity principles, and that certain landscape designations such as National Parks, AONBs and Conservation Areas should be exempted.
- 3.6.21 Some LPAs observed that the introduction of a prior approval process would negate their ability to pursue or vary proposals for a Section 106 Agreement, which might render otherwise unsuitable sites acceptable. The effect of such a prior approval would be development as a "fait accompli". They also asked that if the prior approval process amounted to the equivalent of work on a planning application, whether the fee for a prior approval would match the resource commitment.
- 3.6.22 One LPA noted that candidate site methodology expects the presentation of a comprehensive suite of documents which are then assessed by specialists as part of the process of considering allocation. They noted that by the time an LDP is adopted, the survey work and reports would need updating. As such, it is considered that the benefit of dealing with these matters through the prior approval process would be limited.

Government Response

- 3.6.23 The responses to this question were varied with no clear consensus and it is considered that additional research and comprehensive analysis are necessary to ensure that any future changes are robust, evidence-based, and aligned with best practice.

Question 39: What information should be submitted as part of a prior approval submission (or in a two stage prior approval process, what would be the list of issues a local planning authority would choose from when scoping what should be submitted at the second stage? Please explain your suggestions.

Overview

3.6.24 A total of 36 responses were submitted in relation to Question 39. This included 12 Local Planning Authorities (LPAs) from across Wales along with various social housing providers, organisations and industry representatives. Views that were expressed in the responses included:

- Meanwhile use for housing should not be permitted development
- Difficult to compile a definitive list of supporting information/issues will differ on a site-by-site basis depending on site context and local constraints.
- Provision of affordable housing should not override other planning considerations relating to the acceptability of a site in planning terms.
- Emphasis on the importance of Design and Access Statements.
- Environmental information submitted should be relevant and proportionate to the potential environmental risks relevant to the scheme, informed by the protection afforded to receptors under relevant national policy and legislation.
- Heritage Impact Assessment/Setting Assessment are necessary, to include consideration of impact on heritage designations from local to national level, as required by legislation and policy.
- Details of any consultation undertaken should be provided as part of the pre-approval process so that the views of the community are considered as part of any preapproval process. Community involvement is important.
- Some respondents suggest using the EIA scoping topics as a model. It is important that topics such as archaeology and the historic environment are included.
- Detailed layout of the scheme should be submitted, including site plan, elevations and cross sections showing levels.
- Concerns that the process will not speed up delivery but will result in greater complexity, confusion and uncertainty with developers.
- The two-stage approach could be similar to a pre-application consultation and a full planning application or a scoping opinion and an EIA. The first stage would identify any issues (such as access, parking, biodiversity, etc) and the second stage would involve the submission of that detail.
- If sites are assessed as part of the LDP preparation, this would enable an assessment of the impact on the Welsh Language based on evidence and projections instead of having to assess for each site individually as is currently the case.
- The need for section 106 Agreement is one of the things that significantly slows down the delivery of affordable housing. If s.106 requirements could be agreed at stage 1, this could be fast-tracked.
- Basic constraints on a site such as flooding, contamination and land instability should be identified before a prior notification is submitted. This

enables the developer to provide all relevant information with their initial submission.

Government Response

- 3.6.25 It is noteworthy that some respondents rejected the principle of a prior approval/two-tier approach, noting that the planning process has become considerably more complex because of additional layers of policy and regulation. In their view, this process will not speed up delivery significantly but will result in greater complexity and confusion, creating uncertainty with developers.
- 3.6.26 The responses to the consultation have demonstrated that there is no overall support for a prior-approval system, nor consensus on the information which would be required to operate effectively under such a system. The consultation has raised some important considerations which need to be explored further before making any changes to permitted development rights relating to meanwhile uses.

Question 40: How should the level of information submitted be kept proportional to the scale and complexity of the development and be of a lesser requirement than associated with a planning application? Please explain your suggestions.

Overview

- 3.6.27 A polarity of views were expressed, from those who do not support PDRs and/or a prior approval system, to those who believed it may provide an opportunity to empower LPAs in their decision-making.
- 3.6.28 There was a broad consensus that the level of information required to support such development was highly circumstantial and it would not be possible to define a list which would serve consistently on a national basis. Some respondents consider the LDP process and the Prior Approval process between them should be able to provide all the documents required to ensure site layout, their design, their green infrastructure retention/provision are considered as thoroughly as they would through the planning application process. Some considered this would require more investment in LDP preparation to enable.
- 3.6.29 Some LPAs considered that if affordable housing sites/ exception sites are identified and assessed as part of the LDP process, the consultation and identified constraints will immediately define their suitability. The process could be frontloaded at the development plan stage through the use of masterplans, site briefs or design codes. A prior approval application thereafter could be relatively straightforward as the development is acceptable in principle, provided that the remaining detail is approved.
- 3.6.30 Respondents considered that more onus should be placed on developers to submit high quality applications with all the relevant details, however also

highlighted concerns that decisions may be subject to legal challenge if all issues are not properly considered.

Government Response

- 3.6.31 One frequent theme which arose related to concerns that reducing the requirements associated with assessing development proposals could lead to unintended consequences. The level of information currently required ensures that the impact of development proposals is fully assessed. Respondents expressed the risk of omitting details could result in worse placemaking outcomes and/or greater risk of harm to surroundings. It was noted by some respondents, that exemptions relating to areas which are particularly sensitive, would be necessary should the PDRs become established in practice.
- 3.6.32 In summary, there was no consensus amongst the respondents in terms of how the level of information should be kept proportional to the scale and complexity of development, nor in more general terms whether the requirements should be lesser than those associated with a planning application. It is considered necessary to explore some of the issues raised in greater detail to provide a better understanding of how these factors may impact the effectiveness of a new system being implemented in practice.

Question 41: Are there benefits to restrict the house types that can be built under the permitted development rights? If yes, please explain what benefits are envisaged? Please provide your reasons.

Statistical summary

Organisation	Yes	No	Don't Know
Business / Consultant	3	2	14
Government Agency / Other Public Sector	1	2	0
Local Planning Authority	4	5	3
Other Group or Individual (not listed above)	6	10	27
Professional Bodies/Interest Groups	4	3	1
Voluntary Sector / Community Groups	3	1	0
Total	21	23	45
Percentage	24	26	51

Overview

- 3.6.33 There was no overall consensus in support or against this question, although over half of respondents indicated “don’t know”. Some respondents identified that the use of a pattern-book for development types may simplify and speed up the planning process for affordable housing and provide control and consistency of design and space standards. Others considered that the requirement to meet a design code would prevent sub-standard affordable housing provision. Were a pattern-book approach to be taken forward it would need to account for the

appropriate housing mix to serve the community, including housing for single individuals and for older people.

- 3.6.34 LPAs did not consistently support the pattern-book methodology for such development types. Several, even though they supported the principle, observed the requirement that such patterns would need to be, or need to be revised to be, in keeping with local character and design styles and requirements.
- 3.6.35 Several respondents stated that greater control and consistency could enable low-carbon, high-quality design specifications, better space standards and the prevention of sub-standard living conditions.
- 3.6.36 Respondents considered that urban design, placemaking and architecture all need to be developed as part of the design process and assessed as part of the planning process - particularly if we are to achieve the quality and connectivity of location and site that is explicit in national policy and legislation and a pattern book approach may not achieve this.

Government Response

- 3.6.37 Some of matters raised by respondents could potentially be addressed through simple measures, such as the removal of certain PDRs in specific areas of historical or environmental sensitivity. Others, however, require further consideration to gain a better understanding. The consultation has raised some important issues which need to be explored further before making any changes to permitted development rights relating to meanwhile uses.

Question 42: Will using permitted development rights for the delivery of affordable housing sites lead to time and cost savings compared to taking the same development through the submission of a planning application? Please provide your reasons

Statistical summary

Organisation	Yes	No	Don't Know
Business / Consultant	4	1	13
Government Agency / Other Public Sector	2	1	1
Local Planning Authority	2	9	3
Other Group or Individual (not listed above)	11	8	27
Professional Bodies/Interest Groups	5	2	1
Voluntary Sector / Community Groups	1	1	2
Total	25	22	47
Percentage	27	23	50

Overview

- 3.6.38 There was no consensus in response to this question Those who supported the proposal considered that use of PDRs for affordable housing might speed up

decision making, provide greater certainty over development and thereby reduce risk. There were also concerns that a prior approval process could become as time and resource intensive as a full application.

- 3.6.39 Concerns were repeated regarding the perceived democratic deficit arising from use of PDRs for the construction of affordable housing. There was also a reiteration of concerns regarding the risk of lower standards of design and amenity. Some considered that where this resulted in adverse outcomes, correction or remediation would take a long time period to be implemented, during which it was likely such buildings would already be in occupation.
- 3.6.40 Overall, a similar number of respondents both agreed and disagreed that PDRs for the delivery of affordable housing sites would lead to time and cost savings. The majority of LPAs answered 'no'.

Government Response

- 3.6.41 It is evident from the statistical summary that no consensus exists among respondents in terms of whether permitted development rights for affordable housing sites would lead to time and cost savings, compared to taking the same development through the submission of a planning application.
- 3.6.42 Though permitted development rights could theoretically lead to cost and time savings for the delivery of affordable housing, there does not appear to be any agreement that this would either be the case in practice or desirable. Ultimately the degree of speed and cost savings would depend on the requirements, detailing and implementation of any provisions put forward. Similarly, having regard to the concerns raised, it is possible that the quality of placemaking outcomes could decline in proportion to the degree of deregulation introduced through PDRs.
- 3.6.43 It is considered that further investigation into the concerns outlined above is required. This will inform a more thorough understanding of whether the deregulation of certain forms of development, would lead to unacceptable alignment with the placemaking principles underpinning the Welsh planning system.

Question 43: Are there any other planning issues regarding affordable housing and meanwhile uses that you feel are not covered in the questions above and that you wish to raise?

Statistical summary

- 3.6.44 A total of 37 responses were submitted in relation to Question 43. This included 8 from Local Planning Authorities (LPAs) as well as social housing providers, organisations and industry representatives.

Overview

3.6.45 An extensive range of other issues were raised, which are summarised below:

- Affordable homes should have PDRs enabling installation of EV chargers on front elevations.
- Concern regarding the impact on nearby farming operations.
- Concern that without a local lettings policy there could be negative impacts on Welsh language and culture.
- Concern that PDRs may bypass early consultation and scrutiny relied upon to assess safety risks associated with development and lack the ability to object or request mitigation for development that pose operational or safety risks.
- Early support for RSLs and Councils would improve the design of their schemes.
- The Homelessness and Social Housing Allocation (Wales) bill should be considered in conjunction with this review and that the current process for developing and updating LDPs should be kept under constant review to ensure future housing needs are met.
- The inability to require planning obligations is a major issue that does not appear to have been appropriately considered and is likely to result in developments which are not properly integrated or served by community facilities or services.
- Concern that the protection of Wales's historic environment should not be weakened by the withdrawal of housing developments from the planning process, as these are among the classes of development with greatest impact on both archaeological remains and historic landscape/settlement character.
- The proposals remove the ability of LPAs to safeguard lower value uses including community uses, open spaces, industrial sites.
- The use of Local Development Orders and Development Briefs are further mechanisms which could help promote housing delivery.
- It is critical to build where public transport and infrastructure exist
- Development should provide living standards and basic requirements of separate sleeping, eating, cooking and sanitary areas in addition to managed outdoor space for recreation.
- PDRs should apply only if there is an up-to-date LDP that has been subject to Sustainability Appraisal (SA), the site in question is allocated, and there is a Local Lettings policy in place to deal with cultural language.
- Welsh Government should consider allowing conversion of agricultural and forestry buildings to residential use under permitted development to contribute to affordable housing.

3.6.46 The ONR (Office for Nuclear Regulation) has advised that developments on, or in the vicinity of nuclear sites could have an impact on detailed emergency planning arrangements or pose external hazards to nuclear sites. Therefore, ONR proposes that meanwhile uses within a DEPZ are not subject to permitted development but follow standard planning procedure.

3.6.47 Shelter Cymru request clear guidance around the type of accommodation that can be delivered. It should be high-quality and suitable to meet the needs of residents.

They also urge close monitoring to establish the impact on homelessness outcomes.

Government Response

- 3.6.48 We received a wide range of useful responses to this question, representing the views of a broad range of stakeholders. Given the scope of issues and suggestions raised, it is considered necessary to explore these in more detail before setting out any proposed changes to the existing system.

3.7 Definition of Major Development

Question 44: Do you agree the number of dwellings in paragraph (c)(i) of the definition of major development should increase to 25? Please provide your reasons.

Statistical summary

Organisation	Yes	No	Don't Know
Business / Consultant	2	2	16
Government Agency / Other Public Sector	2	1	2
Local Planning Authority	12	0	1
Other Group or Individual (not listed above)	15	16	18
Professional Bodies/Interest Groups	5	2	3
Voluntary Sector / Community Groups	2	1	1
Total	38	22	41
Percentage	38	22	41

Overview

- 3.7.1 There was a mixed response to this proposal across all sectors. Views that were frequently expressed in the responses included:
- There could be a disproportionate effect on residential development in areas that are rural, compared to urban areas.
 - Concern the proposal could have a negative impact on places that currently have a higher proportion of Welsh speakers.
 - The definition should be increased from 10 to 50 dwellings.
 - Could result in a reduction in the pressure on resources.
- 3.7.2 12 out of 14 LPA's supported the proposal to amend the definition of major development to 25 dwellings. Respondents expressed that the proposal could help sites where viability was challenging, as well as being welcomed by some more urban authorities. However, questions were raised regarding how a change will impact LDP policies using this definition of major development, as well as the requirements for supporting GI and Energy statements for major developments.

Government Response

- 3.7.3 Despite the range of consultation responses we consider this change is essential to creating a more proportionate and efficient planning system. Current thresholds (10 or more dwellings as major development) impose significant procedural requirements on small and medium-sized sites, creating delays and costs. Raising the threshold to 25 dwellings aligns with the government's broader strategy to diversify the housing market and accelerate delivery of the Welsh Government's housing targets.
- 3.7.4 We acknowledge the variation in views provided by respondents. By reducing unnecessary burdens on modest developments while maintaining rigorous scrutiny for larger projects, however, the change supports a graduated approach to planning regulation, improves certainty for developers, and helps unlock stalled sites.

Question 45: If the change to dwelling numbers changed, as outlined in paragraph 9.1, should the site area in paragraph (c)(ii) also change? Please provide your reasons and if you agree, indicate what would be the appropriate site area.

Statistical summary

Organisation	Yes	No	Don't Know
Business / Consultant	4	2	14
Government Agency / Other Public Sector	2	1	1
Local Planning Authority	14	0	0
Other Group or Individual (not listed above)	15	10	22
Professional Bodies/Interest Groups	5	1	1
Voluntary Sector / Community Groups	2	1	1
Total	42	15	39
Percentage	44	16	41

Overview

- 3.7.5 The majority of LPAs supported this proposal. There was inconsistency, however, in the suggested site area, ranging from 1 to 2 hectares. This was partly a result of inconsistent assumptions on numbers of dwellings per hectare, ranging from 20 to 50, and a perception of the need for equivalence. 1 hectare was the modal average for responses supporting the proposal.
- Changes to the threshold of site area should be proportionate to the number of dwellings.
 - Need to ensure that there is sufficient space provided for privacy, open space and recreation, as well as avoiding overcrowding.
 - Suggestion that density be used as a benchmark instead of site area - would then be proportionate to both rural and urban areas.

- 3.7.6 Those who did not support this amendment opposed it for the same reason as the change in dwelling numbers in question 44.

Government Response

- 3.7.7 As with the proposed revision in question 44, it is considered that this change will create a more proportionate and efficient process for applications. Current thresholds impose significant procedural requirements on small and medium-sized sites, creating delays and costs. Raising the threshold of the site area would align with the government's broader strategy to diversify the housing market and accelerate delivery of the Welsh Government's housing targets.
- 3.7.8 However, Given the scope of issues and suggestions raised, it is considered necessary to explore the proposals in more detail before making any changes to the existing system, as the consultation hasn't resulted in a clear indication of how the threshold of site area for major development should be calculated - by density or a fixed figure.

3.8 Compensation for future removal of permitted development rights

Question 46: Are there any other planning issues regarding compensation for future removal of permitted development rights that you feel are not covered in the questions above and that you wish to raise?

Overview

- 3.8.1 Very few substantive comments were offered to this question, and these largely expanded upon issues raised in other consultation questions, or not relevant to the consultation.
- 3.8.2 The following views were expressed by individual respondents which we consider are not pertinent to the issues raised or extend beyond the scope of this consultation exercise:
- The use and expansion of permitted development rights erodes community scrutiny and engagement in planning matters (where this is relevant to specific questions it has been addressed above)
 - Consideration should be given to expanding permitted development rights to enable the construction of a new dwelling
 - Grants should be made available for off-road parking
 - Construction of more sustainable single dwellings should be easier
 - Expand permitted development for existing dwellings
 - More permitted development should be enabled, and "with an option for fast-track planning and pre planning consultations"
 - Recommendations of the Affordable Housing Task Force should be considered in full

- A request to note the recently published RICS Professional Standard Surveyors advising in respect of compulsory purchase and statutory compensation.

3.8.3 A respondent raised the matter that older Article 4(1) Directions may still make an LPA liable to pay compensation where permission is refused, and legislation should be revised to prevent this.

Government Response

3.8.4 We do not agree that historic Article 4(1) Directions should be made exempt from compensation. If an LPA is minded to retain a Direction, and refuses permission as a result, then it is responsible for having made that decision, which deprives a person of consent which others would benefit. It is considered the LPA should therefore remain liable for compensating individuals in such circumstances.

3.8.5 We note the comment regarding the Affordable Housing Task Force's recommendations. The Welsh Government has accepted all of the recommendations and the Cabinet Secretary for Housing and Local Government chaired meetings of the Taskforce Recommendations Implementation Group in July and September 2025.

3.8.6 In relation to comments raised in relation to "fast tracking" permitted development, this appears to be a misunderstanding of the principle of permitted development rights, which obviate the need for a planning application. Whilst it would be possible for LPAs to offer timely advice on permitted development rights, this is not a statutory function, and nor do we consider it should be. The onus is on the developer to ensure they comply with the appropriate controls to permitted development.

3.8.7 We are minded to implement changes to compensation regulations as set out in the consultation document as part of the first phase of implementation.

3.9 Welsh Language Considerations

Question 47: What, in your opinion, would be the likely effects of the above proposals on the Welsh language? We are particularly interested in any likely effects on opportunities to use the Welsh language and on not treating the Welsh language less favourably than English.

Do you think that there are opportunities to promote any positive effects?

Do you think that there are opportunities to mitigate any adverse effects?

Question 48: In your opinion, could the *proposals* be formulated or changed so as to:

- **have positive effects or more positive effects on using the Welsh language and on not treating the Welsh language less favourably than English; or**
- **mitigate any negative effects on using the Welsh language and on not treating the Welsh language less favourably than English?**

Overview

- 3.9.1 Several respondents were of the view that it is vital that planning and placemaking encourage the Welsh Language and culture to thrive.
- 3.9.2 Some respondents consider it necessary to strengthen planning control over developments, especially for housing and employment, to ensure proper scrutiny of the potential adverse effects of such developments on the Welsh language.
- 3.9.3 Respondents considered that the Commission for Welsh Speaking Communities should be involved in these proposed amendments. In terms of the proposals in relation to affordable housing and meanwhile uses, respondents consider there is an opportunity to develop planning policy which meets the affordable housing need whilst protecting and promoting the Welsh Language.
- 3.9.4 Should the changes be implemented, consideration should be given to additional guidance for Welsh Language Impact Assessments to supplement the Affordable Housing and Meanwhile uses amendments.
- 3.9.5 Respondents consider that Welsh Language assessments should be carried out by a competent person with experience in Welsh Language planning. It was suggested that LPA's in areas of higher Welsh Language abilities should be given training and qualifications to make these assessments. Some respondents considered this should be a requirement as part of any prior approval process.
- 3.9.6 Respondents suggested that affordable housing requires due diligence to ensure that developments in the Welsh-speaking areas are allocated to Welsh speakers in need of social and affordable housing. These homes should be let via common housing allocation policies and registers, which demonstrates the need for social housing amongst Welsh speakers as well as non-Welsh speakers.
- 3.9.7 Respondents emphasised the need for bilingual signage and user-facing materials for EV charging. Collaboration between planning authorities, charge point operators, and the Welsh Language Commissioner is recommended to develop practical, inclusive guidance.
- 3.9.8 There was an emphasis on the need for clearer policy and guidance on exception sites in terms of size, scale, location and impact on the Welsh Language.
- 3.9.9 Some respondents expressed the view that it is important to protect small rural communities from over development, especially if this dilutes the Welsh Language. The definition of major developments in rural areas needs to be considered.

3.9.10 Positive impacts of the proposals

- Some respondents considered the proposals, particularly those for campsites, could result in increased visits to Wales, which could lead to wider exposure for Welsh culture and language. They considered these changes may also provide opportunities for local residents to use Welsh and more Welsh speakers.
- Some respondents considered that affordable housing should not be seen as a risk to the Welsh Language and must be based on local need. They considered it should meet a demand that already exists in the community and as such includes Welsh speaking families.

3.9.11 Negative impacts of the proposals

- The three National Parks, and Landscapes Wales, all expressed the view that proposed “meanwhile use” changes would make it harder for LPAs to consider Welsh Language matters resulting from such development. Reduction in ability to use planning obligations for such development would also lead to less funding being attributed to Welsh Language education.
- Respondents noted concern that reduced consultation risks Welsh speakers being excluded, thus a Welsh Language impact analysis should be required as part of prior approval process where public input would otherwise occur.

Government Response

3.9.12 The majority of the responses to this question related to the proposals in relation to ‘Affordable Housing and Meanwhile Uses’. The Welsh language should be treated no less favourably than the English language in guidance documents which may support the proposed changes should they come into effect.

3.9.13 We will consider how guidance can be used to ensure best practice in the use of the Welsh language to engage with communities and other stakeholders in implementing the proposals taken forward, and also in the further evidence gathering for other proposals.

3.10 General Considerations

Question 49: We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

3.10.1 Several responses to this question raised the need to consider further permitted development rights under several different circumstances not considered by this consultation.

3.10.2 Views relevant to the consultation that were expressed in response to this question, and which haven’t been expressed elsewhere in the consultation include:

Communication

- The updated General Development Permitted Order should be made available in its entirety, for ease of reference.
- Changes need to be publicly promoted to ensure that authorities and developers are utilising the changes consistently.

Income and Administration

- The fee for prior approval is too low – concern regarding resourcing available to local authorities to deal with applications as a result of the proposed changes to permitted development rights.
- Assurance is sought by the National Parks Authorities that the proposed PDR changes have been considered through statutory impact assessments, as required by the Environmental Assessment of Plans and Programmes (Wales) Regulations 2004 and The Conservation of Habitats and Species Regulations 2017. The publication of these impact assessments is requested.

Housing Concerns

- Utilising PDRs for affordable housing will reduce the financial income from planning fees for some authorities, as Registered Social Landlords are a main source of income.
- The introduction of PDRs for housing will support the delivery of much needed homes of all types. However, the update (and therefore success) of any such provisions is highly contingent upon the PDR offering a material benefit and efficiency over and above the full planning application process. This can only be achieved if a 'light touch' approach is taken in keeping to a minimum the limitations, restrictions and conditions of any PDR introduced.
- Permitted development of housing by-passes Section 106 and CIL contributions. Parliament research recommends an Infrastructure Levy to avoid overburdening public services.

Welsh Language Concerns

- The "Commission for Welsh Speaking Communities on Town and Country Planning" report (February 2025) identified several recommendations in relation to housing and stressed that the type and mix of housing within planning applications could have an impact on Welsh language. These recommendations should be considered if the proposals for affordable housing and meanwhile uses are taken forward.
- The proposals in relation to PD rights on allocated sites and even exception sites appear contrary to these recommendations and to actually worsen LPAs ability to consider Welsh Language matters. Respondents consider this is a

significant issue which has not been properly assessed in developing these proposals.

Other matters raised

- It has been raised that there is no clear mechanism provided to protect marginalised groups such as Gypsy and Traveller communities, from cumulative impacts or exclusionary practices.
- Consideration should be given to the introduction of national space standards such as Class MA in England (General Permitted Development Order Class MA as in England).

Government Response

3.10.3 We are grateful for the responses received to this wide-ranging question. The Government Response to the specific proposals sets out our position on many of the matters raised. For those responses relating to wider matters, these will be considered in future work and proposals.

Appendix A - List of respondents

Number	Name of Organisation	Category
011	Thermal earth	Professional Bodies / Interest Groups
032	British Institute of Innkeeping (BII)	Professional Bodies / Interest Groups
042	Pembrokeshire County Council	Local Planning Authority
046	Network Rail	Government Agency / Other Public Sector
047	OFTEC Ltd	Professional Bodies / Interest Groups
083	The Coal Authority	Government Agency / Other Public Sector
085	Carmarthenshire County Council	Local Planning Authority
088	Friends of Pembrokeshire Coast National Park	Voluntary Sector / Community Groups
089	North and Mid Wales Association of Local Councils	Government Agency / Other Public Sector
092	British Holiday and Home Parks Association	Professional Bodies / Interest Groups
097	Merthyr Tydfil CBC	Local Planning Authority
100	Royal Institution of Chartered Surveyors (RICS)	Professional Bodies / Interest Groups
104	Electric Vehicle Association (EVA) Cymru	Voluntary Sector / Community Groups
105	Monmouthshire County Council	Local Planning Authority
108	Energy UK	Professional Bodies / Interest Groups
109	NFU Cymru	Professional Bodies / Interest Groups
110	ChargeUK	Professional Bodies / Interest Groups
111	Care & Repair Cymru	Voluntary Sector / Community Groups
113	Swansea Council Pollution Control Team	Government Agency / Other Public Sector
116	Campaign for the Protection of Rural Wales	Voluntary Sector / Community Groups
121	Abergavenny and District Civic Society	Voluntary Sector / Community Groups
122	Historic Houses Wales	Voluntary Sector / Community Groups
123	Heat Pump Association	Professional Bodies / Interest Groups
124	Design Commission for Wales	Government Agency / Other Public Sector

126	Neath Port Talbot Council	Local Planning Authority
127	SP Energy Networks	Professional Bodies / Interest Groups
128	Brecon Beacons National Park Authority	Local Planning Authority
130	Caerphilly County Borough Council	Local Planning Authority
131	National Infrastructure Commission for Wales	Government Agency / Other Public Sector
132	ONR	Government Agency / Other Public Sector
133	Community Housing Cymru	Professional Bodies / Interest Groups
134	Ceredigion County Council	Local Planning Authority
136	Chartered Institute of Housing (CIH)	Professional Bodies / Interest Groups
137	Natural Resources Wales	Government Agency / Other Public Sector
140	Royal Town Planning Institute (RTPI)	Professional Bodies / Interest Groups
141	South Wales Conservation Officer Group (SWCOG)	Professional Bodies / Interest Groups
142	Cyngor Gwynedd	Local Planning Authority
143	Awdurdod Parc Cenedlaethol Eryri	Local Planning Authority
146	Chartered Institute of Architectural Technologists (CIAT)	Professional Bodies / Interest Groups
148	National Residential Landlords Association (NRLA)	Professional Bodies / Interest Groups
149	South Wales Police	Government Agency / Other Public Sector
151	Pembrokeshire Coast National Park Authority	Local Planning Authority
153	Cadw	Government Agency / Other Public Sector
154	Association of Convenience Stores	Professional Bodies / Interest Groups
155	Country Land and Business Association (CLA Cymru)	Professional Bodies / Interest Groups
157	Newport City Council	Local Planning Authority
158	Swansea Council	Local Planning Authority
160	Bridgend County Borough Council	Local Planning Authority
162	Isle of Anglesey County Council	Local Planning Authority
164	Rhondda Cynon Taf County Borough Council	Local Planning Authority
165	Hedyn	Voluntary Sector / Community Groups
166	Central Association of Agricultural Valuers	Professional Bodies / Interest Groups
168	Torfaen County Borough Council	Local Planning Authority

169	Crisis	Voluntary Sector / Community Groups
172	ALGAO Cymru (Association of Local Government Archaeological Officers – Wales)	Professional Bodies / Interest Groups
173	Shelter Cymru	Voluntary Sector / Community Groups
175	Home Builders Federation	Professional Bodies / Interest Groups
179	RSPB	Voluntary Sector / Community Groups