

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

## Consultation Response Form

Respondents are encouraged to submit their responses online:

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

Alternatively, please complete the consultation response form and email to  
[planconsultations-e@gov.wales](mailto:planconsultations-e@gov.wales).

Your name: [REDACTED]

Organisation (if applicable): Torfaen County Borough Council (Planning Policy  
& Implementation)

email / telephone number: [REDACTED]

Your address: Torfaen County Borough Council, Ty Blaen Torfaen, Panteg  
Way, New Inn, NP4 0LS

<b>Q.1</b>	<b>Should the additional days granted by Class A of Part 4A be retained permanently, permitting temporary uses to take place for up to 56 days (28 days for specified uses) in a calendar year?</b>		
	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Other <input type="checkbox"/>
	Comments:		
<b>Q.2</b>	<b>Do you have any evidence as to any benefits and impacts as a result of introducing the additional number of days for temporary uses to take place since April? If yes, please specify.</b>		
	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Other <input type="checkbox"/>
	Comments:		
<b>Q.3</b>	<b>Do you have views on whether there should be additional restrictions on the use of this PDR to mitigate against potential impacts of making this permanent? If yes, please specify.</b>		
	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Other <input type="checkbox"/>
	Comments:		

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

<b>Q.5</b>	<b>Should any additional days over the permitted 14 days be provided for markets operated by or on behalf of a local authority?</b>		
	<b>Yes</b> <input type="checkbox"/>	<b>No</b> <input type="checkbox"/>	<b>Other</b> <input type="checkbox"/>
	<b>Comments:</b>		

<b>Q.6</b>	<b>Do you agree the permitted changes of use within town centres should become permanent? If not, please provide your reasons for disagreeing.</b>		
	<b>Yes</b> <input type="checkbox"/>	<b>No</b> <input checked="" type="checkbox"/>	<b>Other</b> <input type="checkbox"/>
	<p><b>Comments:</b></p> <p>Would the proposal relate to all retail centres identified in the Council's retail hierarchy and identified on an LDP/RLDP proposals map rather than just town centres?</p> <p>What definition of town centres is being used?</p> <p>Would this definition include local and neighbourhood centres?</p> <p>Would the proposal only relate to centres with a boundary identified on an LDP/RLDP Proposals Map?</p> <p>The Council does not believe that the flexibility proposed in this consultation should be implemented as the flexibility can be achieved via the LDP system and Development Management Process. As each town centre is different the control of uses should be based on LDP's/RLDP's and the choice of Council's on how they control the change of use (on a case by case based) in order to considered the merits of schemes and the consequences rather than a top down approach of using PD rights to control uses</p> <p>The Council believes that the proposal would remove any local control over town centres as each proposal should be considered on its own individual merits. The proposal could by allowing the proposed changes to happen unabated could result in the decimation of town centres from a retail perspective. Removing control of the majority of change of use applications within town centres could have unintended consequences e.g. allowing all the units within a town centre to all a single use. Thus, diluting the purpose of a town centre which is to provide the commercial</p>		

(goods & services) and social requirements of residents, in what is a sustainable location.

The Planning System via Section 38 (6) already provides flexibility via material considerations. The Council has used this to process to approve the change of use of an A1 retail unit to a gym within what was classified as a 100% A1 frontage as the benefits of the scheme was considered to outweigh the Frontage Policy in the Adopted LDP.

As part of the preparation of the Replacement LDP the Council intends to revise the current frontage policies to make them more flexible by removing quantitative criteria in relation to proposals in the primary frontage and instead concentrate on flexible qualitative considerations. These should be based upon:

- o The appropriateness of the use in relation to the particular town centre.
- o The likely impact upon town centre vitality and viability, including the ability for the proposed use to attract visitors to the town centre.
- o If, in the case of vacant units, the length of time for the vacancy and any marketing / market interest.
- o The appearance of the proposed unit, including the contribution that it makes towards high street frontages, and also the likely impact on the appearance of the town centre.
- o The impact that a non-Class A1 use may have on the retail offer of the town centre.

Thus the change of use issue and flexibility can be achieved through the LDP/Development Management Process rather than a top down process that does not respect the individual circumstances of each town centre.

If Welsh Government does wish to proceed with the proposal, then it should only be implemented once the wider regeneration led review of town centre policy, revisiting the use classes order, Technical Advice Note 4: Retail and Commercial Development and Planning Policy Wales has been completed and the revised policy documents issued.

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

Yes ☐

No ☐

Other ☐

Comments:

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

Comments:

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<b>Q.9</b>	<b>Do you agree the permitted development right for the installation of awnings at hospitality uses should be made permanent? If not, please provide your reasons for disagreeing.</b>		
	<b>Yes</b> <input type="checkbox"/>	<b>No</b> <input type="checkbox"/>	<b>Other</b> <input type="checkbox"/>
	<b>Comments:</b>		

<b>Q.10</b>	<b>Do you have any comments regarding Part 3A?</b>		
	<b>Yes</b> <input type="checkbox"/>	<b>No</b> <input type="checkbox"/>	<b>Other</b> <input type="checkbox"/>
	<b>Comments:</b>		

<b>Q.11</b>	<b>Do you have any comments regarding Part 12A?</b>		
	<b>Yes</b> <input type="checkbox"/>	<b>No</b> <input type="checkbox"/>	<b>Other</b> <input type="checkbox"/>
	<b>Comments:</b>		

<b>Q.12</b>	<b>Do you agree that HMOs should not benefit from permitted development rights for alterations and extensions to a dwellinghouse granted by Part 1 of the GPDO? If not, please provide your reasons for disagreeing.</b>		
	<b>Yes</b> <input type="checkbox"/>	<b>No</b> <input type="checkbox"/>	<b>Other</b> <input type="checkbox"/>
	<b>Comments:</b>		

<b>Q.13</b>	<b>Do you agree with the proposed alterations to Class F? If not, please suggest alternative approaches, restrictions or thresholds that could be adopted.</b>		
	<b>Yes</b> <input type="checkbox"/>	<b>No</b> <input type="checkbox"/>	<b>Other</b> <input type="checkbox"/>
	<b>Comments:</b>		

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

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

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

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

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

<b>Q.18</b>	<b>We have asked a number of specific consultation questions. If you have any related issues which we have not specifically addressed, please use the space below to raise them.</b>
	Comments:

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

