

# 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:

Organisation (if applicable):

email / telephone number:

Your address:

**Q.1** Should the additional days granted by Class A of Part 4A be retained permanently, permitting temporary uses to take place for up to 56 days (28 days for specified uses) in a calendar year?

Yes ☐

No ☒

Other ☐

**Comments:**

My response refers specifically to the use of land for motor sport activity. The response to Q2 below sets out my reasons why the 28 period should not be extended and should be removed altogether.

**Q.2** Do you have any evidence as to any benefits and impacts as a result of introducing the additional number of days for temporary uses to take place since April? If yes, please specify.

Yes ☒

No ☐

Other ☐

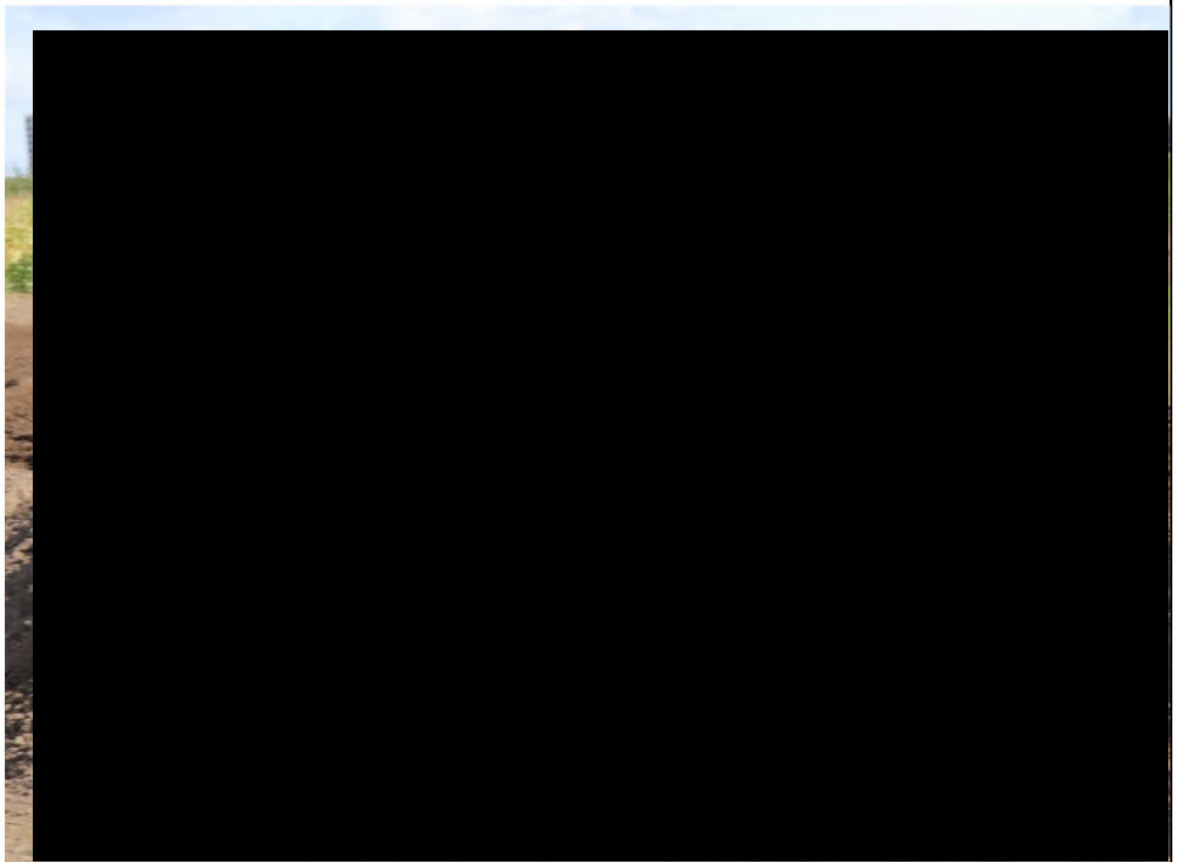
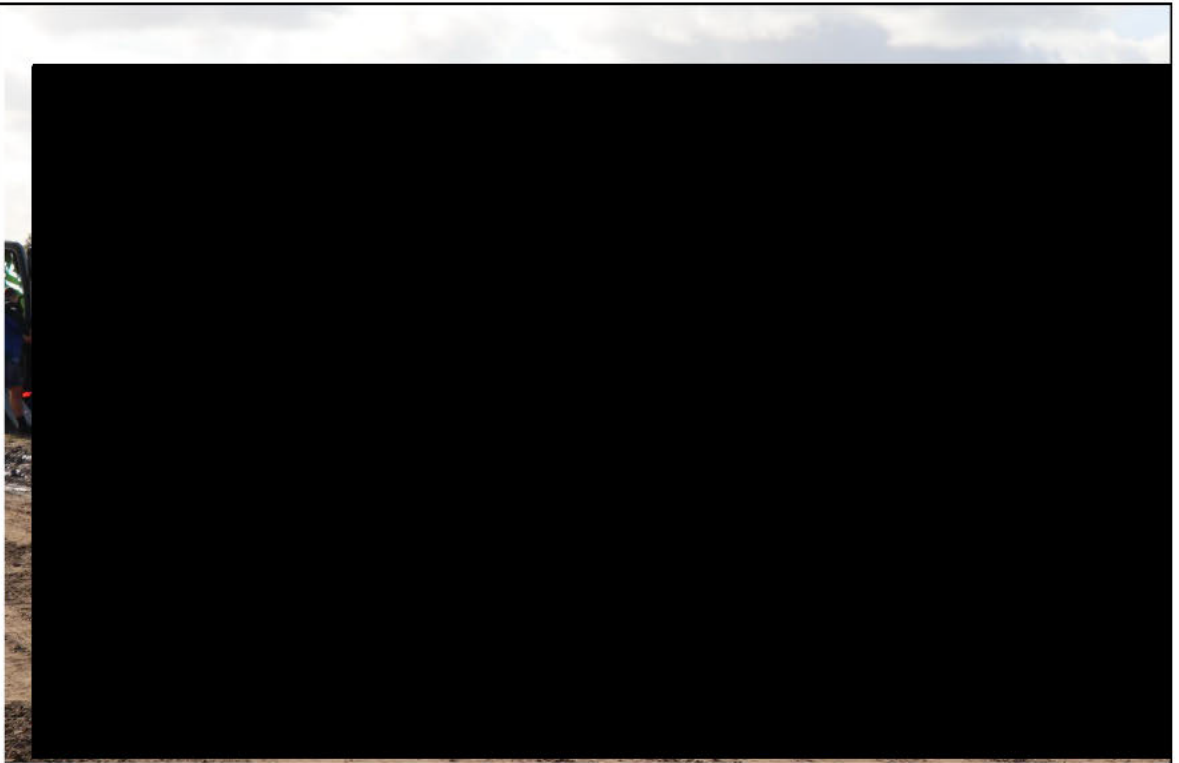
**Comments:**

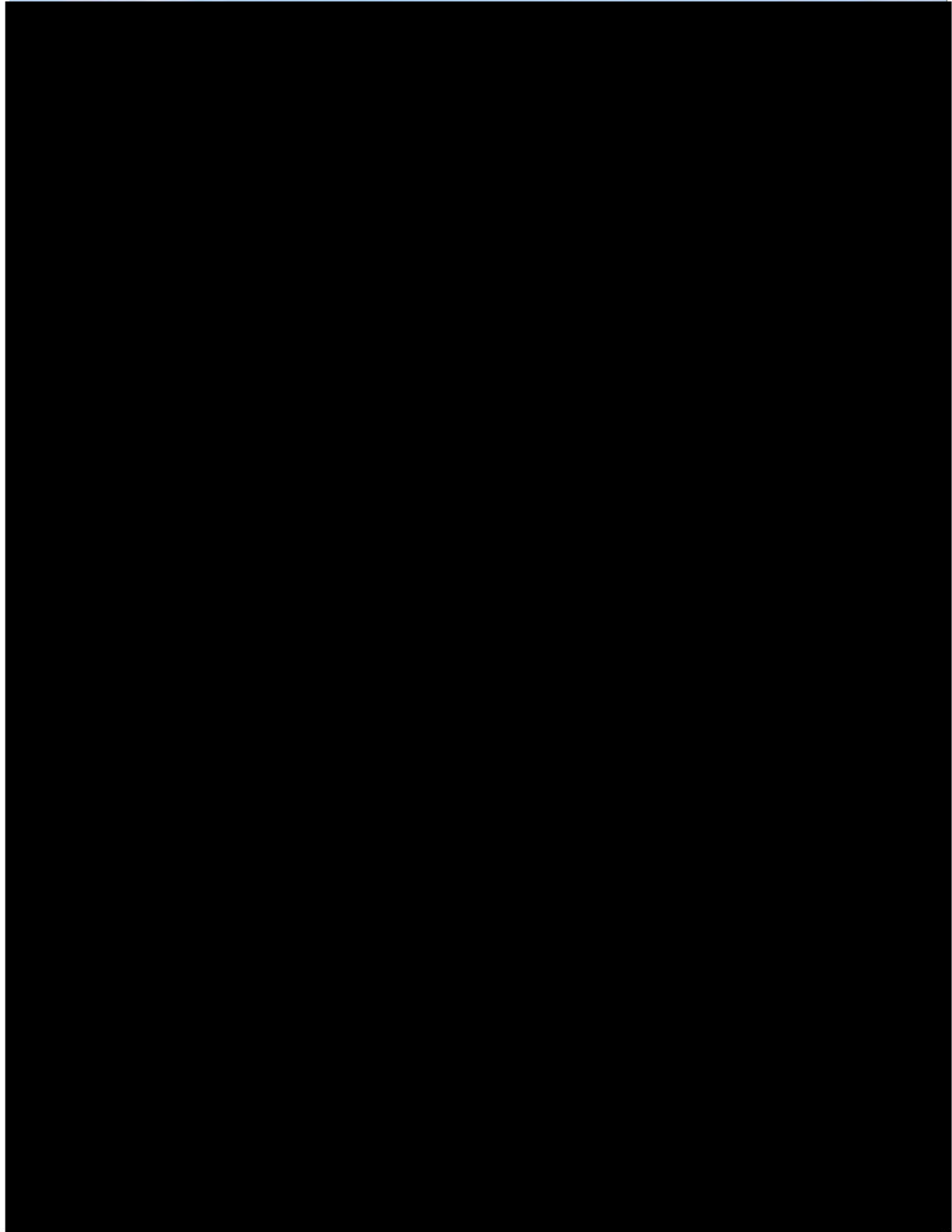
Response to Welsh Government Permitted Development Consultation 2021  
Part 4A to Schedule 2 of the Town & Country Planning (General Permitted  
Development) Order

Evidence of adverse impact of temporary use through motor cycle activity on land

Early in 2021 land off [REDACTED] located in Flintshire close to the administrative boundary with Chester started being used for off-road moto cross activity. The site is BMV agricultural land and located within a designated green barrier. The activity quickly grew in intensity creating significant noise nuisance and disturbance to the local community. Despite approaches being made to the land owner it was clear that he was taking advantage of the 56 day temporary permitted use. The use continued beyond the permitted period and it was clear that the activity was part of a regular and organised operation as opposed to an informal and ad hoc recreational use. Evidence was provided of events taking place where there were over 80 cars, vans (including support vans providing repairs, tuning and tyre changing), and refreshment and toilet facilities on site. Participants at events included children of all ages and adults competing on a laid out circuit with marshalls in attendance. Training days were offered by UK recognised professional riders in addition to practice days 7 days a week from early morning to late evening. The [REDACTED] who were running the site had in excess of 700 members.

The level of disturbance was such that it gave rise to a significant amount of objection over a broad area in excess of a 1km radius from the site. A substantial number of properties in this area of Flintshire and across the national border in Chester were affected. Concerns were raised regularly with the planning authority throughout 2021 by local residents and local councillors including the deputy leader, executive member for planning and environment and chair of planning committee. The local [REDACTED] councillor was also involved as the area affected by noise and disturbance was a more densely populated urban settlement. Despite this level of concerns elected members were repeatedly told that action under planning legislation was not appropriate due to permitted development rights and the ability to move from the operation from one part of the farm unit to another. This was despite a considerable amount of evidence provided to the authority in the form of activity and noise logs, photographs and video that it was all occurring on a single site. Furthermore, operational development in the form of engineering works had been undertaken which in itself required planning permission. Illustrations are provided below.





Representations culminated in a detailed report bringing together the evidence within a planning regulation and policy context. It was only after this had been presented that action was finally taken under noise abatement control in November 2021 some 10 months after the matter was first raised with planning officers.

The issue for Welsh Government is to recognise that the growth in this type of motor sport has been significant since the regulations were first introduced. The impact on

local communities is such that substantial harm is caused by noise and other disturbance. It is also evident from Flintshire's experience that, due to the current permitted development regime, the planning system is no longer able to effectively control such development. For this reason not only should there be no extension to the 28 day temporary use relating to motor sport/recreation activity, but that it should be excluded altogether. There is no material benefit to the local economy resulting from this temporary use of land.

25 January 2022

**Q.3 Do you have views on whether there should be additional restrictions on the use of this PDR to mitigate against potential impacts of making this permanent? If yes, please specify.**

Yes ☒ No ☐ Other ☐

**Comments:**

For the reasons sets out in Q2, the use of land for motor sport should be removed altogether from the permitted development regime. Such activity should only take place on lawful regulated site where adequate controls can be imposed to limit adverse community impact.

**Q.4 Should the number of days for holding a market generally be extended? If Yes, what is an acceptable number of days for holding a market? What conditions should apply to manage the planning impacts?**

Yes ☐ No ☐ Other ☐

**Comments:**

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

Yes ☐ No ☐ Other ☐

**Comments:**

**Q.6 Do you agree the permitted changes of use within town centres should become permanent? If not, please provide your reasons for disagreeing.**

Yes ☐ No ☐ Other ☐

**Comments:**



<b>Q.7</b>	<b>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.</b>		
	<b>Yes</b> <input type="checkbox"/>	<b>No</b> <input type="checkbox"/>	<b>Other</b> <input type="checkbox"/>
	<b>Comments:</b>		

<b>Q.8</b>	<b>If you answered yes to Q7, are any additional conditions required to mitigate potential amenity impacts?</b>
	<b>Comments:</b>

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

<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 checked="" type="checkbox"/>	Other <input type="checkbox"/>
	<b>Comments:</b> Whilst it is acknowledged that planning authorities should make greater use of Article 4 directions where appropriate there is insufficient opportunity for 3 <sup>rd</sup> parties to have objections heard and taken into account through a formal process independent of the planning authority		

<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:		

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

**Comments:**

The Order has no class covering equestrian uses and development. This is a major area of activity which is not recognised within the planning system as providing a substantial positive economic impact within the rural economy. It generates significantly larger direct on site and secondary employment than agriculture. This is in the form of professional riders providing tuition, grooms and day to day maintenance. There is a large secondary economic benefit through suppliers of feed, tack, equipment, clothing, farriers, vets and transport.

These businesses have not just stabling but large areas of indoor and outdoor activity in the form of indoor and outdoor arenas for show jumping and dressage. Despite these intensive and widespread use there is no level of permitted development which is at odds with the permitted development attached to agricultural development.

There are also substantial social and sporting benefits of  
Welsh Government should commission a review and carry out specific consultation with the industry and equestrian organisations

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: ☐