

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.

Your name:

Organisation (if applicable): Newport City Council

email / telephone number:

Your address: Newport Civic Centre, Godfrey Road, Newport, NP20 4UR

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:

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:

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:

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 <input type="checkbox"/>	No <input type="checkbox"/>	Other <input type="checkbox"/>
	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 <input type="checkbox"/>	No <input type="checkbox"/>	Other <input type="checkbox"/>
	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 <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Other <input type="checkbox"/>
	<p>Comments: Newport is very supportive of flexible uses within town/city centres and we certainly see the benefits of this approach. However, we worry whether this approach could be too flexible.</p> <p>Newport has protected primary and secondary frontage policies within the adopted LDP, and we fully accept these policies are currently too restrictive. Consequently, we have been quite flexible with these policies, particularly during the current climate and over the past five years. However, prior to this, the restrictive policies on primary and secondary retail frontage were reasonably well used to control city centre uses.</p> <p>Newport is currently reviewing its LDP. As part of this, we will need to review our retail and city centre policies. Early indications suggest our primary and secondary frontage retail policies are too restrictive, but there could indeed be a need for a more refined small retail core within the City Centre which we may wish to maintain some control over. If these PD rights became permanent, we would be prevented from doing this.</p> <p>In addition, 'town centre' means any identified commercial area defined within an LDP. In Newport, this would include all of our district centres and local centres. These are comparatively quite healthy retail centres with few vacancies. Therefore, whereas we understand the merits of more flexibility in Newport City Centre, we would be resistant to this in our district and local centres. The broad definition of 'town centre' within Part 4A of the GPDO would allow too much unnecessary flexibility.</p> <p>Whereas we fully understand the reasons for proposing these changes, a permanent change could lead to unforeseen difficulties. We believe that the LDP process is a more appropriate way for considering commercial centre uses. This will allow local authorities to create bespoke flexible or restrictive</p>		

policies (to suit their centre needs) as opposed to a blanket approach across all commercial centres.

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

Yes ☐

No ☐

Other ☒

Comments:

The use of outdoor space for hospitality is supported in most case, but we would have concerns/questions if it became permitted development. In conservation areas or within/within the setting of scheduled ancient monuments, hospitality uses of the highway are likely to require stricter control. Therefore we would not support PD in these areas. In other areas, consent from Highways (under Highways Act 1980) would still be required to ensure general highway safety, but the PD rights would inevitably constrain the Highway Authority who wouldn't be able to consider visual issues, amenity, or parking restrictions? What about issues relating to accessibility, in terms of disability, obstacles, visibility at junctions. Would the highway license deal with this or would the PD rights make it difficult for them to do so? It not clear on how highways and planning would work alongside one another whilst avoiding the duplication deferred to in the consultation. Further information and thought is required on this proposal.

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

Comments:

Q.9 Do you agree the permitted development right for the installation of awnings at hospitality uses should be made permanent? If not, please provide your reasons for disagreeing.

Yes ☐

No ☒

Other ☐

Comments:

The consultation document mentions World Heritage Site and Listed Buildings being excluded from this proposal, but it does not mention conservation areas or scheduled ancient monuments. We would suggest these areas are controlled. There are also similar concerns as per Q7. Temporary awnings are sometimes poor quality, unsightly and frequently visually prominent. Therefore we would suggest some control is maintained.

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

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

Q.12	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.		
	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Other <input type="checkbox"/>
	Comments:		

Q.13	Do you agree with the proposed alterations to Class F? If not, please suggest alternative approaches, restrictions or thresholds that could be adopted.		
	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Other <input checked="" type="checkbox"/>
	Comments: This would restrict paved patio areas at the rear of the property. The principle of this change is understood, but restricting paved patio areas in back gardens is potentially onerous. 5 sqm is currently the threshold used for areas forward of the principal elevation. If these PD rights were to be amended, it might be necessary to consider setting a threshold larger than 5sqm for all other areas within the curtilage of the property. If a person did hard surface their entire rear garden, the LPA will have to consider the harm in order to enforce it. If the harm was primarily drainage, then is perhaps more of a matter for the SAB?		

Q.14	Do you agree greater flexibility should be provided through permitted development rights to accelerate the rollout of electric vehicle charging infrastructure? If not, please provide your reasons for disagreeing.		
	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Other <input checked="" type="checkbox"/>
	Comments: We are supportive of the aim to increase electric vehicle charging points and generally supportive of the proposed change. However, we do have some concerns about the potential impact these changes have in conservation areas, where the value is on the character of the street/place. Additional infrastructure could present 'clutter' and detract from the area. WG should also		

work with the Guide Dogs and other similar charities to understand the impact these changes may have on blind/partially sighted pedestrians.

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

Yes ☒

No ☐

Other ☐

Comments:

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

Yes ☒

No ☐

Other ☐

Comments:

We would welcome to proposals to simplify the Article 4 process.

Q.17 We would like to know your views on the effects of the proposals would have on the Welsh language, specifically on opportunities for people to use Welsh and on treating the Welsh language no less favourably than English.

What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?

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:

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: ☐