

Consultation reference: WG 15462

Consultation Response Form

Proposed Changes to Non-Domestic Permitted Development Rights

We want your views on our proposals for amendments to some non-domestic permitted development rights in Wales. Your views on the draft text for the subsequent Amendment Order and draft Technical Guidance document are also sought.

Please submit your comments by 11/01/2013.

If you have any queries on this consultation, please email: planconsultations-c@wales.gsi.gov.uk or telephone Alan Groves on 029 2082 5362.

Data Protection

Any response you send us will be seen in full by Welsh Government staff dealing with the issues which this consultation is about. It may also be seen by other Welsh Government staff to help them plan future consultations.

The Welsh Government intends to publish a summary of the responses to this document. We may also publish responses in full. Normally, the name and address (or part of the address) of the person or organisation who sent the response are published with the response. This helps to show that the consultation was carried out properly. If you do not want your name or address published, please tell us this in writing when you send your response. We will then blank them out.

Names or addresses we blank out might still get published later, though we do not think this would happen very often. The Freedom of Information Act 2000 and the Environmental Information Regulations 2004 allow the public to ask to see information held by many public bodies, including the Welsh Government. This includes information which has not been published. However, the law also allows us to withhold information in some circumstances. If anyone asks to see information we have withheld, we will have to decide whether to release it or not. If someone has asked for their name and address not to be published, that is an important fact we would take into account. However, there might sometimes be important reasons why we would have to reveal someone's name and address, even though they have asked for them not to be published. We would get in touch with the person and ask their views before we finally decided to reveal the information.

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Date of consultation period: 3/10/2012 – 11/01/2013		
Name	Ruth Bradshaw	
Organisation	Campaign for National Parks	
Address	6-7 Barnard Mews London SW11 1QU	
E-mail address	ruthb@cnp.org.uk	
Type <i>(please select one from the following)</i>	Businesses/Planning Consultants	<input type="checkbox"/>
	Local Planning Authority	<input type="checkbox"/>
	Government Agency/Other Public Sector	<input type="checkbox"/>
	Professional Bodies/Interest Groups	<input type="checkbox"/>
	Voluntary sector (community groups, volunteers, self help groups, co-operatives, social enterprises, religious, and not for profit organisations)	<input checked="" type="checkbox"/>
	Other (other groups not listed above) or individual	<input type="checkbox"/>

Q1	Do you agree with the proposed amendments to Part 8 of Schedule 2 to the GPDO, as described in Table 1 of the consultation paper?	Yes	Yes (subject to further comment)	No
		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

Even with the safeguards proposed, we are not convinced that the proposed relaxation of planning control for new industrial buildings of up to 100 square metres is consistent with the conservation of the scenic beauty of National Parks and AONBs or the heritage value of World Heritage Sites. We suggest the exclusion of article 1(5) land from this provision.

Q2a	Do you agree that Part 8 Class C of Schedule 2 to the GPDO should be amended in order to require all new hard surfaces, including the part or whole replacement of hard surfaces, to either be constructed of porous or permeable materials or to direct run-off to a permeable or porous area within the curtilage of the industrial/warehouse building, except where	Yes	Yes (subject to further comment)	No
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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	there is a risk of groundwater contamination?			
Comments: We fully support the aim of mitigating the potential for new hard surfaces to exacerbate flood risk associated with heavy rainfall. We also agree that the use of permeable and porous surfaces may be appropriate in many situations.				

Q2b	Should an allowance be made for the partial replacement of hard surfacing? If yes, how large should this allowance be?	Yes	Yes (subject to further comment)	No
		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Comments: We consider that all replacement of hard surfacing should be through permeable/porous means.				

Q3	Do you agree that the size thresholds for changes of use of B8 floorspace in Part 3 Class B.1 of the GPDO should be increased?	Yes	Yes (subject to further comment)	No
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments: No comment				

Q4	If the answer to question 3 is yes, is 470sqm the correct threshold or should the increase be larger or more modest?			
Comments: No comment				

Q5	Do you agree with the proposed amendments to Part 32 of Schedule 2 to the GPDO, as described in Table 2 of the consultation paper?	Yes	Yes (subject to further comment)	No
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		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Comments:</p> <p>We have no comment on most of the detail of these proposals. However, we are concerned that the proposals would make it easier to build more on existing sites without planning permission - 25% could comprise a significant extension.</p>				

Q6	Should new permitted development rights for offices be introduced to the GPDO, as detailed in paragraph 3.22 of the consultation paper?	Yes	Yes (subject to further comment)	No
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Comments:</p> <p>We have no comment on the detail of specific proposals, but we strongly support the proposal to exclude National Parks from these pd rights.</p>				

Q7	Should new permitted development rights for shops and financial/professional services be introduced to the GPDO, as detailed in paragraph 3.30 of the consultation paper?	Yes	Yes (subject to further comment)	No
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Comments:</p> <p>As Q6</p>				

Q8	Should new permitted development rights for trolley stores be introduced to the GPDO, as detailed in paragraph 3.31 of the consultation paper?	Yes	Yes (subject to further comment)	No
		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Comments:</p> <p>We consider that National Parks should be excluded from these pd rights in the same way that Conservation Areas are excluded. There are many small shops and stores within settlements in National Parks where trolley stores could be provided and the cumulative effect could have significant impacts on the special qualities of these areas.</p>				

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Q9	Should new permitted development rights for new buildings to store refuse and/or bicycles, as outlined in paragraph 3.37 of the consultation paper, be introduced?	Yes	Yes (subject to further comment)	No
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments: As Q6				

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Q10	What are your views on the prior approval process, outlined in paragraph 3.39 of the consultation paper?
Comments: As Q6	

Q11	Do you agree that World Heritage Sites should have the same level of protection as article 1(5) land for the purpose of the proposals detailed in this consultation document?	Yes	Yes (subject to further comment)	No
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments: We welcome the proposal to include World Heritage Sites in the definition of Article 1(5) land.				

Q12	Are there any other amendments to the GPDO that you would like to suggest?
Comments: We welcome the fact that most of the provisions being consulted on here do not apply on article (1)5 land. We would like to see further amendments to the part 40 of the GDPO to remove the permitted development rights that were introduced in May 2012 relating to wind turbines up to 11.1m in height. AONBs, World Heritage Sites and SSSIs are all specifically excluded from these PD rights but not National Parks. We are very concerned about this decision to treat National Parks differently from AONBs and SSSIs as all three were created under the same legislation and should be granted the same level of protection. Welsh Government planning policy also emphasises that National Parks and AONBs have equivalent status. We would like to see part 40 amended so that National Parks are also excluded from these PD rights.	

Draft Regulatory Impact Assessment

Q13	Do you have any comments to make about the draft Regulatory Impact Assessment at Annex 1?	Yes	No
		<input type="checkbox"/>	<input checked="" type="checkbox"/>

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Comments:

No comment

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General

Q14	We have asked a number of specific questions throughout this consultation. If you have any related queries or comments which we have not specifically addressed, please use this space to report them:
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No comment

I do not want my name/or address published with my response (please tick) <input type="checkbox"/>
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How to Respond**Please submit your comments in any of the following ways:**

Email
Please complete the consultation form and send it to : planconsultations-c@wales.gsi.gov.uk [Please include 'Proposed Changes to Non-Domestic Permitted Development Rights Consultation – WG-15462' in the subject line]
Post
Please complete the consultation form and send it to: Development Management Branch Planning Division Welsh Government Cathays Park Cardiff CF10 3 NQ
Additional information
If you have any queries on this consultation, please Email: planconsultations-c@wales.gsi.gov.uk Telephone: Alan Groves on 029 2082 5362