



Llywodraeth Cymru
Welsh Government

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Extension to emergency permitted development rights for coronavirus

Guidance to local planning authorities on changes to permitted development rights for coronavirus.

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Heads of Planning,
Local Planning Authorities in Wales

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Dear Colleagues

At the start of the pandemic an urgent need was identified for temporary facilities to assist with the response by Local Authorities and NHS bodies. Part 3A (Temporary Building and Changes of Use for Public Health Emergency

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Purposes) and 12A (Emergency Development by Local Authorities) were therefore added to Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (the “GPDO”), granting a 12 month planning permission for development for the purpose of preventing, controlling or mitigating the effects of, or taking other action in connection with a public health emergency in the United Kingdom.

The introduction of permitted development rights facilitated the immediate provision of emergency facilities to help save lives and deal with excess deaths without having to go through the normal planning process.

Developments needing to be retained beyond the temporary permission period to continue to manage the pandemic, need planning permission via an application to the local planning authority. Some public bodies have been unable to seek planning permission to retain vital development so the Welsh Ministers have decided to extend the period for temporary development for some emergency development. Therefore, the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2021 has been made and comes into force on 21 March. It amends Schedule 2 to the GPDO as follows:

- Article 3 amends paragraph A.2(c) of Part 3A of Schedule 2 (Temporary Building and Changes of Use for Public Health Emergency Purposes) of the GPDO. This extends the period within which any use of a building or land for the purpose of Class A must cease and any building, movable structure, works plant and machinery permitted by Class A must be removed and the building or land must be restored to its condition before the development took place, or to such other state as may be agreed in writing between the Local Authority and the developer from twelve to eighteen months where the development begins before 10 April 2021.
- Article 4 amends paragraph A.1(b) of Part 12A of Schedule 2 (Emergency Development by Local Authorities), extending the period within which any use of land for a purpose of Class A must cease and any buildings, plant, machinery, structures and erections permitted by Class A must be removed

and restored to its condition before the development took place from twelve to eighteen months where the development begins before 30 March 2021.

There is no intention to provide further extensions. All bodies responsible for emergency development must allow sufficient time for submission and approval of applications for facilities they are seeking to retain beyond 18 months, or arrange for their removal.

Yours sincerely,

Neil Hemington
Prif Gynllunydd | Chief Planner
Cyfarwyddiaeth Cynllunio | Planning Directorate

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