



Chief Executives and Heads of Planning
Local Authorities and Local Planning Authorities in Wales

27 March 2020

Dear Colleagues

CORONAVIRUS COVID 19 – INTRODUCTION OF NEW PERMITTED DEVELOPMENT RIGHTS FOR LOCAL AUTHORITIES

This letter explains changes to the Town and Country Planning (General Permitted Development) Order 1995 (“GPDO”).

In response to the exceptional challenges presented by from COVID-19, the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2020 (“the Amendment Order”) is due to come into force at midnight on 30 March 2020.

The Amending Order inserts a new Part 12A (Emergency Development by Local Authorities) into Schedule 2 to the GPDO, permitting local authorities to undertake any form of development, as defined by section 55 of the Town and Country Planning Act 1990, on land owned, leased, occupied or maintained by the local authority for the purposes of:

- a) preventing an emergency;
- b) reducing, controlling or mitigating the effects of an emergency; or
- c) taking other action in connection with an emergency.

For these purposes an emergency is an event or situation which threatens serious damage to human welfare in a place in the United Kingdom. This includes the current COVID-19 pandemic.

The permitted development is subject to conditions which are also set out in the new Part 12A. Where a local authority proposes development in a national park, it must notify the national park authority (as local planning authority for that area) of that development as soon as reasonably practical.

A further condition restricts the retention of development undertaken under this new part to a period of twelve months beginning with the date on which the development began. Before the end of this period, buildings, structures erected or other works must be removed and any uses ceased. The land must be restored to its previous condition or to such other state

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

as may be agreed in writing between the local planning authority and the developer. Written agreement is intended in circumstances where the nature of the development has changed the site to the extent it is impracticable to restore it to its previous condition. In cases where it is proposed to retain the development longer than 12 months, I would expect a planning application to be submitted in the normal way. This will then facilitate public involvement in considering the planning merits of retaining the development in that location.

During an emergency, there is a need for local government to respond to rapidly changing situations in the interests of protecting human health. The new permitted development rights have been introduced to ensure development is undertaken in a lawful manner while avoiding the delay that determining a planning application would inevitably involve. In the current crisis these measures allow local authorities to undertake necessary development without delay, supporting local communities, helping to protect the NHS, and saving lives.

Yours sincerely



Julie James AC/AM

Y Gweinidog Tai a Llywodraeth Leol
Minister for Housing and Local Government