



Consultation Response

Permitted Development Amendments to the Town and Country Planning (General Permitted Development) Order 1995

**Response from CLA Cymru
15th February 2022**

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Tel: [REDACTED]

Tel: [REDACTED]

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:

The Covid-19 pandemic has severely impacted the rural economy including in the rural tourism and hospitality sectors. These sectors are relied upon by many CLA members in Wales as they have diversified their farming businesses, in line with government policy, to find alternative sources of income other than just farming.

Tourism makes an important contribution to the rural economy in Wales. The total contribution to Wales' economy is £8.9bn (13.3% of the total economy). The Gross Value Added (GVA) from tourism nationally across Wales is worth £3.1billion, or £1.4 billion for rural-based tourism. This is compared to agriculture, forestry and fishing that was worth £660m GVA and contributed 17% of total GVA in predominantly rural areas. It is estimated that rural tourism spend accounts for between 65% to 70% of domestic tourism spend.¹

In 2019/20 there were 11,500 tourist related businesses (mostly SMEs/micro) registered across Wales, accounting for 5% of all registered businesses in Wales.

Total employment in tourism related registered businesses is 170,000 FTE (12.7%). Rural tourism employment at county level is:

- Conwy 16.7%
- Pembrokeshire 15.1%
- Ceredigion 13.2%
- Gwynedd 12.2%
- Powys 12.0%.²

The forecasts for 2021³ suggest significant growth as a direct result of Covid. Therefore, it is likely that this growth will continue into 2022, particularly for rural areas including the National Parks which have seen increases in visitor numbers.

Importance of rural tourism in the rural economy

When compared to other sections of the rural economy, rural tourism is seen as a driver of economic growth. Since Welsh Government's efforts to increase the level of diversification, rural tourism has been the main area of growth. This has proved a vital element for many members' businesses, particularly in terms of maintaining overall business profitability. This is one of the reasons why the impact of the pandemic will have been acutely felt by rural enterprises.

However, there also needs to be a recognition of the sector's contribution to rural economies. It needs to be seen as an economic driver and one that allows land-based businesses to maintain the fabric of the countryside. It should be stressed that rural tourism has evolved over time: for example, a major growth market is that of eco-tourism that promotes environmental objectives as well as to increasing public awareness. In addition, rural tourism adds to both physical and mental wellbeing with

¹ ONS; CLA estimates

² Wales Tourism Alliance

³ Visit Wales

rural areas becoming increasingly important. It also provides around 400,000 FTE jobs in rural areas.⁴

There is a practical reality that the reduction in basic payments and the move towards environmental payments is most likely to stimulate further diversification into rural tourism. For land-based businesses, agriculture and rural tourism are not mutually exclusive but rather, create a strong bond that supports both.

It would be helpful if Welsh Government were to issue a recovery plan with the objective of getting the tourism and hospitality sector back to pre-pandemic levels by 2022. The plan could aim to:

- Recover domestic overnight trip volume and spend to 2019 levels by the end of 2022, and inbound visitor numbers and spend by the end of 2023;
- Ensure that the sector's recovery benefits every nation and region, with longer visits, growing accommodation occupancy rates in the low-season and high levels of investment in tourism products and transport infrastructure;
- Create a more innovative and resilient industry, maximising the potential for technology and data to enhance the visitor experience and employing more UK nationals in year-round quality jobs;
- Ensure the tourism sector contributes to the enhancement and conservation of the natural and historic heritage, minimises damage to the environment and is inclusive and accessible to all;
- Return Wales swiftly to its pre-pandemic position as a leading destination for hosting business events.

The increased demand that we have seen during the summer, has, to an extent, been met by the availability of permitted development rights and this could also be the case in 2022 if an extension to the temporary uses of land rights were granted and reviewed at the end of the year.

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:

Evidence 1

Member confirmed the additional 28 days was beneficial to their ability to run a car park they also ran an ancillary camp site. They employed 3 additional people. Impact on revenue to own business - £20,000 in 2021. Local pub, village shop and petrol station greatly benefitted from this extra surge of people being able to be accommodated by being able to stop in the village as a result of car parking being made available.

Evidence 2

Member has a small, family run B&B business with a caravan club site and a pop-up campsite. The member comments that the last two years have been very difficult for the hospitality and leisure industries, "We need to have the 56

⁴ Tourism Alliance

day rule to put Wales on a level playing field with England.” The member believes their business would be impacted if the 56 day rule was not to be continued.

Evidence 3

The member was able to use the extra days for motor home stopovers to supplement their income. After being made redundant in March 2021 and having to stay at home to care for a unwell relative, the extra income made all the difference to support the family. They employed a part time cleaner and gained valuable experience of how to run a small business. They feel that if they can be sure that they could count on the 56 days of business, they would be happy to upgrade facilities.

Visitors travelled to local market towns, farmers markets and pubs/restaurants. The member believed that 80% of the visitors will have supported other local businesses.

Evidence 4:

Member is a supplier of temporary structures to the hospitality sector. By using the extra days allowed them to retain four full time staff members. They've seen their revenue considerably increase to their own business of approximately 20%, as well as their client's revenue increase. This member has also been able to conduct a 6 week, pop up glamping business with 50 luxury glamping tents with an onsite activities, bar and restaurant. They have been able to employ two full time members of staff and ten seasonal staff roles. This extension allowed an additional revenue of £220,000 and a considerable contribution to the local economy of approximately £380,000.

Evidence 5:

The member operates a [REDACTED], which lies within the [REDACTED]. They keep rare breed pigs, sheep and cattle and sell meat from the animals.

In the early part of 2021 they joined 'Pitchup', incorporated a chemical toilet and other improvements to their property to assist the business. Some weekends they had up to 6 tents pitched and up to 20 people staying. They know that most of their visitors were from England and visited other places in Wales when holidaying at the property.

Evidence 6:

The member felt 'strongly that the continuation of the 56 day derogation is essential as a tool to reboot the tourism industry in Wales'. They own land near Welshpool and have run two large holiday lets since 2009, however due to the uncertainty in 2021, they are unwilling to commit to capital expenditure to expand their operations. They have been contemplating setting up a small 'green' campsite however, they need to know how viable this would be for their business before committing to any significant investment.

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 <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Other <input type="checkbox"/>
<p>Comments:</p> <p>The amenity of local residents, especially those immediately adjacent to proposed sites taking advantage of the PDR, as well as access/highways issues, should be taken into consideration by the land manager proposing to use the temporary rights. We make the following suggestions:</p> <p>Firstly, there should be no extension of these rights for motor car/cycle racing including trials of speed or other motor sports and practising for these activities, clay pigeon shoots etc. These rights should remain unchanged at 14 days per calendar year. The exclusion in respect of SSSI should remain.</p> <p>Secondly, consideration should be given as to whether the extension to 56 days should be subject of a distance limitation in respect of "protected buildings". In other words, if the proposed temporary use was to be located within, say, 100 or 400 metres of a 'protected building' then the temporary use of land rights would not be permitted.</p> <p>A 'protected building' means any permanent building which is normally occupied by people or would be so occupied and is located outside the unit proposing to use the rights.</p>		

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 checked="" type="checkbox"/>
	<p>Comments:</p> <p>The number of days for holding a market could be extended to 28 days for 2022 and once again to be reviewed at the end of the year. However, if this extension was to be taken forwarded indefinitely, then we suggest that the proposal should be the subject of a 28 day prior approval application process on the grounds of location, siting, design, access and highways issues, disturbance to local amenity etc. The 28 days notification period should include a well publicised public consultation period of 21 days.</p>		

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 checked="" type="checkbox"/>
	<p>Comments:</p> <p>The number of days for holding a market could be extended to 28 days for 2022 and once again to be reviewed at the end of the year. However, if this extension was to be taken forwarded indefinitely, then we suggest that the proposal should be the subject of a 28 day prior approval application process on the grounds of location, siting, design, access and highways issues, disturbance to local amenity etc. The 28 days notification period should include a well publicised public consultation period of 21 days.</p>		

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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 checked="" type="checkbox"/>	No <input type="checkbox"/>	Other <input type="checkbox"/>
	Comments: Yes, but only if the prior notification/approval process is retained.		

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 <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Other <input type="checkbox"/>
	Comments: Yes, but the amenity of local people living in the vicinity must be taken into account. It will be particularly important to ensure that antisocial behaviour is curtailed which will mean enforceable planning conditions to limit or curtail the use of a highway adjacent to a hospitality use.		

Q.8	If you answered yes to Q7, are any additional conditions required to mitigate potential amenity impacts?
	Comments: It will be particularly important to ensure that antisocial behaviour is curtailed which will mean enforceable planning conditions to limit or curtail the use of a highway adjacent to a hospitality use.

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 <input type="checkbox"/>	No <input type="checkbox"/>	Other <input checked="" type="checkbox"/>
	Comments: <p>The economies of market towns and villages located on article 1(5) land MUST be provided with the same benefits as those located in ordinary countryside otherwise businesses in designated areas compete on an unlevel playing field. The economies of designated areas will benefit if awnings are permitted as local spend may increase as visitors are able to take advantage of the location and scenery of these places.</p> <p>The ability to use awnings on article 1(5) land under permitted development rights MUST be allowed for the year 2022 and reviewed at the end of the year.</p> <p>Listed buildings would be protected because any change which affected their special interest would require listed building consent.</p>		

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

If these PDR are to be retained permanently, the CLA suggests that Part 3A should be the subject of a 28 day prior notification/approval process including a well publicised public consultation period of 21 days.

Q.11 Do you have any comments regarding Part 12A?

Yes ☒

No ☐

Other ☐

Comments:

If these PDR are to be retained permanently, the CLA suggests that Part 12A should be the subject of a 28 day prior notification/approval process including a well publicised public consultation period of 21 days.

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 ☒

No ☐

Other ☐

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 ☒

No ☐

Other ☐

Comments:

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 ☒

No ☐

Other ☐

Comments:

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

Yes ☒

No ☐

Other ☐

Comments:

Rather than bringing back Part 39, and in a bid to reduce the size of the GPDO, the CLA suggests that a change is made to GPDO Part 6 to allow for emergency housing of livestock.

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

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

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: The CLA policy on Welsh language is that the Welsh language should be used in a positive capacity not in a negative or discriminatory capacity. Where there is legitimate value to be added to a business operation through use of the Welsh language or there is a desire from the owner / land manager to conduct business through the Welsh language then this should be encouraged and supported. People who do not wish to do this should not be treated negatively.

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: ☐