
EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Town and Country Planning (General Permitted Development) Order 1995 (“the GPDO”).

Article 3 of, and Schedule 2 to, the GPDO confer permitted development rights in respect of certain development. Where such rights are conferred, an application for planning permission is not required.

Article 3 of this Order amends Schedule 2 to the GPDO by inserting a new Part 4A (temporary changes of use) to permit certain development in Wales for limited periods. There are 6 new classes of permitted development in Part 4A.

Class A permits an additional period of 28 days for a temporary use of land of which 14 days may be for the holding of a market or for the purposes of motor car and motorcycle racing (including trials of speed, and practising for these activities) during the period beginning on 30 April 2021 and ending on 3 January 2022. The provision of moveable structures for the purpose of the use is also permitted. Development is not permitted to a building or in the curtilage of a building where there is also a scheduled monument. Some types of development are not permitted where the land is in the curtilage of a listed building, is within a site of special scientific interest or is within a National Park.

Class B permits the use of land for the holding of a market by or on behalf of a local authority in the period beginning on 30 April 2021 and ending on 3 January 2022.

Class C, Class D and Class E permit a temporary change of use for town centre buildings within use classes A1, A2, and A3 of the Town and Country Planning (Use Classes) Order 1987 (“the Use Classes Order”) to other specified use classes. The change of use is limited to 6 months and must cease on or before 29 April 2022. Developers are required to notify the local planning authority of the development as soon as reasonably practicable. Change of use back to the original use is also permitted and must take place before the end of 29 April 2022.

Class F permits the change of use, during the period beginning on 30 April 2021 and ending on 3 January 2022, of part of a highway adjacent to premises falling within the use Class 3A of the Use Classes Order, for the purposes of placing removable chairs, tables and other removable furniture for purposes of the selling, serving or consumption of food and drink supplied from that premises. Permission must be obtained from the relevant council and the furniture may not be used between 10 pm and 8 am.

The development permitted under each class is subject to conditions and limitations that are also set out in the new Part 4A.

Article 4 of this Order amends Part 42 of Schedule 2 to the GPDO by inserting a new class (Class D) of permitted development in Wales for a limited period.

The new Class D allows for the installation of a retractable awning over the front of premises in use Class A3 (food and drink) of the Use Classes Order. The awning cannot be an advertisement and must be retracted between 10 pm and 8 am. Where an awning will extend over a highway, permission must be obtained from the relevant council. The installation of the awning must be completed by the end of 29 April 2022.

The development permitted under this class is subject to other conditions and limitations that are also set out in the new Class D of Part 42.

Status: *This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to this Order. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with this Order. A copy can be obtained from the Welsh Government at Cathays Park, Cardiff, CF10 3NQ.