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Aelod Senedd Cymru dros Aberconwy
Member of the Welsh Parliament for Aberconwy



Julie James MS,
Minister for Climate Change,
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By Email

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URGENT

Re: Town and Country Planning (General Permitted Development) Order 1995

Dear Minister, Julie,

I hope that this email finds you well. I am writing to express my serious concerns about the Town and Country Planning (General Permitted Development) Order 1995 (GPDO).

As you will be aware, there have been temporary changes made to the GPDO which enables local authorities to undertake development during the pandemic. Indeed, the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2020 (2020 Order) came into force in March 2020 and inserted a new Part 12A (Emergency Development by Local Authorities) into Schedule 2 to the GPDO. This permits 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.

Whilst I appreciate the exceptional circumstances which brought about Part 12A, and that depending on the date the development began, the permission will either last for 18 months (where a development began before 30 March 2021), or 12 months (where a development began on or after 30 March 2021), it is incumbent on me to highlight the detrimental impact the temporary legislative change is having on Aberconwy and in particular Llandudno.

It has come to my attention that the Local Authority may have relied on Part 12A to enable the change of use of at least one property from a guesthouse to temporary residential accommodation without going through the planning process. I cannot emphasise enough the astonishment and concern this has caused to local residents and hoteliers as the guesthouse in question is situated on a street in the heart of a community which is renowned for its thriving tourist sector.

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Whilst I appreciate that accommodation needs to be made available so to support those who are homeless, for a local authority to decide to change use without seeking planning permission and therefore seemingly relying on the 2020 Order is unjust to the economy and residents of Llandudno. In fact, the move is in conflict with the Conwy Local Development Plan 2007-2022, including Policy TOU/3 - Holiday Accommodation Zones, which states:

'Holiday Accommodation Zones are designated in Llandudno and shown on the proposals map. To safeguard an appropriate level of serviced accommodation for tourism, proposals for the redevelopment or conversion of existing serviced accommodation to other uses will not be permitted within the zones'.

In addition to destroying the safeguard put in place for serviced accommodation for tourism, what we are seeing the 2020 Order achieve is potential unfairness to the residents of the temporary accommodation. Indeed, as many have highlighted to me, living in the heart of a busy tourist street is not necessarily conducive to the relaxed and supported location some individuals may require.

Given the above, I would be grateful if you could urgently consider revoking or at least limiting the use of Part 12A. In particular, I believe that an amendment safeguarding Holiday Accommodation Zones would be positive progress.

Yours sincerely,

Janet Finch-Saunders MS/AS