

Julie James AS/MS
Y Gweinidog Newid Hinsawdd
Minister for Climate Change



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref JF1062
Ein cyf/Our ref JJ/10909/21

Janet Finch-Saunders MS
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11 August 2021

Dear Janet,

Thank you for your letter of 22 July regarding permitted development rights.

Part 12A of schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995 was introduced to assist Local Authorities prevent, mitigate or take other action in connection with an emergency. An emergency means an event or situation which threatens serious damage to human welfare. Homelessness is one of the criteria which qualifies as serious damage to human welfare. These permitted development rights have eased considerable pressure on local authorities, who have wide-ranging responsibilities to those in need, throughout the COVID-19 pandemic.

Inevitably there is a fine balance between the interests of stakeholders and it is not possible to satisfy the demands of every interested party when creating a national planning permission. The perception of impact will vary between individuals, and neighbours will have different levels of sensitivity to new development. As with all permitted development rights, there will be some instances where harm may be greater in some areas than others. This is however mitigated by the temporary nature of the development.

Any use permitted through Part 12A must cease at the end of the relevant period. If the local authority wishes to retain the development, whether for an extended period or permanently, planning permission must be obtained and your constituents will be able to express their views in the usual way. Applications for planning permission must be determined in accordance with the adopted Local Development Plan (LDP) for the area, unless material considerations lead the authority to decide otherwise.

Yours sincerely,

Julie James AS/MS
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Minister for Climate Change

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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.