Regulatory Impact Assessment

Explanatory Memorandum to the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013

This Explanatory Memorandum has been prepared by the Department for Housing and Regeneration and is laid before the National Assembly for Wales in conjunction with the above subordinate legislation and in accordance with Standing Order 24.1.

Minister's Declaration

In my view, this Explanatory Memorandum gives a fair and reasonable view of the expected impact of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013. I am satisfied that the benefits outweigh any costs.

Minister for Housing and Regeneration

Date: 15 July 2013
Regulatory Impact Assessment

1. Description

1.1 Permitted development is development that can be undertaken without the need to apply for planning permission, as it is already allowed under the Town and Country Planning (General Permitted Development) Order 1995 (GPDO), as amended for Wales.

1.2 Part 1 of Schedule 2 to the GPDO, as it applies in Wales, provides householders with the ability to make certain improvements and alterations to their property without the cost and delay of applying for planning permission. This part of the GPDO arranges householder ‘permitted developments’ into 8 Development Classes, Development Class A to Development Class H. It relates only to houses, which as defined in the current GPDO does not include flats or buildings containing one or more flats.

1.3 The Order substitutes in its entirety a new Part 1 to the GPDO to allow individuals more flexibility to develop their property without the need to submit a planning application. It also provides greater restrictions on householder permitted development rights (PDRs) within World Heritage Sites, and restricts the ability to lay impermeable surfaces on front gardens that adjoin highways, in order to reduce flood risk.

2. Matters of Special Interest to the Constitutional and Legislative Affairs Committee

2.1 [None]

3. Legislative background

3.1 Sections 59-60 and 333(7) of the Town and Country Planning Act 1990 confer powers to make development orders by subordinate legislation. The functions of Ministers of the Crown in Wales under that Act were vested (with limited specific exceptions) in the National Assembly by the 1999 Transfer of Functions Order and subsequently transferred to the Welsh Ministers by the Government of Wales Act 2006. Under section 333 of the Town and Country Planning Act 1990, those powers are exercisable by statutory instrument which can then be subject to annulment (the negative procedure).

4. Purpose & intended effect of the legislation

4.1 A research report, commissioned by the Department of Communities and Local Government (DCLG) and the Welsh Government –
Regulatory Impact Assessment

“Householder Development Consent Review. Implementation of Recommendations” – assessed the operation of Part 1 of Schedule 2 to the GPDO.

4.2 The report found that the existing system requires householders to submit planning applications for a number of minor, uncontentious developments whilst other works - that may have significant impacts on neighbours or the environment - benefit from permitted development rights. In order to provide a more effective, proportionate planning system, the report recommended that a number of changes are made to existing householder permitted development rights.

4.3 A subsequent research report, “Study to examine the planning application process in Wales”, commissioned by the Welsh Government, recommended the extension of permitted development rights in Wales. The extension of permitted development rights was also recommended by the Arup/Cardiff University report in August 2012. The Independent Advisory Group (IAG) report to the Welsh Government (“Towards a Welsh Planning Act: Ensuring the Planning System Delivers”, June 2012) similarly supports revisions to permitted development rights so that minor, uncontentious, householder developments are not subject to applications for planning permission.

4.4 To address these issues, the Order introduces amendments to householder permitted development that build upon the changes to PDRs introduced in England by UK Statutory Instrument 2008 / 2362. This is on the basis that there are no significant differences between both countries in terms of their development management systems and the evidence for change. However the Order addresses some of the recognised difficulties with the interpretation of the replacement Part 1 of the GPDO introduced in England.

Scale of the problem

4.5 Householder developments account for a large proportion of all planning applications. Applicants and planning authorities invest a considerable amount of time in submitting and determining these applications.

4.6 The number of householder applications consistently form a significant proportion of all applications received in Wales. In 2005, a comparatively buoyant year economically, approximately 36,000 planning applications were determined in Wales of which an estimated 45% were householder planning applications. By comparison, the total number of planning applications determined in Wales in 2011 was approximately 22,000 of which an estimated 41% were householder developments.
Groups affected by the changes

4.7 The sectors most likely to be affected by the proposed amendments to Part 1 of the GPDO are:

- **Householders** who pay for and benefit from improvements and alterations to their own homes and who may be affected by works to other properties in their neighbourhood.

- **Local Planning Authorities** who advise householders and businesses on PDRs, determine applications for planning permission and lawful development certificates, and have a discretionary power to take enforcement action where development is carried out in breach of a planning condition.

- **Businesses** that provide design and building services (including building control services) and professional advice to householders and often act as agents for the householder when seeking planning permission.

- Some **voluntary sector/non-profit-making organisations**, in particular housing associations who manage housing stocks, and Planning Aid Wales who provide independent land use planning assistance to individuals (including householders) and community groups.

Objectives

4.8 The main objectives of the Order are to:

- give householders more flexibility to extend, alter and improve their properties without the need to apply for planning permission, whilst retaining an appropriate level of development management;

- reduce the number of minor, un-contentious planning applications that LPAs in Wales determine;

- provide householders and planning professionals with more confidence and certainty in interpreting PDRs, by removing the need for volume calculations;

- set permitted development limits based on the impact on others, rather than volume thresholds;

- mitigate any potential impact that householder ‘permitted developments’ could have on the environment (in particular, to reduce flood risk); and,

- afford greater protection to World Heritage Sites

Detail of proposed changes

4.9 In general, the existing system controls the extent of permitted development by setting volume limits. However this approach can
mean that the potential impact of development is not addressed. Instead, the Order adopts an impact-based approach to 'permitted development'. This seeks to ensure that development is carried out in a manner that minimises impact on others.

4.10 Under the existing Part 1 to the GPDO, there are no restrictions imposed on householder PDRs within World Heritage Sites (unless the site concerned is also a Conservation Area or other land where permitted development rights are already restricted). The Amendment Order provides greater restrictions on householder PDRs within World Heritage Sites due to the risk that inappropriate householder development, although comparatively minor in nature, could, on a cumulative basis, have a significant adverse effect on a World Heritage Site’s ‘outstanding universal value’ (the criterion for which such sites are designated).

4.11 Elsewhere the Order will deliver a more flexible regime than exists at present by allowing householders to undertake a wider range of improvements to their homes without the need to submit a planning application. This will allow individuals more freedom to develop their homes whilst retaining an appropriate level of development management.

4.12 Removing the need to submit planning applications for certain householder development will also result in a decrease in workload for LPAs. LPAs would then have the option to allocate staff resources to more complex planning applications or to other areas of their planning functions.

Risks if legislation changes are not made

4.13 If the proposed revisions to Part 1 to the GPDO are not introduced, the existing limitations and conditions would continue to apply, which may result in the following:

- LPAs continuing to determine minor, uncontroversial householder planning applications when resources could be used more effectively within other areas of their planning function.

- Householders in Wales may be unable to make certain uncontroversial improvements or alterations to their properties without applying for planning permission, whereas in England such development may already be ‘permitted’ under the replacement Part 1 of the GPDO in England.

- A risk that inappropriate householder development, on a cumulative basis, could have a significant adverse effect on a World Heritage Site’s ‘outstanding universal value’.

- The continued, unrestricted provision of hardstandings in front gardens that adjoin highways could increase flood risk.
5. Consultation

5.1 Details of the consultation exercise are included in the RIA.
Part 2 Regulatory Impact Assessment

6. Options

6.1 The following options are considered:

- **Option 1: Do nothing** – Make no amendments to Part 1 of the GPDO as it applies in Wales and continue to operate within the existing householder PDRs.

- **Option 2: Do minimum** - Whilst a “do minimum” option has been considered, it would be difficult to achieve the “Purpose & intended effect of the legislation”, as outlined in section 4 of the consultation paper, without amendments to the GPDO as it applies in Wales. To secure these amendments, subordinate legislation will be required. Without changes to the GPDO, via subordinate legislation, there is no means of making changes to householder PDRs in Wales.

  Given that new legislation is required in order to make any changes to the GPDO in order to meet the “purpose & intended effect of the legislation”, there is no benefit in terms of resources or speed by pursuing a “do minimum” option. The resources and time expended in only making selected amendments to the GPDO would be the same as pursuing the full suite of measures detailed in Option 3.

- **Option 3: Amend Part 1 to the GPDO** – Introduce amendments to householder PDRs in Wales in order to deliver a more flexible regime to allow individuals more freedom to make improvements and alterations to their property without the need to submit a planning application.

7. Costs and Benefits Analysis

7.1 The sectors most likely to be affected by the proposed amendments to Part 1 of the GPDO are:

- Householders
- Local planning authorities
- Businesses that provide design and building services (including building control services) and professional advice to householders and often act as agents for the householder when seeking planning permission.
- Some voluntary/non-profit-making organisations, in particular individual housing associations and Planning Aid Wales.
7.2 The following cost and benefit analysis has been undertaken for each of the sectors identified above, which is detailed below.

Cost Analysis for Option 1 – Do nothing.

Householders

7.3 Direct costs to householders:

- Householders will need to continue submitting planning applications for certain householder developments that are minor in nature and have little impact on others. This usually requires the payment of a planning application fee of £166 with associated costs e.g. site plans and possibly an agent fee. In addition, having to make a planning application potentially creates uncertainty and delay for the householder in proceeding with the works.

Local Government

7.4 Direct costs to Local Planning Authorities:

- LPAs, as part of their workload, will need to continue investing resources in processing and determining a significant number of minor, uncontentious householder planning applications. Removing some of these applications from the planning system could allow these resources to be used in other parts of the planning service.

Businesses

7.5 Direct costs to businesses:

- LPAs would continue to process and determine a significant proportion of householder planning applications as part of their workload – this can affect the speed at which other planning applications, such as those for the business sector itself, are determined.

7.6 Indirect cost to design and building service providers:

- Small businesses that provide design and building services to householders will continue to work with possible delays and uncertainty caused by having to submit planning applications for some forms of development.
- Some householders could be deterred from making improvements to their homes, which may have an impact on the business available to the service providers.
Regulatory Impact Assessment

Voluntary sector/non-profit-making organisations

7.7 Direct cost to housing associations:

- Housing associations will need to continue submitting planning applications for undertaking certain building works to adapt their existing housing stock. This usually requires the payment of a planning application fee of £166 with associated costs e.g. site plans and possibly an agent fee. In having to make a planning application, this potentially creates uncertainty and delays for housing associations to proceed with the works.

7.8 Indirect cost to Planning Aid Wales:

- The amount of queries that Planning Aid Wales manage regarding householder permitted development is likely to continue in a similar manner.

Benefit Analysis for Option 1 – Do nothing.

Householders

7.9 Indirect or direct benefits to householders:

- There are no apparent indirect or direct benefits for householders, given that they will continue to operate within existing householder PDRs, as they apply in Wales.

Local Government

7.10 Direct benefit to Local Planning Authorities:

- No change to planning fee income – intended to recover the costs of processing applications - for LPAs.

7.11 Indirect benefit to Local Planning Authorities:

- There are no significant indirect benefits for LPAs; although there will be no need for training on new legislation.

Businesses

7.12 Direct benefit to planning service providers:

- With no greater flexibility provided through this option for householders to improve or alter their property, it is anticipated that the level of demand for businesses that provide planning services to householders will remain as existing.
7.13 Indirect benefits to *businesses*:

- There are no apparent indirect benefits for businesses. Local Planning Authorities will continue to process and determine a significant proportion of householder planning applications as part of their workload, which could affect the speed at which other planning applications, such as those for the business sector itself, are determined.

**Voluntary sector/non-profit-making organisations**

7.14 Indirect or direct benefits to the *housing associations and Planning Aid Wales*:

- There are no apparent indirect or direct benefits for voluntary sector/non-profit-making organisations such as housing associations and Planning Aid Wales. However, staff and volunteers providing advice through Planning Aid Wales will not require training on new legislation.

**Cost Analysis for Option 3 – Amend Part 1 to the GPDO as set out in the Amendment Order.**

**Householders**

7.15 Direct costs to *householders*:

- The proposed amendments will provide householders with more flexibility to make a greater range of improvements and alterations to their property without the cost of applying for planning permission.

- However, if householders wish to lay hard surfaces in front gardens that adjoin highways, the Amendment Order requires either permeable/porous material to be used, or the hard surfacing designed to allow surface water to drain to a permeable/porous area. But existing permitted development rights allow householders to lay any hardsurface around their homes without restriction. Therefore the new regulations in relation to hardsurfaces could result in additional costs for householders.

- Table 1 sets out the cost per sqm of a variety of permeable and non-permeable surfaces. The figures are derived from data contained in the Explanatory Memorandum to the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 – the costs were provided by businesses.
### Table 1

<table>
<thead>
<tr>
<th>Material</th>
<th>Cost £/sqm</th>
<th>Differences in cost (£)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Impermeable concrete block paving</td>
<td>99.27</td>
<td>17.32</td>
</tr>
<tr>
<td>Permeable concrete block paving</td>
<td>116.58</td>
<td></td>
</tr>
<tr>
<td>Impermeable Asphalt</td>
<td>92.86</td>
<td>41.10</td>
</tr>
<tr>
<td>Porous Asphalt</td>
<td>133.96</td>
<td></td>
</tr>
<tr>
<td>Concrete</td>
<td>91.24</td>
<td>1.71</td>
</tr>
<tr>
<td>Reinforced gravel/gravel</td>
<td>89.53</td>
<td></td>
</tr>
<tr>
<td>Impermeable concrete block paving</td>
<td>99.27</td>
<td>37.60</td>
</tr>
<tr>
<td>Impermeable block paving with soak-away</td>
<td>136.87</td>
<td></td>
</tr>
</tbody>
</table>

Table 2 shows the comparative costs of laying permeable and impermeable surfaces over a 15sqm area.

### Table 2

<table>
<thead>
<tr>
<th>Option</th>
<th>Extra cost per household (£)</th>
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<tbody>
<tr>
<td>Concrete block to permeable concrete block</td>
<td>259.80</td>
</tr>
<tr>
<td>Asphalt to porous asphalt</td>
<td>616.50</td>
</tr>
<tr>
<td>Concrete to reinforced gravel</td>
<td>25.65</td>
</tr>
<tr>
<td>Concrete block to concrete block with soakaway</td>
<td>564</td>
</tr>
</tbody>
</table>

- Although there may be additional costs in terms of laying permeable/porous surfacing, the number of householders affected is likely to be limited for the following reasons:
  - there are no restrictions on laying or replacing impermeable hardsurfacing in rear, side, or front gardens that are separated from any highway
  - householders will still be able to lay impermeable hardsurfaces in front gardens that face a highway providing surface water run-off is directed to a permeable or porous area
  - an allowance is made in the Amendment Order for the replacement of hardsurfacing – in front gardens that face a highway - with impermeable materials (up to 5sqm in an 6 month period)
- householders can still submit a planning application for an impermeable hardsurface
- it is anticipated that the cost of permeable/porous materials will decrease as demand, driven by legislation, increases
- the wider environmental benefits to the householder will include a reduced risk of flooding, this could potentially result in a significant cost saving for householders, particularly for those living in flood risk areas

7.16 Indirect costs to householders:

- Sensitivity to “impact” will vary, and some neighbours may consider that extending permitted development rights undermines their ability to influence development proposals. This is an issue for all permitted development but the “impacts based” approach to setting limits for householder permitted development rights should avoid any significant adverse impact on neighbours.

Local Government

7.17 Direct costs to Local Planning Authorities:

- The research report, commissioned by DCLG and the Welsh Government, indicated that the proposed changes would result in a 25% decrease in the total number of householder applications entering the planning system in Wales. Given that the England Order has been operating for a few years, and was informed by the same report, it is appropriate to review whether the changes in England have resulted in the anticipated reduction in number of planning applications.

The experience in England

- DCLG quarterly returns provide data relating to the number of decisions made on householder applications in England. The figures show that the number of decisions on householder applications have generally declined since October 2008 – the date on which the Amendment Order was introduced. If figures between 2008 and 2011 are analysed, it appears that there was a reduction of about 20% in terms of the total number of householder applications determined by LPAs in England. It should be noted that the published statistics do not record the number of applications submitted to but rather the number of applications determined.

- It is difficult to assess the extent to which the reduction in decisions on householder applications has been accounted for by the economic climate – particularly as the total number of planning applications in England also declined significantly between 2008 and 2011 – but the published data does show that there has been a significant fall in the number of decisions that LPAs have had to make on householder applications since 2008.
Regulatory Impact Assessment

- There has also been a fall in householder decisions when considered as a proportion of decisions for all applications. There is some fluctuation by quarter but data published by DCLG show that the overall trend is a reduction since 2008.

Northern Ireland and Scotland – impact assumptions

- In 2011, Scotland and Northern Ireland also introduced amendments to householder permitted development rights. The rationale for introducing the amendments in Scotland and Northern Ireland is similar to England, i.e. to reduce the number of uncontentious householder development in order to allow the planning system to refocus on applications that are more larger and more complex. The amendment Orders in both Northern Ireland and Scotland also focus on introducing additional flexibility for householders whilst minimising any potential impact on neighbours, as is the case in England. Some of the underlying principles, such as protecting the “principal elevation” and removing volume limits, are similar in England, Scotland and Northern Ireland.

- The Regulatory Impact Assessments (RIA) for the changes to householder permitted rights in Northern Ireland (The Planning (General Development) (Amendment) Order (Northern Ireland) 2011) and Scotland (The Town and Country Planning (General Permitted Development) (Scotland) Amendment Order 2011) estimated that the proposed changes would result in a reduction in the number of householder planning applications submitted of between 16% and 20%, respectively.

Summary

- The impact of the Order on householder application numbers will be monitored by the Welsh Government. But the available research and statistics in England do not contradict the assumption that the Amendment Order would result in a reduction in the number of householder applications in Wales. Whilst - due to post-consultation changes to the Order - a 25% reduction may not be achieved, it is reasonable, based on the evidence that informed changes to householder permitted development rights in England, Northern Ireland, and Scotland, and the experience of the impact of similar amendments to Part 1 of the GPDO in England, to expect a reduction in householder planning applications of between 15% and 20% in Wales.

- Applying a reduction of between 15% and 20% to the total number of householder applications determined by local planning authorities in Wales during 2011 would result in a fall from 9,210 to 7,829 or 7,368 applications, respectively.
A reduction in the number of planning applications that LPAs have to determine will result in a consequential reduction in planning fee income. Based on the standard householder application fee of £166, applying a 15% or 20% reduction to application numbers in 2011 would have resulted in a total fee income loss of between £229,246 and £305,772 across all local planning authorities in Wales - equating to between £9,170 and £12,230 per LPA (assuming the householder fees were divided equally across each LPA). However it is assumed that planning fees cover the cost of the work involved on behalf of the relevant planning authority in terms of processing and determining an application. Therefore any reduction in fees will be mirrored by a reduction in associated work for the LPA.

Initially there may be more time taken to deal with enforcement issues due to the process of moving from existing, established legislation to new regulations. However once the Order becomes familiar, there should be a reduction in the amount of Officer time spent on advice and enforcement given that the new rules should be generally clearer to interpret (with the removal of volume calculations).

The available research suggested that the saving of staff time may be offset by an increase in requests for Lawful Development Certificates with householders seeking to justify the work undertaken when selling their property. However data published by DCLG does not suggest that there has been a substantive increase in the number of applications for LDCs in England since 2008 – the date on which similar amendments to householder PDRs were introduced in England.

Compensation

A potential cost could relate to possible compensation claims under Section 108 of the Town and Country Planning Act (1990). However given that most of the changes introduced in the Amendment Order provide householders with greater flexibility to undertake a wider range of improvements and alterations to their homes, any compensation claims are unlikely. Also, any compensation claims would need to be made within 12 months of the commencement date of the order – this further limits the potential cost impact on local authorities. In any event, if a claim is made to the local planning authority, the claimant will need to prove that they (i) have incurred expenditure in carrying out work which is rendered abortive or (ii) have sustained loss or damage which is directly attributable to changes introduced in the Order. Given this context, Section 108 compensation is unlikely to be a significant cost issue for local planning authorities.

Businesses

7.18 Indirect costs to businesses:
Regulatory Impact Assessment

- LPAs may be able to concentrate resources on larger, more complex planning applications - this could improve the speed of decision making which would allow business to make quicker investment decisions, saving costs.

7.19 Indirect cost to design and building service providers:

- Removing the need to submit planning applications for certain householder development may provide design and building services with more certainty that they can proceed with development without having to apply for planning permission.

Voluntary sector/non-profit-making organisations

7.20 Direct cost to housing associations:

- The Amendment Order will provide more freedom for housing associations to make improvements or alterations to their housing stock without the cost of applying for planning permission or other costs associated with supporting a planning application, for example agents fees.

Benefit Analysis for Option 3 – Amend Part 1 to the GPDO as set out in the draft amendment Order.

Householders

7.21 Direct benefits to householders:

- The Amendment Order will provide more flexibility for householders to make improvements or alterations to their property without the delay, uncertainty and costs involved in applying for planning permission. For certain householder developments this represents a saving of the planning application fee normally required (£166) and other costs associated with supporting a planning application.

7.22 Indirect benefits to householders:

- Removing the requirement to submit planning applications for certain householder development may assist householders in meeting their housing needs.

Local Government

7.23 Direct benefit to Local Planning Authorities:
Regulatory Impact Assessment

- The Order is expected to reduce the number of householder planning applications entering the planning system. This should allow LPAs to reallocate staff resources to more complex planning applications or to other areas of its planning function.

Businesses

7.24 Direct benefit to planning, design and building service providers:

- Whilst the Order is expected to reduce the number of householder planning applications that LPAs have to determine, there will still be a requirement for plans and drawings to be prepared. One direct benefit may be that householders, encouraged by the additional flexibility in the Order, undertake additional improvements - this should create business in this sector.

- Possible increase in demand for building materials, which may assist small businesses that supplying such materials.

Voluntary sector/non-profit-making organisations

7.25 Direct benefit to housing associations:

- The Order will provide more freedom for housing associations to make improvements or alterations to their housing stock without the delay and uncertainty of applying for planning permission.

7.26 Indirect benefits to Planning Aid Wales:

- As the Order becomes established, there may be fewer householder enquiries to Planning Aid Wales as the additional flexibility provided by the revised PDRs take effect.

8. Analysis of Other Effects and Impacts

Equality of Opportunity

8.1 The Order has equal benefit across all sectors of society. It may be particularly helpful for elderly people or people with disabilities who may wish to make improvements or alterations to their property to meet their specific housing needs.

Sustainable Development

8.2 The Order will provide householders with greater freedom to adapt their properties to meet their current and future housing needs. This
Regulatory Impact Assessment

may enable individuals to remain within their homes and communities, which will assist in creating and maintaining sustainable communities.

8.3 In addition, the proposals for hardsurfacing will seek to assist in reducing the risk of flooding from the cumulative effect of surface water run-off from hard surfaces, particularly as heavy rainfall events (and subsequent flooding) may occur more often in the future due to the effects of climate change.

8.4 The Order confirms that householders can install external wall insulation without the need for planning permission.

The Welsh Language

8.5 Providing greater freedom and flexibility for householders to adapt their properties to meet their housing needs may enable householders living within Welsh speaking communities to remain within their homes and their communities. This may help sustain Welsh speaking communities.

National Parks

8.6 Due regard has been given to Section 62 (2) of the Environment Act 1995 and, consequently, the Order restricts certain permitted development rights in national parks in order to prevent any potential harmful impacts.

9. Summary

9.1 Given the analysis undertaken on both options, it is considered that option 3, which amends Part 1 to the GPDO, should be introduced. This option is preferred in order to:

- Provide householders with more flexibility to undertake improvements and alterations to their properties without the need to apply for planning permission, whilst retaining an appropriate level of development management.
- Reduce the number of minor, uncontroversial household applications that LPAs in Wales have to determine.
- Provide householders and planning professionals with more confidence and certainty in interpreting PDRs, by removing the need for volume calculations;
- Introduce tighter regulation in relation to the provision of hardstandings in order to secure permeable/porous surfacing, which would serve to reduce flood risk.
- Provide greater protection for World Heritage Sites.
10. Consultation

10.1 A consultation paper was issued on 23 November 2010 setting out the Welsh Government’s proposals for amendments to Part 1 to the GPDO in relation to householder permitted development.

10.2 A 12 week period was provided for the submission of responses to the consultation, this ended on 15 February 2011. The consultation paper and its annexes (which included a draft amendment order and the draft Regulatory Impact Assessment) were made available on the Welsh Government’s web-site. In addition, key stakeholders from the private, public and third sectors were notified in writing.

10.3 The consultation exercise generated 50 responses. A wide range of respondent groups were represented: local planning authorities, businesses, professional bodies/interest groups, government agencies/public sector, community/town councils, individuals and voluntary groups.

10.4 A detailed analysis of the consultation responses is provided in the “Summary of Responses” document.

10.5 In broad terms, the majority of responses from all respondent groups supported the principle of amending Part 1 of the GPDO in order to provide householders with greater freedom to make changes to their property. The majority of respondents also supported the proposed restriction of householder PDRs in World Heritage Sites and the requirement for permeable hardstandings.

10.6 However some respondents did express specific concerns about some aspects of the draft proposals. Common issues related to the apparent complexity of the Order, terminology and concern that the difficulties generated by the Amendment Order in England were being repeated.

10.7 Responses were also received in relation to the Regulatory Impact Assessment and the Technical Guide – these responses are also detailed in the “Summary of Responses” document.

10.8 The consultation responses have been fully considered and have informed extensive changes to the draft Order.

11. Competition Assessment

11.1 A competition filter test has been applied to the Order. The result of the test suggests that the proposals are unlikely to have any significant detrimental effect on competition.

11.2 The amendments will continue to provide householders with freedom of choice on which planning, design or building service provider they wish to employ to undertake the works.
11.3 Removing the need to submit planning applications for certain householder developments could lead to a reduction in householders seeking specialist help in order to be able to deliver their work, for example, in preparing plans and drawings for a planning application. However, this is likely to be compensated for by an increase in householders carrying out extensions as a direct result of the amendments.

11.4 The proposed amendments will also continue to provide design and building service providers with the freedom of choice from where and who to procure materials and labour.

12. Post Implementation Review

12.1 The Welsh Government will assess the impact of the Order by monitoring development control statistics that are routinely collected from all local planning authorities.

12.2 Feedback provided by stakeholders on the operation of the Order, for example through regular meetings between Planning Division and Chief Planning Officers, will also inform any review.