

## Response ID ANON-8KQG-1R4Y-B

Submitted to Permitted development rights: supporting temporary recreational campsites, renewable energy and film-making  
Submitted on 2023-04-25 16:55:45

### Scope of the consultation

What is the type of organisation that you work for?

Local authority

If applicable, what is the name of your organisation?

Organisation:  
Greater London Authority

What is your position in the organisation?

Position in organisation:

### Privacy notice

### A new permitted development right for temporary recreational campsites

Do you want to complete this section?

Yes

### A new permitted development right for temporary recreational campsites

#### Temporary recreational campsites - the proposed new right

Q1. Do you agree that a new permitted development right should be introduced that will allow the temporary use of land for recreational campsites and associated facilities?

Yes

Please give your reasons :

Although camping is already permitted under Class B or Part 4, the proposed changes would introduce additional checks and balances to ensure that this temporary use is properly managed

Q2. Do you agree that the permitted development right should only apply to the placing of tents?

Yes

Please give your reasons :

Q3. Do you agree that the permitted development right should allow up to a maximum of 30 tents to be erected on the land?

Don't know

Please give your reasons. If you have responded no, please provide your alternative suggestion and justification. :

It is difficult to ascertain the appropriateness of this number and what its associated impacts would be. Although this seems like a reasonable amount it would depend on the area of land and intensity of its use.

Q4. Do you agree that the permitted development right should be limited to up to 60 days per calendar year?

Yes

Please give your reasons. If you have responded no, please provide your alternative suggestion and justification.:

Q5. Do you agree that the permitted development right should require the provision of temporary on-site facilities to provide waste disposal, showers and toilets?

Yes

Please give your reasons and provide details of any other facilities that should be required.:

Q6. Do you agree that the permitted development right should not apply on land which is in or forms part of sites of special scientific interest, Scheduled Monuments, safety hazard areas, military explosives storage areas and land within the curtilage of a listed building?

Yes

Please give your reasons :

The list above should also be expanded to include Metropolitan Open Land to ensure that the amenity value of these important spaces is maintained. Similarly, these rights should not apply within, or within the setting of, World Heritage Sites regardless of whether or not they contain buildings to preserve their outstanding universal value.

Q7. Are there any other planning matters that should be considered?

Yes

Please specify :

Associated traffic and parking should be a consideration of the prior approval system.

#### Temporary recreational campsites - prior notification

Q8. Do you agree that the permitted development right should require annual prior notification to the local authority of the matters as set out above?

Yes

Please give your reasons :

See answer to question 7

#### Temporary recreational campsites - prior approval for campsites in areas of flood risk

Q9. Do you think that, in areas of flood risk, the right should allow for prior approval with regard to flooding on the site?

Not Answered

Please give your reasons :

#### Temporary recreational campsites - Public Sector Equality Duty and Impact Assessments

Q10.a. Do you think that any of the proposed changes in relation to a new permitted development right for temporary recreational campsites could impact on businesses?

Yes

Q10.b. Do you think that any of the proposed changes in relation to a new permitted development right for temporary recreational campsites could impact on local planning authorities?

Yes

Q10.c. Do you think that any of the proposed changes in relation to a new permitted development right for temporary recreational campsites could impact on communities?

Yes

Q10.d. Please give your reasons. It would be helpful if you could specify whether your comments relate to a) business, b) local planning authorities, or c) communities, or a combination.

Please give your reasons :

Without adding restrictions to exclude MOL land, communities who rely upon these amenities could be adversely affected.

Q11. Do you think that proposed changes in relation to a new permitted development right for temporary recreational campsites could give rise to any impacts on people who share a protected characteristic? (Age; Disability; Gender Reassignment; Pregnancy and Maternity; Race; Religion or Belief; Sex; and Sexual Orientation).

No

If so, please give your reasons:

Permitted development rights for solar equipment on and within the curtilage of domestic and non-domestic buildings

Do you want to complete this section?

Yes

Permitted development rights for solar equipment on and within the curtilage of domestic and non-domestic buildings

Rights for domestic solar - solar on domestic buildings

Q12. Should the permitted development right for solar on domestic rooftops be amended so that they can be installed on flat roofs where the highest part of the equipment would be no higher than 0.6 metres above the highest part of the roof (excluding any chimney)?

Yes

Please give your reasons :

These changes will make it easier for Londoners to install carbon saving, green energy measures to their homes by removing the need for planning permission, promoting their uptake and supporting London's transition to net zero. However, there should be consideration given to whether the 0.6m height allowance proposed would allow for the solar panels to be installed at an optimal angle for energy capture. In order to limit visual impacts, it may also be pertinent to consider a minimum set back away from the front edge of the roof relative to this height threshold to ensure the solar panels are not read as upwards extensions of front facades and remain visually recessive.

Q13. Are there any circumstances where it would not be appropriate to permit solar on flat roofs of domestic premises?

Yes

Please give your reasons :

On developments where such an installation would lead to the removal of other features that were a condition of planning (i.e. amenity space, green roofs, skylights, escape hatches etc).

Q14. Do you agree that solar on a wall which fronts a highway should be permitted in conservation areas?

Yes

Please give your reasons :

Although for the London context, it is usually impractical and therefore rare for solar panels to be mounted to walls and so this is unlikely to result in any serious increase in uptake.

Q15. Do you have any views on the other existing limitations which apply to this permitted development right which could be amended to further support the deployment of solar on domestic rooftops?

Yes

Please give your reasons :

Solar PD rights should be expanded to also include new rights for installing solar-slates and similar innovative new technologies. In order to safeguard against heritage impacts, these rights could be the subject of prior approvals within conservation areas to protect against the loss of original roof materials, such as slate or thatching, where these exist and are deemed to be of significance to the special character of a conservation area.

Rights for domestic solar - stand-alone domestic solar

Q16. Do you agree that the existing limitation which prevents stand-alone solar being installed so that it is closer to the highway than the dwellinghouse in conservation areas, should be removed?

Yes

Please give your reasons :

The rights would help to increase up-take and drive green energy initiatives for properties which benefit from such areas of front curtilage – although such situations may be less common in the London context than elsewhere given the conditions relating to distance from curtilage boundaries.

Q17. Do you have any views on how the other existing limitations which apply to this permitted development right could be amended to further support the deployment of stand-alone domestic solar?

No

Please give your reasons :

#### Rights for non-domestic solar - solar on non-domestic buildings

Q18. Do you agree that the current threshold permitting the generation of up to 1MW of electricity on non-domestic buildings should be removed?

Don't know

Please give your reasons :

This may be sensible but it may be worth considering alternative spatial factors to replace this restriction, especially given that the technology within the panels will continue to enhance the efficiency of energy generation.

Q19. Is the current prior approval for solar equipment on non-domestic rooftops (where equipment is over 50kW but no more than 1MW) effective?

Don't know

Please give your reasons :

Q20. Are there any circumstances where it would not be appropriate to allow for the installation of non-domestic rooftop solar where there is no limit on the capacity of electricity generated?

Don't know

Please give your reasons :

Q21. Do you agree that the existing limitations relating to the installation of solar on non-domestic buildings in article 2(3) land - which includes conservation areas, Areas of Outstanding Natural Beauty, the Broads, National Parks and World Heritage Sites – should be removed?

Yes

Please give your reasons :

As discussed under Q15 installations of panels are reversible and temporary in nature and so precluding on the basis of visual intrusion alone may hamper efforts to reach net zero targets. This should also be expanded to allow for more innovative technologies such as solar slates, subject to a prior approvals process. It is, however, necessary to exclude World Heritage Sites only from this list, as their outstanding universal value often derives in part from the ability to appreciate the asset's historical architecture / significance in longer views.

Q22. Do you have any views on how the other existing limitations which apply to the permitted development right could be amended to further support the deployment of solar on non-domestic rooftops?

Yes

Please give your reasons :

As per Q15 consideration should be given to expanding PD rights further to allow for the installation of solar slates on properties (including within conservation areas).

#### Rights for non-domestic solar - stand-alone non-domestic solar

Q23. Do you agree that the existing limitation which prevents stand-alone solar being installed so that it is closer to the highway than the building in article 2(3) land - which includes conservation areas, Areas of Outstanding Natural Beauty, the Broads, National Parks and World Heritage Sites – should be removed?

Yes

Please give your reasons :

Although as per Q21 restriction for WHS should be maintained to ensure the protection of their OUV (which often in part derives from their setting and a sensitive buffer zone).

Q24. Do you have any views on how the other existing limitations which apply to this permitted development right could be amended to further support the deployment of stand-alone non-domestic solar?

No

Please give your reasons :

Rights for non-domestic solar - solar canopies

Q25. Do you agree that permitted development rights should enable the installation of solar canopies in ground-level off-street car parks in non-domestic settings?

Yes

Please give your reasons :

Subject to further conditions and considerations (discussed under Q31). In order to realise public gains from the betterment generated for surface parking plots, there should be an inbuilt requirement for there to be associated installations of electric charging points.

Q26. Do you agree that a permitted development right for solar canopies should not apply on land which is within ten metres of the curtilage of a dwellinghouse?

Yes

Please give your reasons :

Especially where the dwelling fronts the car park, though exclusions to this restriction could be explored for dwellings which are perpendicular to the car parks / have only flank elevations that face towards the car park.

Q27. Do you agree that a permitted development right for solar canopies should not apply on land which is in or forms part of a site designated as a scheduled monument or which is within the curtilage of a listed building?

Yes

Please give your reasons :

As discussed under Q31 this should also be expanded to exclude the rights on land within archaeological priority areas / areas where the presence of areological remains high. Only in 2013 the remains of King Richard III were, after all, found beneath a surface car park and the amount of piling and ground disturbance required for 4m height, load bearing structures will be considerable.

Q28. Do you agree that the permitted development right would not apply to article 2(3) land - which includes conservation areas, Areas of Outstanding Natural Beauty, the Broads, National Parks and World Heritage Sites?

No

Please give your reasons :

Conservation areas should be removed from this list but subject to prior approval tests to ensure their special character are preserved. However, surface car parks present within conservation areas will often not contribute towards their special character and so installations in this context should be permissible.

Q29. Do you agree that solar canopies should be permitted up to four metres in height?

Don't know

Please give your reasons :

the appropriate height threshold for the condition requires very close attention as discussed under Q31.

Q30. Do you think that the right should allow for prior approval with regard to design, siting, external appearance and impact of glare?

Yes

Please give your reasons :

However this list of considerations must be expanded if this proposal is to go forwards as discussed under Q31. For these reasons it may be beneficial to consider spatial conditions/limitations which preclude the development of very extensive solar arrays without the benefit of a full planning permission. Given the concerns raised, there should also be an inbuilt requirement for consultation with Historic England and/or the Greater London Archaeology

Advisory Service (GLAAS) for proposals which may affect heritage assets, including archaeology.

Q31. Are there any other limitations that should apply to a permitted development right for solar canopies to limit potential impacts?

Yes

Please give your reasons :

Developments for the installation of solar canopies and associated mounting structures of up to 4m present considerably more potential impacts than the other proposals in this consultation. Whilst the proposal is supported in principle as it would help increase the amount of renewable energy available, there must be very close attention paid to a number of additional considerations and the prior approval process should be increased in scope to allow for thorough consideration of all of these points. This includes:

Charging points – how will the installation help contribute towards a net-zero transition by increasing availability to vehicle charging points? Benefits from the proceeds of the new onsite energy generation should be captured locally, especially if the car-park is publicly owned. There should be an in-built expectation that such developments deliver on site charging points (also permitted under the GDPO);

Accessibility – if new structures are required to mount the canopy with regular supporting posts and column, how will these structures affect the flexibility to provide 'blue-badge' or family parking bays as well as the necessary circulation space?

Public and traffic safety – large canopies and their supporting structures have potential to block sightlines and splays, reduce natural light and reduce effectiveness of CCTV, creating potential safety and crime issues as well as increasing the likelihood of traffic collisions;

Light pollution – linked to the above, the canopies will also act to block artificial light from existing street lamps floodlights at night time, meaning that additional undercroft lighting will be required in response to alleviate the safety concerns set out above. This in turn would lead to issues of increased light pollution and spill (as distinct to the issue of glare) which may have implications for biodiversity, residential amenity, road safety and the character of an area;

Reduction in biodiversity and trees – there must be conditions that prevent the loss trees or areas of planting, which are a common feature in surface car-parks, through permitting such forms of development. How would these rights perform against requirements to achieve improvements in the urban greening factor through new developments? How can you be assured that any necessary site clearance works would not result in habitat loss, for instance to nesting birds?

Flood risk – linked to the above, if canopy installations result in an increased areas of impermeable surface on a site and/or increased run off rates they would be exacerbate issues of local surface water flooding.

Structural stability and environmental conditions – large areas of canopies may act to exacerbate inclement weather if they are orientated such that they create wind tunnels. This may also place considerable additional strain on the mounting posts, necessitating considerable steel work and deep piles to provide adequate stability (see linked to point below).

Archaeology – engineering solutions involving potentially deep piles will likely be required to facilitate the installation of load bearing structures of up to 4m. In many places in the UK, surface car parks sit upon areas that have a high likelihood of archaeological remains. Indeed, one of the most important finds of the last century was discovered under a car park in Leicester in 2013. These rights should therefore be precluded where there is a high likelihood of remains, such as within archaeological priority areas.

Note that many of the concerns set out above have the potential to result in disproportionate impacts upon certain people who share a protected characteristics and this must be carefully analysed as part of your public sector equality duty.

Finally, the introduction of such rights must not have the effect of hampering the sustainable redevelopment of brownfield land, especially where it is in sustainable locations. By developing extensive areas of solar canopies on existing car parks, there is a risk that the potential for re-development / re-purposing of both the car-park site itself, as well as surrounding sites is unintentionally hampered and this requires further consideration:

Firstly, overshadowing of existing PVs has been demonstrated as a relevant material consideration for planning decisions through the courts. Such solar canopy installations on car parks should not hamper the development potential of surrounding sites and, as such, it is recommended that it should be made explicit that the agent of change principle with regard to overshadowing should not apply to solar panels delivered via these new rights.

Secondly, such installations may have the effect of increasing the benchmark land value, given the additional revenue that may be generated from the solar canopies beyond that of the parking spaces alone. As surface car parks are often sustainable locations for new developments, including new housing and commercial, this potentially higher land value could reduce the amount of public benefits, such as affordable housing, that the redevelopment of such a site can viably provide. Given the critical need to deliver affordable homes, this issue should be very carefully considered prior to moving ahead with such new rights.

## Solar equipment - Public Sector Equality Duty and Impact Assessments

Q32.a. Do you think that any of the proposed changes in relation to the permitted development rights for solar could impact on businesses?

Yes

Q32.b. Do you think that any of the proposed changes in relation to the permitted development rights for solar could impact on local planning authorities?

Yes

Q32.c. Do you think that any of the proposed changes in relation to the permitted development rights for solar could impact on communities?

Yes

Q32.d. Please give your reasons. It would be helpful if you could specify whether your comments relate to a) business, b) local planning authorities, or c) communities, or a combination and which right or rights they particularly relate to.

Please give your reasons :

The proposals set out in relation to domestic/non-domestic properties

Q33. Do you think that proposed changes in relation to the permitted development rights for solar could give rise to any impacts on people who share a protected characteristic? (Age; Disability; Gender Reassignment; Pregnancy and Maternity; Race; Religion or Belief; Sex; and Sexual Orientation).

Yes

If so, please give your reasons and specify which rights any comment relates to.:

As set out in Q31 there are various concerns in relation to solar canopies over car parks which may result in disproportionate impacts on people who share a protected characteristic. These include potentially hampering availability of adaptable parking spaces, worsening risk of crime, antisocial behaviour or fear of crime as well as increased risk of traffic incidents.

#### Providing further flexibility to allow local authorities to undertake development

Do you want to complete this section?

Yes

#### Providing further flexibility to allow local authorities to undertake development

Q34. Do you agree that the permitted development right allowing for development by local authorities should be amended so that the development permitted can also be undertaken by a body acting on behalf of the local authority?

Yes

Please give your reasons :

This change is a positive step in supporting the effective roll out of EV charging infrastructure.

#### Local authority development - Public Sector Equality Duty and Impact Assessments

Q35.a. Do you think that any of the proposed changes in relation to the permitted development right could impact on businesses?

Yes

Q35.b. Do you think that any of the proposed changes in relation to the permitted development right could impact on local planning authorities?

Yes

Q35.c. Do you think that any of the proposed changes in relation to the permitted development right could impact on communities?

Yes

Q35.d. Please give your reasons. It would be helpful if you could specify whether your comments relate to a) business, b) local planning authorities, or c) communities, or a combination.

Please give your reasons :

Local Highway's Authorities would be empowered to arrange installations on public highways and in public car parks themselves. Planning obligations could also then be used to fund effective roll out of charging infrastructure.

Q36. Do you think that proposed changes in relation to the permitted development right could give rise to any impacts on people who share a protected characteristic? (Age; Disability; Gender Reassignment; Pregnancy and Maternity; Race; Religion or Belief; Sex; and Sexual

Orientation)?

No

If so, please give your reasons:

Changes to support film-making

Do you want to complete this section?

Yes

Changes to support film-making

Film-making - proposed changes to the permitted development right

Q37. Do you agree that the maximum period of time land or a building can be used for the purpose of commercial film making should be increased to 12 months in any 27 month period?

Yes

Please give your reasons :

However land that is of strategic importance for industry should be excluded to ensure that this is not hampered.

Q38. Do you agree that the maximum area of land or land on which the building is situated being used for the purposes of film making should be increased to 3 hectares?

Yes

Please give your reasons :

Q39. Do you agree that the maximum height of any temporary structure, works, plant or machinery allowed for under the right should be increased to 20 meters?

Yes

Please give your reasons :

Film-making - Public Sector Equality Duty and Impact Assessments

Q40.a. Do you think that any of the proposed changes in relation to the permitted development right could impact on businesses?

No

Q40.b. Do you think that any of the proposed changes in relation to the permitted development right could impact on local planning authorities?

No

Q40.c. Do you think that any of the proposed changes in relation to the permitted development right could impact on communities?

No

Q40.d. Please give your reasons. It would be helpful if you could specify whether your comments relate to a) business, b) local planning authorities, or c) communities, or a combination.

Please give your reasons :

Q41. Do you think that proposed changes in relation to the permitted development right could give rise to any impacts on people who share a protected characteristic? (Age; Disability; Gender Reassignment; Pregnancy and Maternity; Race; Religion or Belief; Sex; and Sexual Orientation)?

No

If so, please give your reasons: