
WELSH STATUTORY INSTRUMENTS

2019 No. 330

The Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2019

Title, commencement and interpretation

1.—(1) The title of this Order is the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2019.

(2) This Order comes into force on 1 April 2019.

(3) In this Order, references to—

- (a) Schedule 2 are references to Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995⁽¹⁾; and
- (b) a numbered Part are references to that Part of Schedule 2.

Amendment of the Town and Country Planning (General Permitted Development) Order 1995

2. Schedule 2 is amended as set out in articles 3 to 7.

Minor operations: recharging electric vehicles

3. In Part 2 (minor operations) after Class C insert—

“Class D

Permitted development

D. The installation, alteration or replacement within an area lawfully used for off-street parking, of an electrical outlet mounted on a wall for recharging electric vehicles.

Development not permitted

D.1 Development is not permitted by Class D if the outlet and its casing would—

- (a) exceed 0.2 cubic metres;
- (b) face onto and be within two metres of a highway; or
- (c) be within a site designated as a scheduled monument.

(1) S.I. 1995/418. Relevant amendments were made by S.I. 2002/1878 (W. 187), S.I. 2003/2155, S.I. 2012/2318 (W. 252), S.I. 2014/2692 (W. 267) and S.I. 2018/554 (W. 95). Other amendments are not relevant to this Order.

Class E

Permitted development

E. The installation, alteration or replacement within an area lawfully used for off-street parking, of an upstand with an electrical outlet mounted on it for recharging electric vehicles.

Development not permitted

E.1 Development is not permitted by Class E if the upstand and the outlet would—

- (a) exceed 1.6 metres in height from the level of the surface used for the parking of vehicles;
- (b) be within two metres of a highway;
- (c) be within a site designated as a scheduled monument; or
- (d) result in more than one upstand being provided for each parking space.”

Development by local authorities

4. In Part 12 (development by local authorities) in Class A after paragraph A.(b) insert—
“(c) electric vehicle charging points and any associated infrastructure.”

Devolved associated lines

5.—(1) In Part 17 (development by statutory undertakers) in paragraph G.1(a) before subparagraph (i) insert—

“(ai) it would consist of or include the installation or replacement of a devolved associated line within the meaning set out in paragraph A.3(1) of Part 17A;”

- (2) After Part 17 insert Part 17A as set out in Schedule 1 to this Order.

Development by Electronic Communications Code Operators

6. For Part 24 (development by electronic communications code operators (Wales))(2) substitute Part 24 as set out in Schedule 2 to this Order.

Non-domestic solar installations

7.—(1) Part 43 (installation of non-domestic microgeneration equipment)(3) is amended as follows.

(2) For the heading to Part 43 substitute “Installation of non-domestic energy generation equipment”.

(3) In paragraph A.1 (development not permitted) at the end of subparagraph (f) omit “or” and after subparagraph (g) insert—

“; or

(h) the solar PV or solar thermal equipment would be installed on a building within three kilometres of the perimeter of an airport or aerodrome.”

- (4) In paragraph A.2 (conditions)—

(2) Part 24 was substituted by S.I. 2002/1878 (W. 187) and amended by S.I. 2003/2155, S.I. 2004/945, S.I. 2014/2692 (W. 267) and S.I. 2018/554 (W. 95).

(3) Part 43 was inserted by S.I. 2012/2318 (W. 252).

- (a) in subparagraph (b) omit “and”;
 - (b) after subparagraph (b) insert—
 - “(ba) solar PV or solar thermal equipment must, so far as practicable, be sited so as to minimise any impacts from glint or glare; and”
 - (c) in subparagraph (c) for “capable of microgeneration” substitute “capable of generation”.
- (5) In paragraph B.1 (development not permitted) at the end of subparagraph (b)(v) omit “or” and after subparagraph (c) insert—
“; or
- (d) the stand alone solar would be installed within three kilometres of the perimeter of an airport or aerodrome.”
- (6) In paragraph B.2 (conditions)—
- (a) in subparagraph (a) omit “and”;
 - (b) after subparagraph (a) insert—
 - “(aa) stand alone solar must, so far as practicable, be sited so as to minimise any impacts from glint or glare; and”;
 - (c) in subparagraph (b) for “capable of microgeneration” substitute “capable of generation”.
- (7) In paragraph C.1 (development not permitted) in subparagraph (c) omit “or” and after subparagraph (d) insert—
“; or
- (e) the capacity of the ground source heat pump exceeds 45 kilowatts thermal.”
- (8) For paragraph D.1 (development not permitted) substitute—
“**D.1.** Development is not permitted by Class D if—
- (a) the total area covered by the water source heat pump (including any pipes) exceeds 0.5 hectares; or
 - (b) the capacity of the water source heat pump exceeds 45 kilowatts thermal.”
- (9) In paragraph G (interpretation of Part 43) at the appropriate places insert—
““aerodrome” does not include any area the use of which for affording facilities for the landing and departure of aircraft has been abandoned and has not been resumed;”
““airport” has the meaning given by section 66 of the Civil Aviation Act 2012(4);”.

Hannah Blythyn
Deputy Minister for Housing and Local
Government, under authority of the Minister
for Housing and Local Government, one of the
Welsh Ministers

20 February 2019