

Open consultation

Permitted development rights: supporting temporary recreational campsites, renewable energy and film- making consultation

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Link:

<https://www.gov.uk/government/consultations/permitted-development-rights-supporting-temporary-recreational-campsites-renewable-energy-and-film-making-consultation/permitted-development-rights-supporting-temporary-recreational-campsites-renewable-energy-and-film-making-consultation#scope-of-the-consultation>

This consultation contains proposed changes to the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended. It covers the following areas:

- A new permitted development right to support temporary recreational campsites.
- Changes to the existing permitted development rights for solar equipment and a new permitted development right for solar canopies.
- Amendment to the existing permitted development right which allows local authorities to undertake certain development. This change would allow bodies to undertake the work on behalf of the local authority.
- Changes to the existing permitted development right allowing for the temporary use of buildings or land for film-making purposes.

Scope of this consultation:

This consultation seeks views on proposals relating to permitted development rights. We are consulting on the introduction of a new permitted development right to allow land to be temporarily used as a recreational campsite.

The consultation also seeks feedback on changes to the existing permitted development rights which allow for the installation of solar equipment on and within the curtilages of domestic and non-domestic buildings, as well as the introduction of a new permitted development right to enable the construction of solar canopies.

We are also proposing an amendment to the existing permitted development right which allows local authorities to undertake certain development so that bodies can undertake the work on behalf of the local authority.

Lastly, this consultation proposes changes to the existing permitted development right which allows for the temporary use of buildings or land for film-making purposes including changes to increase the time period that the right can be used for commercial film-making and increase the site size and height of temporary structures that can be used for film-making purposes.

Once an approach has been agreed, we intend to make changes to the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended when parliamentary time allows.

Geographical scope:

These proposals relate to England only.

Impact assessment and Public Sector Equality Duty:

The consultation seeks views on any potential impacts on businesses, local planning authorities and communities from the proposed measures. The government is mindful of its responsibility to have regard to the potential impact of any proposals on the Public Sector Equality Duty, and therefore views are additionally sought on whether there are any impacts arising from these measures on those with a protected characteristic.

Basic Information

Body/bodies responsible for the consultation:

Department for Levelling Up, Housing and Communities.

Duration:

This consultation will run from 28 February to 25 April 2023.

Enquiries:

For any enquiries about the consultation please contact: PDRConsultation2023@levellingup.gov.uk.

How to respond:

You may respond by completing an [online survey](#).

We strongly encourage responses via the online survey, particularly from organisations with access to online facilities such as local authorities, representative bodies, and businesses. Consultations on planning policy receive a high level of interest across many sectors. Using the online survey greatly assists our analysis of the responses, enabling more efficient and effective consideration of the issues raised for each question.

Alternatively you can email your response to the questions in this consultation to PDRConsultation2023@levellingup.gov.uk.

If you are responding in writing, please make it clear which questions you are responding to.

Written responses should be sent to:

Planning Development Management
Department for Levelling Up, Housing and Communities
Planning Directorate
3rd Floor, North East
Fry Building
2 Marsham Street
London
SW1P 4DF

When you reply it would be very useful if you confirm whether you are replying as an individual or submitting an official response on behalf of an organisation and include:

- your name,
- your position (if applicable),
- the name of organisation (if applicable),
- an address (including postcode),
- an email address, and
- a contact telephone number.

1. Introduction

1. The government is committed to ensuring that the planning system is efficient, effective and responsive. Permitted development rights provide flexibilities and planning freedoms to different users, including businesses, local authorities and local communities. They are an important tool to support growth by providing certainty and removing the time and money needed to submit a planning application.
2. Permitted development rights are set out in the General Permitted Development Order 2015, as amended. They are subject to limitations and conditions in order to manage impacts and protect local amenity, for example some permitted development rights have size limits or are excluded in certain areas. Contravening these limitations and conditions constitutes a breach of planning control against which enforcement action may be taken.
3. This consultation seeks views on 4 proposals relating to permitted development rights which support renewable energy, temporary recreational campsites and film-making as well as seeking views on equalities considerations and the impacts on businesses, local authorities and communities.
4. The first proposal relates to the introduction of a new permitted development right which will allow the temporary use of land for recreational campsites. This right would allow for the placing of tents on land and the provision of moveable structures related to that use, without having to submit a planning application.
5. To help achieve the solar energy objectives set out in the [British energy security strategy](#), we are consulting on changes to the existing permitted development rights that allow for the installation of solar equipment on and within the curtilages of domestic and non-domestic buildings. As part of this, we are gathering feedback on the introduction of a new permitted development right for solar canopies.
6. We are also seeking feedback on an amendment to the existing permitted development right allowing certain forms of development to be undertaken by local authorities, including the installation of electric vehicle charging points. This change would allow bodies to undertake the work on behalf of the local authority. This will provide local authorities with more flexibility to deliver local infrastructure in their area.
7. Finally, we are proposing amendments to the existing permitted development right which allows for the temporary use of buildings or land for film-making purposes to provide further flexibility to production crews and film makers. These changes would increase the period of time that the right can be used and increase the maximum area of land and height of temporary structures that can be used for film-making purposes.
2. A new permitted development right for temporary recreational campsites
8. Over the past 2 years England has seen a renewed demand for domestic holidays, and holidaymakers have enjoyed trips to our magnificent coastlines, countryside, towns and cities. As the country faces new economic challenges, the government recognises the importance of supporting the local tourism industry and domestic holidaymakers to ensure that as many people as possible can enjoy summer breaks in England.
9. This consultation seeks views on the introduction of a new permitted development right that will allow the temporary placement of tents on land for leisure purposes, subject to limitations and conditions. This will ensure that holidaymakers can continue to visit and stay in popular destinations around the country and provide a boost to local economies and businesses, in line with our levelling up ambitions.

The proposed new right

10. It is proposed that a new permitted development right would allow for the temporary use of land for recreational campsites. In effect, this would permit the temporary use of land for the placing of tents, and the provision on that land of moveable structures related to the campsite use, such as portable toilets. The right would be subject to limitations and conditions to control impacts and protect local amenity.
11. Even if a planning application is not needed, separate consents under other regulatory regimes may be required. Development, regardless of whether it was permitted via a planning application or a permitted development right, cannot be undertaken on land if the person

undertaking the works is not the landowner or does not have the permission from the landowner. As such, this permitted development right would not override land ownership or the need for that consent.

12. The new right would be inserted in Part 4 (temporary buildings and uses) of Schedule 2 to the General Permitted Development Order. This new right would be standalone and once introduced, the existing temporary use of land permitted development right (Class B of Part 4) would be amended to exclude camping.

13. We propose that the new right should only apply to the placing of tents and the provision on that land of moveable structures related to the campsite use. In order to limit potential impacts on the land and highways, we are proposing that the right should not allow for the siting of caravans, motorhomes and campervans.

14. To minimise potential impacts of campsites on local communities, it is proposed that the new right should include a limitation on the number of tent pitches allowed. We propose that the right should allow for no more than 30 tents to be erected on the land at any one time.

15. We also propose that the right should allow for campsites to operate for up to 60 days per calendar year. This broadly aligns with the licensing regime, as set out at section 269 of the Public Health Act 1936. Under this regime, you do not need a licence to run a campsite if the site is used for camping in tents on fewer than 42 consecutive days, or fewer than 60 days in any 12 month period.

16. We consider that the new right should require the on-site provision of temporary facilities for showers and toilets, as well as waste storage and collection, to ensure that every campsite will provide adequate facilities to visitors. Moveable structures could only be installed on the land where they support the campsite use.

17. In certain areas it may be appropriate to allow for individual local consideration of proposals through a planning application. It is proposed that, similar to other existing permitted development rights, this new right would not apply to: land within the curtilage of a listed building; sites of special scientific interest; scheduled monuments; safety hazard areas and military explosives storage areas.

18. We would welcome your views on whether there are any other planning matters that should be considered, for example transport and highways. Where any of the proposed conditions or limitations of the permitted development right are contravened, the local authority may take enforcement action which could include issuing a temporary stop notice.

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/No/Don't Know. Please give your reasons.

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

Yes/No/Don't Know. 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?

Yes/No/Don't Know. Please give your reasons. If you have responded no, please provide your alternative suggestion and justification.

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

Yes/No/Don't Know. 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/No/Don't Know. 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/No/Don't Know. Please give your reasons.

Q7. Are there any other planning matters that should be considered?
Yes/No/Don't Know. Please specify.

Prior notification

19. Prior notification is a mechanism that requires developers to notify the relevant local planning authority prior to the development taking place. It does not require the local planning authority to make a decision on whether the development can take place but it provides them with evidence where any future enforcement activity may be necessary.

20. We consider that it would be proportionate to require the site owner or operator to notify their local authority before a recreational campsite commences. This would be required every calendar year before land would be used as a campsite.

21. We propose that the prior notification would include a copy of the site plan showing the location and details of the shower, toilet and waste disposal facilities, and details of the dates on which the site will be used for the placing of tents. This will provide an important mechanism to ensure that sites are providing adequate on-site facilities for visitors, as well as enabling local planning authorities to monitor the number and location of sites across their authority area.

Q8. Do you agree that the permitted development right should require annual prior notification to the local authority of the matters set out above?
Yes/No/Don't Know. Please give your reasons.

Prior approval for campsites in areas of flood risk

22. We want to ensure that this new permitted development right provides sufficient flexibility to recreational campsite owners whilst ensuring that safeguards are in place to protect campsites where they are located in areas at risk of flooding.

23. We propose that the right is subject to a prior approval where sites are within Flood Zones 2 and 3. Prior approval means that a developer has to seek approval from the local planning authority that specified elements of the development are acceptable before work can proceed.

24. Prior approval provides an opportunity for local consideration by the local authority of the impacts of flood risk on the site, and applicants would be required to submit warning and evacuation plans. In such instances, a fee for prior approval would be payable.

Q9. Do you think that, in areas of flood risk, the right should allow for prior approval with regard to flooding on the site?
Yes/No/Don't Know. Please give your reasons.

Public Sector Equality Duty and Impact Assessments

25. We are required to assess these proposals by reference to the Public Sector Equality Duty contained in the Equality Act 2010. A Public Sector Equality Duty Assessment and an impact assessment will be prepared reflecting the detail of the changes to be made prior to any secondary legislation being laid.

26. We would welcome your comments as part of this consultation on whether the proposed new 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).

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

Yes/No/Don't know. 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.

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).

Yes/No/ Don't know. If so, please give your reasons.

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

27. The [British energy security strategy](#) included a commitment to review the existing permitted development rights for rooftop solar, as well as consider the best way to make use of public sector rooftops.

28. Deployed at scale, solar can support the government in reaching a wide range of linked commitments key to reaching net zero, including UK-wide deployment of domestic and commercial battery storage and electric vehicle charging infrastructure. Solar can also provide a low-cost form of energy and reduce our dependency on fossil fuels.

29. To facilitate the take up of solar equipment, there are 4 existing permitted development rights which allow for the installation of such equipment on and within the curtilages of domestic and non-domestic premises without having to submit a planning application. All of the permitted development rights are subject to limitations and conditions . Even if a planning application is not needed, other consents may be required under other regimes such as environmental permits.

30. The rights for domestic rooftop solar and domestic and non-domestic stand-alone solar relate to microgeneration which is defined under section 82(6) of the Energy Act 2004 as the generation of electricity up to 50 kilowatts (kW) and the production of heat up to 45 kW thermal. The permitted development right for non-domestic rooftop solar allows for the installation of solar equipment which generates up to 1 megawatt (MW) of electricity.

31. Through this consultation, we are proposing a number of specific changes to the solar permitted development rights and seeking feedback on whether any other limitations could be amended to further support the deployment of solar.

Rights for domestic solar

Solar on domestic buildings

32. An existing permitted development right (under Class A of Part 14) allows for the installation, alteration or replacement of microgeneration solar photovoltaic or solar thermal equipment on a dwellinghouse or a block of flats, or a building situated within the curtilage of a dwellinghouse or a block of flats. The right is subject to a number of conditions and limitations. The average solar installation for a medium-sized home has an installed capacity of 3.5kW. This consists of approximately 10 panels using a surface area of up to 20m²[footnote 1](#).

33. At present, solar equipment on domestic rooftops cannot protrude more than 0.2 metres beyond the plane of the wall or the roof slope when measured from the perpendicular with the external surface of the wall or roof slope, and it cannot result in the highest part of the equipment being higher than the highest part of the roof (excluding any chimney); as such these limitations mean that homes with flat roofs cannot use the right. To bring more properties into scope of the right, we are seeking views on whether the permitted development right should apply to domestic buildings with flat roofs.

34. We would retain the existing limitation that solar can be installed on domestic rooftops where it does not protrude more than 0.2 metres beyond the plane of the wall or the roof slope when measured from the perpendicular with the external surface of the wall or roof slope, but specify that this applies to pitched roofs only. We would remove the limitation that the solar cannot result in the highest part of the equipment being higher than the highest part of the roof (excluding any chimney) and instead introduce a new limitation that solar can be installed on a flat roof, where the highest part of the solar PV equipment would not be higher than 0.6 metres above the highest part of the roof (excluding any chimney).

35. The right also does not apply where the solar equipment would be installed on a wall of a domestic property which fronts a highway in a conservation area. We are proposing that this limitation is removed to provide further flexibility and maximise deployment.

36. We are not proposing any other changes to this permitted development right. We would however be interested in your views on whether any of the other limitations^{[footnote 2](#)} could be amended to further support the deployment of rooftop solar.

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/No/Don't Know. Please give your reasons.

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

Yes/No/Don't Know. Please give your reasons.

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

Yes/No/Don't know. Please give your reasons.

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/No/Don't Know. Please give your reasons.

Stand-alone domestic solar

37. An existing permitted development right (under Class B of Part 14) allows for the installation, alteration or replacement of a single stand-alone solar equipment within the curtilage of a dwellinghouse or a block of flats.

38. The right is subject to a number of limitations and conditions, for example the right does not apply where the development would result in the presence of more than one stand-alone solar or if the surface area of the solar panels forming part of the stand-alone solar would exceed 9 square metres. The right does not apply in conservation areas if the stand-alone solar would be installed closer to the highway than the dwellinghouse. We are proposing to remove this limitation to provide further flexibility on where stand-alone solar could be installed within the curtilage of a home or block of flats in conservation areas.

39. We are not proposing any other changes to this permitted development right. We would however be interested in your views on whether any of the other limitations^{[footnote 3](#)} could be amended to further support the deployment of stand-alone domestic solar, for example the maximum surface area permitted.

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/No/Don't know. Please give your reasons.

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?

Yes/No/Don't know. Please give your reasons.

Rights for non-domestic solar

Solar on non-domestic buildings

40. An existing permitted development right (under Class J of Part 14) allows for the installation, alteration, or replacement of microgeneration solar thermal equipment on a building; microgeneration solar photovoltaic equipment on a building; or other solar photovoltaic equipment

on the roof of a building, other than a dwellinghouse or a block of flats. The right is subject to limitations and conditions.

41. The right allows for the generation of electricity up to 1MW. Where the solar equipment being installed will generate electricity over 50 kW and up to 1MW, prior approval from the local planning authority is required in regard to the design or external appearance and impact of glare on occupiers of neighbouring land. In order to bring more rooftop space into scope of the permitted development right and maximise rooftop coverage, we are proposing to remove the existing capacity threshold of 1MW. As a result of this change, the prior approval would still apply to the installation of any solar equipment which generates above 50kW of electricity. We are inviting feedback on the effectiveness of the existing prior approval.

42. In the case of a building on article 2(3) land (which includes conservation areas, Areas of Outstanding Natural Beauty, the Broads, National Parks and World Heritage Sites) solar equipment which generates electricity up to 1MW cannot be installed on a roof slope which fronts a highway. Where the electricity generated is up to 50kW the solar equipment cannot be installed on a wall which fronts a highway if the building is on article 2(3) land. We are proposing to remove these limitations to maximise deployment of solar panels on the roofs and walls of non-domestic properties in article 2(3) land.

43. We are not proposing any other changes to this permitted development right. We would however be interested in your views on whether any of the other limitations^{[footnote 41](#)} could be amended to further support the deployment of rooftop 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?

Yes/No/ Don't Know. Please give your reasons.

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

Yes/No/ 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?

Yes/No/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/No/Don't know. Please give your reasons.

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/No/Don't know. Please give your reasons.

Stand-alone non-domestic solar

44. There is an existing permitted development right (under Class K of Part 14) which allows for the installation, alteration or replacement of a single stand-alone solar for microgeneration within the curtilage of a building other than a dwellinghouse or a block of flats. The right is subject to a number of limitations and conditions, for example the right cannot be used if the development would result in the presence of more than one stand-alone solar or if the surface area of the solar panels forming part of the stand-alone solar would exceed 9 square metres.

45. At present, where the solar equipment would be installed on article 2(3) land (including conservation areas, Areas of Outstanding Natural Beauty, the Broads, National Parks and World Heritage Sites), it cannot be installed so that it is closer to the highway than the building. We are proposing to remove this limitation to provide further flexibility on where stand-alone solar could be installed within the curtilage of a non-domestic building in article 2(3) land.

46. We are not proposing any other changes to this permitted development right. We would however be interested in your views on whether any of the other limitations^{[footnote 51](#)} could be amended to further support the deployment of stand-alone non-domestic solar, for example the maximum surface area permitted.

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/No/Don't know. Please give your reasons.

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?

Yes/No/Don't know. Please give your reasons.

Solar canopies

47. To maximise the rollout of solar equipment, we are seeking feedback on proposals for a new permitted development right which would enable the construction of solar canopies on non-domestic car parks.

48. Solar canopies provide clean energy which can be used on-site and, importantly, they utilise existing land uses, such as car parks in supermarkets and retail parks, reducing the need to install solar panels on greenfield sites. Solar canopies can also provide shade and shelter to parked cars.

49. We propose that a new permitted development right would only allow for the installation of solar canopies in ground-level off-street car parks in non-domestic settings. To limit the potential for visual impacts of solar canopies, we propose that the permitted development right would allow for canopies up to 4 metres in height.

50. To protect the amenity of local residents, we also propose that the installation of solar canopies should not be permitted within 10 metres of the curtilage of a dwellinghouse or installed within the curtilage of a listed building or on a site designated as a scheduled monument. We are also proposing that the permitted development right would not apply in article 2(3) land, which includes conservation areas, Areas of Outstanding Natural Beauty, the Broads, National Parks and World Heritage Sites.

51. We are proposing that there would be no limit on the maximum area that a solar canopy could cover to allow for maximum coverage in available car parking spaces.

52. In order to manage potential impacts of solar canopies on neighbouring land, we are proposing that the permitted development right is subject to a prior approval from the local planning authority in regard to the design, siting, external appearance and impact of glare on occupiers of neighbouring land. In such instances, a fee for prior approval would be payable.

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/No/Don't Know. Please give your reasons.

Q26. Do you agree that a permitted development right for solar canopies should not apply on land which is within 10 metres of the curtilage of a dwellinghouse?

Yes/No/Don't Know. Please give your reasons.

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/No/Don't Know. Please give your reasons.

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?

Yes/No/Don't Know. Please give your reasons.

Q29. Do you agree that solar canopies should be permitted up to 4 metres in height?

Yes/No/Don't Know. Please give your reasons.

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

Yes/No/Don't Know. Please give your reasons.

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

Yes/No/Don't Know. Please give your reasons.

Public Sector Equality Duty and Impact Assessments

53. We are required to assess these proposals by reference to the Public Sector Equality Duty contained in the Equality Act 2010. A Public Sector Equality Duty Assessment and an impact assessment will be prepared reflecting the detail of the changes to be made prior to any secondary legislation being laid.

54. We would welcome your comments as part of this consultation on whether any of the proposed change 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).

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

Yes/No/Don't know. 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.

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/No/ Don't know. If so, please give your reasons and specify which rights any comment relates to.

4. Providing further flexibility to allow local authorities to undertake development

55. An existing permitted development right (under Class A of Part 12) allows local authorities to undertake certain forms of development. The right allows for the erection, improvement, and alteration of various items of street furniture and equipment, including electric vehicle (EV) charging points.

56. The government recognises the need to support the rollout of EV charging points. As set out in the [Net Zero Strategy](#), we will make sure that any changes to the planning system support our efforts to combat climate change and help bring greenhouse gas emissions to net zero by 2050.

57. In order to provide further flexibility to local authorities installing EV charging points, as well as other forms of development across their authority area, we are proposing to amend this permitted development right so that, as well as being used by local authorities, bodies working on behalf of the local authority could undertake the works. This would enable local authorities to appoint charge point providers to install public EV charge points on their behalf.

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/No/Don't Know. Please give your reasons.

Public Sector Equality Duty and Impact Assessments

58. We are required to assess these proposals by reference to the Public Sector Equality Duty contained in the Equality Act 2010. A Public Sector Equality Duty Assessment and an impact assessment will be prepared reflecting the detail of the changes to be made prior to any secondary legislation being laid.

59. We would welcome your comments as part of this consultation on whether any of the proposed change 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).

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

Yes/No/Don't know. 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.

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)?

Yes/No/ Don't know. If so, please give your reasons.

5. Changes to support film-making

60. A permitted development right (under Class E of Part 4) was introduced in 2015 which allows the temporary use of buildings or land for film-making purposes and the provision of temporary structures relating to that use. Amongst other limitations, the existing permitted development right requires that:

- The temporary use of any land or buildings must not exceed 9 months in any 27 month period.
- The land in question, or the land on which the building in question is situated, is no more than 1.5 hectares.
- The height of any temporary structure, works, plant or machinery provided does not exceed 15 metres, or 5 metres when any part of the structure, works, plant or machinery is within 10 metres of the curtilage of the land.

61. Prior approval from the local planning authority is required in regard to the dates which make up the filming period (and the hours of operation) and impacts of transport and highways, noise, light and flooding. We are not proposing to amend the existing prior approval process.

62. Today the UK attracts film and television production from all over the world with major studios seeking out our highly skilled crew base, globally competitive physical infrastructure and world-class tax reliefs.

63. The UK has seen rapid production growth in recent years, with film and high-end television reaching a record £5.64 billion production expenditure in 2021. Importantly, this growth has been UK-wide, thanks in particular to the expansion of high-end television production and hit shows such as Game of Thrones, Line of Duty, and Peaky Blinders. Such production growth requires a range of appropriately sized physical studio spaces, which can be constructed temporarily to meet the individual production's needs before being disassembled.

64. Accordingly, to continue to be able to support production growth and respond to the changing nature of productions, including the often tight filming schedules in the high-end television market, this consultation seeks feedback on amendments to this permitted development right, allowing the production industry greater flexibility and supporting the economic growth of the sector.

Proposed changes to the permitted development right

65. The industry has provided feedback that the permitted development right, although useful for some productions, is too restrictive and therefore allowing additional flexibility would further support the recent rapid growth in production. As such we are proposing the following amendments.

66. We propose increasing the maximum period of time land or a building can be used for the purpose of commercial film making from 9 months in any 27 month period to 12 months in any 27 month period to allow time for the construction, operation and clearance of the site.

67. We are also proposing to increase the maximum area of land (or land on which the building in question is situated) the right applies to from 1.5 hectares to 3 hectares; as well as increasing the maximum height of any temporary structure, works, plant or machinery provided under the right

from 15 metres to 20 metres. For the avoidance of doubt, the 5 metre height limit that applies to any part of the structure, works, plant or machinery that would be within 10 metres of the curtilage of the land would be retained.

68. This will allow for larger production sites, in keeping with the industry's requirements. The latter change will in particular help support productions which require heightened facilities in order to utilise the next generation of 'virtual production' LED wall technology.

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/No/Don't Know. Please give your reasons.

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/No/Don't Know. 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 metres?

Yes/No/Don't Know. Please give your reasons.

Public Sector Equality Duty and Impact Assessments

69. We are required to assess these proposals by reference to the Public Sector Equality Duty contained in the Equality Act 2010. A Public Sector Equality Duty Assessment and an impact assessment will be prepared reflecting the detail of the changes to be made prior to any secondary legislation being laid.

70. We would welcome your comments as part of this consultation on whether any of the proposed change 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).

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

Yes/No/Don't know. 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.

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)?

Yes/No/ Don't know. If so, please give your reasons.

About this consultation

This consultation document and consultation process have been planned to adhere to the Consultation Principles issued by the Cabinet Office.

Representative groups are asked to give a summary of the people and organisations they represent, and where relevant who else they have consulted in reaching their conclusions when they respond.

Information provided in response to this consultation may be published or disclosed in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 (FOIA), the Environmental Information Regulations 2004 and UK data protection legislation. In certain circumstances this may therefore include personal data when required by law.

If you want the information that you provide to be treated as confidential, please be aware that, as a public authority, the Department is bound by the information access regimes and may therefore be obliged to disclose all or some of the information you provide. In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but

we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Department.

The Department for Levelling Up, Housing and Communities will at all times process your personal data in accordance with UK data protection legislation and in the majority of circumstances this will mean that your personal data will not be disclosed to third parties. A full privacy notice is included below.

Individual responses will not be acknowledged unless specifically requested.

Your opinions are valuable to us. Thank you for taking the time to read this document and respond.

Are you satisfied that this consultation has followed the Consultation Principles? If not or you have any other observations about how we can improve the process please contact us via the [complaints procedure](#).

Personal data

The following is to explain your rights and give you the information you are entitled to under UK data protection legislation.

Note that this section only refers to personal data (your name, contact details and any other information that relates to you or another identified or identifiable individual personally) not the content otherwise of your response to the consultation.

1. The identity of the data controller and contact details of our Data Protection Officer

The Department for Levelling Up, Housing and Communities (DLUHC) is the data controller. The Data Protection Officer can be contacted at dataprotection@levellingup.gov.uk or by writing to the following address:

Data Protection Officer

Department for Levelling Up, Housing and Communities

Fry Building

2 Marsham Street

London

SW1P 4DF

2. Why we are collecting your personal data

Your personal data is being collected as an essential part of the consultation process, so that we can contact you regarding your response and for statistical purposes. We may also use it to contact you about related matters.

We will collect your IP address if you complete a consultation online. We may use this to ensure that each person only completes a survey once. We will not use this data for any other purpose.

Sensitive types of personal data

Please do not share [special category](#) personal data or criminal offence data if we have not asked for this unless absolutely necessary for the purposes of your consultation response. By 'special category personal data', we mean information about a living individual's:

- race
- ethnic origin
- political opinions
- religious or philosophical beliefs
- trade union membership
- genetics
- biometrics
- health (including disability-related information)
- sex life; or
- sexual orientation.

By 'criminal offence data', we mean information relating to a living individual's criminal convictions or offences or related security measures.

3. Our legal basis for processing your personal data

The collection of your personal data is lawful under article 6(1)(e) of the UK General Data Protection Regulation as it is necessary for the performance by DLUHC of a task in the public interest/in the exercise of official authority vested in the data controller. Section 8(d) of the Data Protection Act 2018 states that this will include processing of personal data that is necessary for the exercise of a function of the Crown, a Minister of the Crown or a government department i.e. in this case a consultation.

Where necessary for the purposes of this consultation, our lawful basis for the processing of any special category personal data or 'criminal offence' data (terms explained under 'Sensitive Types of Data') which you submit in response to this consultation is as follows. The relevant lawful basis for the processing of special category personal data is Article 9(2)(g) UK GDPR ('substantial public interest'), and Schedule 1 paragraph 6 of the Data Protection Act 2018 ('statutory etc and government purposes'). The relevant lawful basis in relation to personal data relating to criminal convictions and offences data is likewise provided by Schedule 1 paragraph 6 of the Data Protection Act 2018.

4. With whom we will be sharing your personal data

DLUHC may appoint a 'data processor', acting on behalf of the Department and under our instruction, to help analyse the responses to this consultation. Where we do we will ensure that the processing of your personal data remains in strict accordance with the requirements of the data protection legislation.

5. For how long we will keep your personal data, or criteria used to determine the retention period

Your personal data will be held for 2 years from the closure of the consultation, unless we identify that its continued retention is unnecessary before that point.

6. Your rights, e.g. access, rectification, restriction, objection

The data we are collecting is your personal data, and you have considerable say over what happens to it. You have the right:

- a. to see what data we have about you
- b. to ask us to stop using your data, but keep it on record
- c. to ask to have your data corrected if it is incorrect or incomplete
- d. to object to our use of your personal data in certain circumstances
- e. to lodge a complaint with the independent Information Commissioner (ICO) if you think we are not handling your data fairly or in accordance with the law. You can contact the ICO at <https://ico.org.uk/>, or telephone 0303 123 1113.

Please contact us at the following address if you wish to exercise the rights listed above, except the right to lodge a complaint with the ICO: dataprotection@levellingup.gov.uk

or

Knowledge and Information Access Team
Department for Levelling Up, Housing and Communities
Fry Building
2 Marsham Street
London
SW1P 4DF

7. Your personal data will not be sent overseas

8. Your personal data will not be used for any automated decision making

9. Your personal data will be stored in a secure government IT system

We use a third-party system, Citizen Space, to collect consultation responses. In the first instance your personal data will be stored on their secure UK-based server. Your personal data will be transferred to our secure government IT system as soon as possible, and it will be stored there for 2 years before it is deleted.

1. Full details are in the [Town and Country Planning \(General Permitted Development\) \(England\) Order 2015](#). 

2. [Class A of Part 14 of the Town and Country Planning \(General Permitted Development\) \(England\) Order 2015.](#) 
3. [Class B of Part 14 of the Town and Country Planning \(General Permitted Development\) \(England\) Order 2015.](#) 
4. [Class J of Part 14 of the Town and Country Planning \(General Permitted Development\) \(England\) Order 2015.](#) 
5. [Class K of Part 14 of the Town and Country Planning \(General Permitted Development\) \(England\) Order 2015.](#) 