

<b>Report To:</b>	<b>PLANNING COMMITTEE</b>	<b>Date:</b>	<b>13 DECEMBER 2018</b>
<b>Heading:</b>	<b>NATIONAL CONSULTATION - PLANNING REFORM: SUPPORTING THE HIGH STREET AND INCREASING THE DELIVERY OF NEW HOMES</b>		
<b>Portfolio Holder:</b>	<b>CLLR.J.ZADROZNY, LEADER OF THE COUNCIL</b>		
<b>Ward/s:</b>	<b>ALL ASHFIELD</b>		
<b>Key Decision:</b>	<b>No</b>		
<b>Subject to Call-In:</b>	<b>No</b>		

### **Purpose of Report**

To inform Members of the possible implications set out in the Government's consultation on Planning Reform: supporting the high street and increasing the delivery of new homes. To set out a potential response to the consultation.

### **Recommendation(s)**

**The Committee notes and approve the contents of the report. The Committee grants delegated authority to the Assistant Director Planning and Regulatory Services, in consultation with the Chairman of the Planning Committee to make additions/amendments to the response.**

### **Reasons for Recommendation(s)**

To bring to Members' attention the more significant implications arising from the consultation and ensure that the view of the Council is taken into account.

### **Alternative Options Considered**

Not to respond to the consultation.

### **Detailed Information**

The Ministry for Housing, Communities and Local Government (MHCLG) has issued a consultation paper on 'Planning reform: supporting the high street and increasing the delivery of new homes.' The consultation comprises of 4 parts covering:

- **Part 1: Permitted development rights and use classes.**
- **Part 2: Disposal of local authority land** – It is proposed to extend local authorities' freedoms to dispose of surplus land at less than best consideration without seeking consent from the Secretary of State.
- **Part 3: Canal & River Trust: Draft listed building consent order** - The Government is proposing to make the first listed building consent order, which will allow minor, routine works to the Canal & River Trust's listed waterway structures without the need for individual listed building consent applications.
- **Part 4: New town development corporations: Draft compulsory purchase guidance** - The Government is seeking views on draft guidance on the compulsory purchase powers of new town development corporations.

In Part 1, the Government is setting out significant changes to the planning system and to permitted development rights. These include:

**Shop to office conversions** - A new Permitted Development (PD) right is proposed '*to allow shops (A1) financial and professional services (A2), hot food takeaways (A5), betting shops, pay day loan shop and launderettes to change to office use (B1)*'"

**New Homes** - To allow the change of use of hot food takeaways (A5) to residential use (C3) without planning permission and the introduction of a new PD right '*allowing for the demolition of commercial buildings and redevelopment as residential*'

**Upward extensions** - The consultation proposed to allow property owners to use the airspace above existing buildings for new homes without planning permission but subject to prior approval. The new PD right could apply to premises in a terrace of two or more joined properties where there is at least one higher building in the terrace and the proposed roof would be no higher than the main roofline of the highest building. There is also an alternative proposal to permit additional storeys more widely to height no higher than the prevailing roof height of the local area. A maximum limit of five storeys from ground levels is proposed for the extended buildings, requiring the additional storey not to exceed 3m in height.

**Extending temporary change of use for community uses** – Proposed to extend the existing PD right for the temporary change of use from shops (A1), financial and professional services (A2), restaurants and cafes (A3), hot food takeaways (A5), assembly and leisure uses (D2), betting shops and pay day loan shops to certain community uses as public library, exhibition hall, museum, clinic or health centre. The extension of the period of the temporary use from to 2 years to 3 years is also proposed.

**Making permanent existing time-limited permitted development rights** - The existing time-limited PD rights that will currently cease to have effect in May 2019 are proposed to become permanent. The change will apply to:

- Change of use from storage or distribution (B8) to residential use (C3) (up to 500sq m),
- Single storey rear extension to a house (8m beyond the original rear wall for detached houses and 6m beyond the rear wall for the semi-detached and terraced homes)

**Town centres and Use Class Orders** - The Government, in considering "*how operation of the Use Classes Order can support greater flexibility*" at high streets, sets out there "*could be scope for a*

*new use class that provides for a mix of uses within the A1, A2 and A3 uses beyond that which is considered to be ancillary, which would support the diversification of high street businesses." This would replace the existing A1, A2, A3 use classes and result in a single use class to cover shops, financial and professional services, restaurants and cafes.*

**Public phone boxes** - The government proposed to remove the PD right allowing the installation of new public phone boxes and the associated advertising consent without planning permission.

The consultation closes at 11:45pm on 14<sup>th</sup> January 2019.

Further information on the consultation questions and draft responses related to planning (Part 1) are set out in Appendix One.

## **Implications**

**Corporate Plan:** There are no direct implications in relation to responding to the consultation.

**Legal:** There are no Legal implications contained within the Report.

**Finance:** There are no direct financial implication in relation to responding to the consultation.

<b>Budget Area</b>	<b>Implication</b>
General Fund – Revenue Budget	N/A
General Fund – Capital Programme	N/A
Housing Revenue Account – Revenue Budget	N/A
Housing Revenue Account – Capital Programme	N/A

## **Risk:**

<b>Risk</b>	<b>Mitigation</b>
None	-

## **Human Resources:**

There are no Human Resources implications contained in the report.

## **Equalities:**

There are no Equalities implications contained in the report.

## **Other Implications:**

There are no other implications contained in the report.

**Reason(s) for Urgency**

Not applicable

**Reason(s) for Exemption**

Not applicable

**Background Papers**

The consultation document is available on the Government's website at:

<https://www.gov.uk/government/consultations/planning-reform-supporting-the-high-street-and-increasing-the-delivery-of-new-homes>

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## Appendix One - Planning reform: supporting the high street and increasing the delivery of new homes Consultation Response

### Part 1. Permitted development rights and use classes

#### Allow greater change of use to support high streets to adapt and diversify

The Table below illustrates the existing permitted development rights and the changes proposed in the consultation relating to A1, A2, A3, A4 and A5 uses.

Use Class	Existing Permitted Changes	Proposed changes in the consultation
A1 Shops	<ul style="list-style-type: none"> <li>• Permitted change to mixed A1 with up to 2 flats</li> <li>• Permitted change to A2 or Mixed A2 with up to 2 flats</li> <li>• Temporary permitted use (2 years) as flexible A1/A2/A3/B1 (interchangeable with notification)</li> <li>• Permitted change of A1 or mixed A1 and dwellinghouse to C3 (subject to prior approval) (see also 2018 Order)</li> <li>• Permitted change to A2(see also 2016 Order)</li> <li>• Permitted change to A3 (subject to prior approval) (see also the 2018 Order)</li> <li>• Permitted change to D2 (subject to prior approval)</li> </ul>	<ul style="list-style-type: none"> <li>• Change to office use (B1)</li> <li>• Temporary changes to permit certain community uses: public library, exhibition hall, museum, clinic or health centre. (See question 1.4).</li> </ul>
A2 Financial & professional services	<ul style="list-style-type: none"> <li>• Permitted change to A1 where there is a display window at ground floor level. Permitted change to or from a mixed use for any purpose within A2 and up to 2 flats. To A1 and up to 2 flats, where there is a display window at ground floor level</li> <li>• Temporary permitted change (2 years) to A1, A3, B1 (interchangeable with notification)</li> <li>• Permitted change from A2 or mixed A2 and dwellinghouse to C3 (subject to prior approval)</li> <li>• Permitted change to A3 (subject to prior approval)</li> <li>• Permitted change to D2 (subject to prior approval)</li> </ul>	<ul style="list-style-type: none"> <li>• Change to office use (B1)</li> <li>• Temporary changes to permit certain community uses: public library, exhibition hall, museum, clinic or health centre. (See question 1.4).</li> </ul>
A3 Food & drink	<ul style="list-style-type: none"> <li>• Permitted change to Class A1 and Class A2</li> <li>• Temporary permitted change (2 years) to A1, A2, B1 (interchangeable with notification)</li> </ul>	<ul style="list-style-type: none"> <li>• Change to office use (B1)</li> <li>• Temporary changes to permit certain community uses: public library, exhibition hall, museum, clinic or health centre. (See question 1.4).</li> </ul>

A4 Public houses, wine bars or other drinking establishments	<ul style="list-style-type: none"> <li>• Permitted change to or from a use falling “within Class A4 with a use falling within Class A3” (“drinking establishments with expanded food provision”)</li> </ul>	
A5 Hot food takeaways	<ul style="list-style-type: none"> <li>• Permitted change to A1, A2 or A3</li> <li>• Temporary permitted change (2 years) to A1, A2, A3, B1 (interchangeable with notification)</li> </ul>	<ul style="list-style-type: none"> <li>• Change to office use (B1)</li> <li>• Change to residential use (C3)</li> <li>• Temporary changes to permit certain community uses: public library, exhibition hall, museum, clinic or health centre. (See question 1.4).</li> </ul>
Sui Generis including betting shops, payday loan shops and laundrettes	<ul style="list-style-type: none"> <li>• Casino to A3 (subject to prior approval)</li> <li>• Casino to D2</li> <li>• Amusement centre or casino to C3 (subject to prior approval) (see also 2018 Order)</li> <li>• Betting office or pay day loan shop to A1, A2, A3, D2 (subject to prior approval)</li> <li>• Betting office or pay day loan shop to mixed use A1 and up to two flats (if a display window at ground floor level), or mixed A2 and up to two flats, or mixed use betting office or pay day loan shop and up to two flats</li> <li>• Betting office, pay day loan shop or launderette to C3 (subject to prior approval)</li> <li>• Mixed use betting office, pay day loan shop or launderette and dwellinghouse to C3 (subject to prior approval)</li> <li>• Mixed use betting office and up to two flats to A1 (if a display window at ground floor level), A2 or betting office</li> <li>• Temporary permitted change (2 years) from betting office or pay day loan shop to A1, A2, A3 or B1</li> </ul>	<ul style="list-style-type: none"> <li>• Change to office use (B1)</li> </ul>

**Question 1.1: Do you agree that there should be a new permitted development right to allow shops (A1) financial and professional services (A2), hot food takeaways (A5), betting shops, pay day loan shop and laundrettes to change to office use (B1)? Please give your reasons.**

No. The Council does not consider that this is necessary.

The Council considers that town centres are the most sustainable locations to live, work, shop, socialise and conduct business. The proposals largely affect retail and leisure uses. However, it is important that town centres retain a range of shops to facilitate their attractiveness to shoppers and the local community. There are already substantial permitted development rights, which, potentially, may have an impact on vitality of these centres. The concern for the Council would be the loss of additional shops in town centres will takes away from a retail environment. This may not

have a major impact in secondary locations but are offices likely to be located in secondary locations?

In larger centres, there may be a demand for office space (given the permitted development rights for the conversion of offices to residential) but this is likely to be in the primary shopping areas, where it is key to the vitality and vibrancy of the centre for retail activities needs to be retained.

The Council is actively considering the future of its town centres recognising that it is necessary to be flexible in relation to use on the high street. However, the random nature of permitted development rights is considered to be a threat to investors in the town centre (through property ownership) and to the local community in terms of the vitality of those town centres. The evidence, to date, would suggest that we might end up with poor quality housing which has a detrimental impact on the built environment and the success of the high street.

**Question 1.2: Do you agree that there should be a new permitted development right to allow hot food takeaways (A5) to change to residential use (C3)? Please give your reasons.**

No. The Council is supportive of residential development in town centres. However, there needs to be a range of shops and other facilities for town centres to be attractive to the local community bringing people into those centres. The proposal removes control over this aspect and together with other permitted changes could result in negative aspects for the vitality of town centres.

**Question 1.3: Are there any specific matters that should be considered for prior approval to change to office use?**

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There are existing permitted development rights for the temporary change of use for 2 year from shops (A1) financial and professional services (A2), restaurants and cafes (A3), hot food takeaways (A5), offices (B1), non-residential institutions (D1), assembly and leisure uses (D2), betting shops and pay day loan shops to change to shops (A1) financial and professional services (A2), restaurants and cafes (A3) or offices (B1).

The purpose is to enabling new business start-ups to test the market and help ensure premises are not left empty.

Changes proposed are:

- a. Extending these allowable uses to certain community uses: public library, exhibition hall, museum, clinic or health centre.
- b. The extension of the temporary use from 2 years to 3 years.

**Question 1.4: Do you agree that the permitted development right for the temporary change of use of the premises listed in paragraph 1.9 should allow change to a public library, exhibition hall, museum, clinic or health centre?**

It is not clear from the consultation whether the proposal includes all uses with Use Class D1. Use Class D1 includes day nurseries and similar uses. Potentially these uses can have significant issues in relation to traffic, noise, and children's safety. This is particularly relevant when people are 'living over the shop'.

If specific uses were identified the Council would have no issue with this as a temporary means of exploring the vibrancy of high street within town centres. However, the consultation does not define what is meant by 'high street'. Outside town centres, there are potential issues such as car parking relating to these named uses.

If the proposal is introduced for a limited time, it is important that this aspect be monitored to establish whether there is any positive effect.

**Question 1.5: Are there other community uses to which temporary change of use should be allowed?**

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**Question 1.6: Do you agree that the temporary change of use should be extended from 2 years to 3 years?**

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The A1 use class captures commonly found shops on the high street. However, The Government wished to enable a broader definition of uses for the sale, display or service to visiting members of the public.

**Question 1.7: Would changes to certain of the A use classes be helpful in supporting high streets?**

The Council is not aware of any evidence that suggest that this aspect is having a negative impact on high streets. The merger of A3 uses into a wider use class has the potential to impact on the living conditions of anyone 'living above the shop'. This could result in issues relating to noise, smell and disturbance with noise being a particular issue in the evening. Consequently, it should be an issue to be considered as part of a planning application. Consequently, this is considered a detrimental step.

**Question 1.8: If so, which would be the most suitable approach:**

- a. that the A1 use class should be simplified to ensure it captures current and future retail models;  
or,
- b. that the A1, A2 and A3 use classes should be merged to create a single use class?

**Please give your reasons.**

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**Allow certain building types in particular uses to extend upwards to create additional new homes**

The Government proposes a new permitted development right to extend certain existing buildings upwards to provide additional, well designed, new homes to meet local housing need. The consultation identifies that this proposal is to create much needed additional new homes which fit within the existing streetscape and can enhance the local area.

The consultation proposes a new permitted development right, **subject to prior approval by the local planning authority**, to allow additional storeys to be built above certain buildings, in particular those in commercial or residential (C3) use.

**Question 1.9: Do you think there is a role for a permitted development right to provide additional self-contained homes by extending certain premises upwards?**

No. The key aspect of development is the impact on good design, place making, and the visual and amenity impact of such a development. This is not simply reflective of the architecture of the building but the relationship with its surroundings.

The Council is in the process of adopting a supplementary planning document on a design guide for converting shops to residential properties due to concerns over the poor quality design aspects of conversions.

It is noted that:

- the report set out in the consultation relates to London and not the whole country;
- Paragraph 1.14 sets out where permitted development does not apply. However, it does not include locally listed buildings, which are considered important at a local level by the community. In this context, it is not clear how this would fit in with the provisions of the NPPF, which highlights local listed buildings as heritage assets.

While acknowledging the possibility that densities in urban areas could be increased it is considered that this aspect should be subject to a full application rather than undertaken by prior approval. In practice, the factors that would have to be considered as part of any prior approval would be similar to a planning application. However, the use of prior approval potentially involves a limited range of issues preventing the full consideration of the matter. In addition, the more limited period for approving/refusing a prior approval application does not allow sufficient time to consider the matter in detail.

Given the guidance for planning policy and decisions set out in National Planning Policy Framework paragraph 118 e) why is there any necessity to introduce permitted development rights?

**Question 1.10: Do you think there is a role for local design codes to improve outcomes from the application of the proposed right?**

The Council does not consider that it is appropriate to have permitted development on this aspect.

It is suggested that the option may be:

- Applied to the airspace above premises in a terrace of two or more joined properties where there is at least one higher building in the terrace. The roof of the premises extending upward would be no higher than the main roofline of the highest building in the existing terrace.
- Permit upward extensions more widely to a height no higher than the prevailing roof height in the locality.

Suggested that there should be a maximum limit of 5 storeys from ground level for a building once extended, with anything higher requiring a planning application. This would be based on an additional storey not exceeding 3 metres in height.

Separately, purpose built, free standing blocks of flats (C3) over 5 storeys are identified as providing an opportunity to deliver additional new homes through upwards extensions. It raised whether there should be a limit on the number of additional storeys.

**Question 1.11: Which is the more suitable approach to a new permitted development right:**

- a. that it allows premises to extend up to the roofline of the highest building in a terrace; or
- b. that it allows building up to the prevailing roof height in the locality?

The Council does not consider that it is appropriate to have permitted development on this aspect.

**Question 1.12: Do you agree that there should be an overall limit of no more than 5 storeys above ground level once extended?**

The Council does not consider that it is appropriate to have permitted development on this aspect.

**Question 1.13: How do you think a permitted development right should address the impact where the ground is not level?**

The Council does not consider that it is appropriate to have permitted development on this aspect.

**Question 1.14: Do you agree that, separately, there should be a right for additional storeys on purpose built free standing blocks of flats? If so, how many storeys should be allowed?**

The Council does not consider that it is appropriate to have permitted development on this aspect.

#### Premises that would benefit from a permitted development right to build upwards

The Consultation sets out in para 1.21 that the government proposes that upward extensions could include existing C3 residential premises, those A class and sui generis high street uses that can already change use to housing under a permitted development right (shops (A1), financial and professional services (A2), restaurants and cafes (A3), betting shops, pay day loan shops and launderettes), offices (B1 (a)), and buildings in mixed use within these uses.

**Question 1.15: Do you agree that the premises in paragraph 1.21 would be suitable to include in a permitted development right to extend upwards to create additional new homes?**

No - The context is key to any question of upward extensions. This could have a major impact on the visual appearance of a building and the amenity of neighbours. It is considered this should remain a matter for consideration by planning permission rather than permitted development.

**Question 1.16: Are there other types of premises, such as those in paragraph 1.22 that would be suitable to include in a permitted development right to extend upwards to create additional new homes?**

No - The context is key to any question of upward extensions. This could have a major impact on the visual appearance of a building and the amenity of neighbours. It is considered this should remain a matter for consideration by planning permission rather than permitted development.

## Works to extend upwards

The permitted development right would need to allow for the physical works required to construct or install additional storeys on a building. Where relevant, development must comply with Building Regulations and Fire Regulations, the Party Wall Act and other legislation as appropriate.

**Question 1.17: Do you agree that a permitted development right should allow the local authority to consider the extent of the works proposed?**

If the proposal is taken forward, a key aspect will be for the local authority to consider the extent of the works proposed.

## Prior Approval

The Government propose applying those prior approvals that have already proved beneficial in permitted development rights for change to residential use. These would include matters such as flooding and contamination risks, transport and highways and the impact of additional new homes on existing occupiers and businesses.

The prior approval would also:

- Assess the impacts of any works external to the building and within the curtilage, including fire escapes.
- The design, siting and appearance of the upward extension and its impact on the amenity and character of the area, taking account of the form of neighbouring properties. It is set out that 'We expect prior approval on design to be granted where the design is in keeping with the existing design of the building'.
- consider the impact of the development on the amenity of neighbouring premises, for example, from obscuring existing windows, reducing access to light or resulting in unacceptable impact on neighbours' privacy from overlooking. It would also consider measures to mitigate these impacts, and enable the neighbours, including owners and occupiers of premises impacted, to comment on the proposal.

Proposed that applications for prior approval should be accompanied by an appropriate fee per dwelling proposed, recognising the range and complexity of issues for local authority consideration.

**Question 1.18: Do you agree that in managing the impact of the proposal, the matters set out in paragraphs 1.25 -1.27 should be considered in a prior approval?**

The Council view is that upward extensions should be retained as a planning application rather than prior approval. However, if taken forward, the impact of these matters should be considered in prior approval, particularly the design aspects. The quality of converting shops into residential units is a major concern of the Council. This has resulted in the Council looking to bring forward a supplementary planning guidance on converting shops to residential properties.

**Question 1.19: Are there any other planning matters that should be considered?**

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Permitted development rights already allow the enlargement, improvement or alteration of existing homes to provide additional living space. This includes up to 50 cubic metres of additional roof space, such as a loft extension (which is no higher than the existing roof). We are seeking views on whether the proposed right to build upwards to create new homes should additionally allow householders to extend their own homes.

**Question 1.20: Should a permitted development right also allow for the upward extension of a dwelling for the enlargement of an existing home? If so, what considerations should apply?**

No - The context is key to any question of upward extensions. This could have a major impact on the visual appearance of a building and the amenity of neighbours. It is considered that this should remain a matter for consideration by planning permission rather than permitted development.

### **Remove the existing right that allows the installation of, and advertising on, new public call boxes**

The placing of public call boxes would now benefit from the greater consideration of their impact on the local amenity. Any adverts on new public call boxes would similarly be subject to local consideration.

**Question 1.21: Do you agree that the permitted development right for public call boxes (telephone kiosks) should be removed?**

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**Question 1.22: Do you agree that deemed consent which allows an advertisement to be placed on a single side of a telephone kiosk should be removed?**

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### **Increased size limits for off-street electric vehicle charging points**

Existing permitted development rights allow the installation of an upstand, no greater than 1.6 metres in height, for recharging electric vehicles in a space located in an area legally used for off-street parking. Recent improvements in the technology and effectiveness of rapid charging points for electric vehicles could require a larger unit than allowed by the existing right. It is proposed to increase the existing height limit to allow a charging point upstand no greater than 2.3 metres high. In order to protect the amenity and character of residential areas it is not propose increasing the height limit for a charging point upstand within the curtilage of a dwelling house.

**Question 1.23: Do you agree the proposed increased height limit for an electrical vehicle charging point upstand in an off-street parking space that is not within the curtilage of a dwelling house?**

The Council is supportive of measures to facilitate charging points for electric vehicles.

### **Make permanent two time-limited rights**

The Government propose to make permanent two time-limited permitted development rights that will currently cease to have effect in 2019:

- Subject to prior approval, there are permitted development right, which for a limited period allows buildings of up to 500 square metres of floorspace in use as B8 storage or distribution on 19 March 2014, which had been in such use for four years, to change to residential use.

- Larger extensions to dwellinghouses, introduced in 2013. The right allows for a single-storey rear extension of up to 8 metres in length for detached houses, and up to 6 metres in length for semi-detached and terrace houses, subject to consultation with neighbours on amenity.

**Question 1.24: Do you agree that the existing time-limited permitted development right for change of use from storage or distribution to residential is made permanent?**

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**Question 1.25: Do you agree that the time-limited permitted development right for larger extensions to dwellinghouses is made permanent?**

Permitted development rights are a blunt instrument of planning policy. It assumes that a consistent national approach should prevail in the face of local circumstances. The substantial extent to which permitted development are allowed (currently temporarily) impacts on adjoining occupiers and results in the erosion of green space in the form of gardens. It does not negate the significant cost of drawing up plans. The role of the planning process is to consider the economic, social and environmental aspects of development. This includes being a means to resolve and head-off disputes with neighbours over extensions and ensures there is no unacceptable impact on amenity. An issue highlighted by the Council's strategic housing needs assessment and the neighbourhood plans is the need for a housing mix, which included smaller properties to meet local needs. The scale of the permitted development can result in this aspect being negated. It also raises the issue of design quality for extensions. In these circumstances, the Council considers the scale of the permitted development rights is excessive and should not be introduced on a permanent basis.

**Question 1.26: Do you agree that a fee should be charged for a prior approval application for a larger extension to a dwellinghouse?**

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**Explore the feasibility of a new right to allow for the demolition of existing commercial buildings and their redevelopment as residential**

Currently permitted development rights deliver new homes through the change of use of existing buildings. The Government is seeking views on whether it would be feasible for a permitted development right to be designed that could allow for the redevelopment of a commercial site to create new homes.

**Question 1.27: Do you support a permitted development right for the high quality redevelopment of commercial sites, including demolition and replacement build as residential, which retained the existing developer contributions?**

No. The Council has substantial concern over the blanket approach to this aspect rather than an approach being identified at a local level.

The consultation does not appear to define what is meant by 'commercial' sites and this can cover a broad spectrum of uses. However, the evidence base for the emerging local plan indicates that it is likely to have negative impacts. This has to be seen in the context that:

- a. The Employment Land Study identifies that the local economy is changing so that there is a move away from B2 and B8 to offices B1 in the future;
- b. The Council's Whole Plan Viability Assessment 2016 raised issues regarding the viability of a substantial number of commercial uses including offices. Other than retail, the appraisals indicated negative viability including for offices.

The Council has had a positive approach to employment sites being utilised for residential purposes. A substantial number of former colliery and textile factory sites have been utilised for homes. However, this was achieved through local plan policies and planning decisions based on evidence. The proposal negates a local approach. Consequently, if permitted development rights are granted they could well result in commercial buildings being lost and not replaced. Ultimately, this has a negative impact on job opportunities at a local level resulting in negative sustainable aspects and people have a home but have to travel much further to their job.

It is clear from the consultation specifically raising the issue, that there are no proposals as it stands on how the proposed permitted development rights will meet the implications arising from additional infrastructure requirements, affordable housing needs and the impact on place making.

A further issue is that no reference is made in the consultation to the status of the existing building. What happens if the building is a heritage asset, including local listed heritage assets, which contributes to the character and appears of the area?

While appreciating the need for additional dwellings, this should not override the place making aspect of planning and the need to provide jobs for local people.

**Question 1.28: What considerations would be important in framing any future right for the demolition of commercial buildings and their redevelopment as residential to ensure that it brings the most sites forward for redevelopment?**

The Council considers that it is not appropriate for permitted development rights to be granted for the demolition of commercial buildings. (See the response to question 1.27).

## **Impact Assessment**

**Question 1.29: Do you have any comments on the impact of any of the measures?**

- i. **Allow greater change of use to support high streets to adapt and diversify**
- ii. **Introducing a new right to extend existing buildings upwards to create additional new homes**
- iii. **Removing permitted development rights and advertisement consent in respect of public call boxes (telephone kiosks).**
- iv. **Increasing the height limits for electric vehicle charging points in off-street parking spaces**
- v. **Making permanent the right for the change of use from storage to residential**
- vi. **Making permanent the right for larger extensions to dwellinghouses**

Please see the responses to questions 1.1 to 1.28.

## **Public sector equality duty**

**Question 1.30: Do you have any views about the implications of our proposed changes on people with protected characteristics as defined in the Equality Act 2010? What evidence do you have on these matters? Is there anything that could be done to mitigate any impact identified?**