

District Councils' Network (DCN)'s response to the Government's consultation on *'additional flexibilities to support housing delivery, the agricultural sector, businesses, high streets and open prisons; and a call for evidence on nature-based solutions, farm efficiency projects and diversification'*.



Date: 25 September 2023

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About the District Councils' Network

The District Councils' Network (DCN) represents 168 district and unitary councils covering 60% of England in market towns, new towns, cathedral cities, coastal communities and rural areas across England. District councils deliver 86 of the 137 essential local government services to over 21 million people. Our member councils are home to 38% of the country's businesses and almost half of its agricultural businesses. Businesses in districts contribute over one-third of the country's economic output. All DCN member councils are Local Planning Authorities (LPAs) and have deep collective expertise in operating the planning system and driving local growth.

Overview

DCN welcomes the opportunity to respond to this consultation and recognises the wide-reaching implications for local communities and delivery of service provision through local authorities of these proposals. DCN has several serious concerns if these proposals are introduced through the existing planning system.

In general, we do not support any further extension to permitted development rights. Any change of use to new residential development should be properly assessed through the planning application process, where infrastructure and affordable housing needs can be fully addressed, and where communities can engage. Permitted development rights (PDR) avoid the detailed consideration that is required from housing secured through full planning permission. The result has been that PDR homes have been more likely to be poorer quality as a result of factors that really matter – internal living space, natural light and access to private amenity space. Full planning permission should be required if we are to achieve quality, long-lasting, sustainable and healthy communities. We acknowledge that there is a role to play for retail to convert to residential in some circumstances, in line with shifting economic trends, but these should not be permitted to bypass the democratic planning system and avoid contributing to local infrastructure requirements.

DCN is concerned that:

- The proposed changes to enable greater flexibility for changes of use to increase housing delivery may well undermine the social and economic fabric of local communities that these proposals are seeking to support. DCN has particular concern about fragmentation of uses leading to less sustainable communities,

reduced footfall in centres and fewer services and facilities to support new residents resulting in a greater need to travel elsewhere to meet their needs.

- The primary role for local government is to represent their communities, including through the planning process, to ensure a high quality of life for the future. These reforms reduce the democratic accountability of new development proposals in local areas by enabling changes of use to occur without being subject to the planning application process, which includes local representations.
- Whilst a key aim of the Government's proposals is to support economic recovery by encouraging new housebuilding, it is important to note that once a particular use class has been lost, it will not return. Therefore, the likelihood is that the essential character of areas, providing a diversity of uses, which support their vitality and viability could be significantly undermined by these proposals.
- Implementation of the prior approval process for changes of use to housing have a limited number of factors for consideration by local planning authorities. Whilst important at the local level this will be particularly crucial to protect article 2(3) land, which generate important economic and tourism revenue for local communities. Furthermore, recent commercial and industrial conversions to housing have witnessed poor quality design and living standards, which need to be addressed through legislation and would be welcomed by local authorities to strengthen the market particularly in areas with high levels of local need.
- The specific application of the Design Codes, Nationally Determined Space Standards as well as Building Regulations to all such permitted rights development through National Planning Policy is to be strongly supported since it will help address the lack of space and other unsuitability identified in some residential conversions of commercial properties.
- It is noted that the duty / right to seek prior approval for change of use will not require infrastructure contributions through Section 106 agreements such as for affordable housing, transport, education and open space / sport / recreation provision. This is particularly concerning from the local authorities' perspective because additional pressure will be placed on existing services and facilities in the area, or elsewhere, without the financial support for necessary infrastructure. It is important to remember that infrastructure needs to be directly related to the development so it is not realistic to rely on new proposals elsewhere to meet the requirements.
- These proposals have a number of significant implications for local planning authorities in terms of supporting and delivering key services to communities. From a financial perspective, there will be a reduction in planning fee income through the change of use amendments as well as public service infrastructure development. Therefore, it is important that the Government provides significant new financial resources to overstretched local planning authorities over a prolonged period of time in order to deliver the economic recovery needs for the country in a timely and effective manner through changes to the planning system.

Detailed response

Q.1 Do you agree that prior approvals for design or external appearance in existing permitted development rights should be replaced by consideration of design codes where they are in place locally?

- a) Yes
- b) No
- c) Don't know

Please give your reasons

Response: Yes, once local design codes have been prepared. In the meantime, the current prior approval requirements should remain in force.

Q.2 Do you think that any of the proposed changes to permitted development rights in relation to design codes could impact on: a) businesses b) local planning authorities c) communities?

- a) Yes
- b) No
- c) 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

Response: Yes.

- (a) Business - benefits of increased growth to local economies through high quality designed schemes and business functionality.
- (b) Local Planning Authorities – requirement to adopt local design codes in order to deliver an increased emphasis on high quality development, although resource constraints may impact on implementation.
- (c) Communities – benefits from high quality local environments and increased economic growth but impacts could include additional pressure on services and facilities, as well as the local highway network implications.

Q.3 Do you agree that the permitted development right for the change of use from the Commercial, Business and Service use class (Use Class E) to residential (Class MA of Part 3), should be amended to either:

- a) Double the floorspace that can change use to 3,000 square metres
- b) Remove the limit on the amount of floorspace that can change use
- c) No change
- d) Don't know

Please give your reasons

Response: No change, to maintain economic growth and diversity of uses to support sustainable communities in the future. Increasing or removing the limit on amount of floorspace would reduce Use Class E premises. Furthermore, there should be a limit on the number of residential properties that can be created through permitted development rights and therefore not requiring planning permission. This limit should be set at 20 new residential properties so that Section 106 agreements or appropriate Community Infrastructure Levy charges can be levied on these new developments in order to deliver the necessary supporting infrastructure such as education, transport, affordable housing, leisure provision etc.

Q.4 Do you agree that the permitted development right (Class MA of Part 3) should be amended to remove the requirement that the premises must be vacant for at least three continuous months immediately prior to the date of the application for prior approval?

- a) Yes
- b) No
- c) Don't know

Please give your reasons

Response: No. It is important the continuation of premises identified as Use Class E are given an opportunity to prosper in order to support sustainable communities in the future.

Q.5 Do you think that the permitted development right (Class MA of Part 3) should apply in other excluded article 2(3) land?

- a) Yes
- b) No
- c) Don't know

Please give your reasons

Response: No. There is significant concern about the right being applied to article 2(3) land due to the natural, historic and landscape importance of these areas and associated buildings supporting the vibrancy and economy of centres, not least through tourism activities. Encouraging uses to change to residential purposes may be acceptable, in principle, within Conservation Areas but the loss of uses may well undermine the character of these locations. Article 2(3) land could suffer from the poor conversion of buildings to residential. With very little control over how that conversion is achieved due to limited matters for consideration through the prior approval process it is likely to be

detrimental. DCN strongly considers that planning permission should continue to be sought in article 2(3) land.

Q.6 Do you think the prior approval that allows for the local consideration of the impacts of the change of use of the ground floor in conservation areas on the character or sustainability of the conservation is working well in practice?

- a) Yes
- b) No
- c) Don't know

Please give your reasons.

If no, please explain why you don't think the prior approval works in practice?

Response: Don't know

Q.7 Do you agree that permitted development rights should support the change of use of hotels, boarding houses or guest houses (Use Class C1) to dwellinghouses?

- a) Yes
- b) No
- c) Don't know

Please give your reasons

Response: No. DCN is concerned about the adverse impact on the tourism industry and wider local economic implications for other businesses reliant on visitors. Furthermore, there is the potential for large hotels to be converted to housing without sufficient existing local infrastructure, services, and facilities to support residents.

Q.8 Are there any safeguards or specific matters that should be considered if the change of use of hotels, boarding houses or guest houses (Use Class C1) to dwellinghouses was supported through permitted development rights?

- a) Yes
- b) No
- c) Don't know

Please give your reasons.

If yes, please specify.

Response: Yes. It is important that any change of use to residential is supported by appropriate infrastructure provision / contributions including education, health, transport, leisure, open space and affordable housing requirements to ensure that new residents are not disadvantaged by lacking access to local services and facilities whilst not over-burdening existing infrastructure. Whilst it is acknowledged that residential uses in existing urban areas should be increased this should not undermine existing areas or the potential for other locations to also deliver new housing growth rather than being disadvantaged through infrastructure requirements not required elsewhere.

Design, the impact on neighbours and commercial uses must also be included to ensure that the economic vibrancy and vitality of locations continues to be sustained in the future. Any proposals must ensure the highest possible standards are adhered to and so all residential development should be subject to the Nationally Determined Space Standards. Furthermore, all residential development must have appropriate access to local services, including food shopping, health and educational facilities. and public transport.

Q.9 Do you think that any of the proposed changes in relation to the Class MA permitted development right could impact on: a) businesses b) local planning authorities c) communities?

- a) Yes
- b) No
- c) 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.

Response: Yes. The proposed change will have a direct impact on businesses, communities and local planning authorities with the implications to be very carefully considered by Government before moving forward. The key issues of concern are set out below:

- Local communities will be affected due to the loss of services and facilities in particular locations leading to an undermining of the social and economic fabric that these proposals are seeking to support. There is particular concern about fewer services and facilities to support new residents resulting in a greater need to travel elsewhere to meet their needs. This is compounded by the lack of new infrastructure provision being required for these change of use proposals.

- Local authorities will be affected because the primary role for local government is to represent their communities, including through the planning process, to ensure a high quality of life for the future. These reforms will be reducing the democratic accountability of new development proposals in local areas by enabling changes of use to occur without being subject to the planning application process which includes local representations to be provided.
- Businesses will be affected because whilst a key aim of the Government's proposals are to support economic recovery within urban areas by encouraging new housebuilding, it is important to note that once a particular Use Class has been lost it will not return. There will be a wider adverse impact on the local tourism sector from these changes.

Q.10 Do you think that changes to Class MA will lead to the delivery of new homes that would not have been brought forward under a planning application?

- a) Yes
- b) No
- c) Don't know

If so, please give your reasons

Response: Yes. Nevertheless, the implications of such a change on economic prosperity, lack of services and facilities together with social cohesion impacts are significant. New residential proposals should be delivered primarily through the democratic plan-led system to ensure future sustainable communities are achieved.

Q. 11 Do you agree that the right for the change of use from hot food takeaways, betting offices, pay day loan shops and launderettes (Class M of Part 3) is amended to:

- a) Double the floorspace that can change use to 300 square metres
- b) Remove the limit on the amount of floorspace that can change use
- c) No change
- d) Don't know

Please give your reasons

Response: No change. It is important to ensure that new homes are located with support from existing infrastructure, services and facilities whilst avoiding intensification. It is important that any change of use to residential is supported by appropriate infrastructure provision / contributions including education, health, transport, leisure / open space and affordable housing

requirements to ensure that new residents are not disadvantaged by lacking access to local services and facilities whilst not over-burdening existing infrastructure. Whilst it is acknowledged that residential uses in existing urban areas should be increased this should not undermine existing areas or the potential for other locations to also deliver new housing growth rather than being disadvantaged through infrastructure requirements not required elsewhere.

Q.12 Do you agree that the existing right (Class M of Part 3) is amended to no longer apply to launderettes?

- a) Yes
- b) No
- c) Don't know

Please give your reasons

Response: Yes. Launderettes are a key service in many areas and should be protected from change of use to new homes without planning consent in the future.

Q. 13 Do you agree that the right for the change of use from amusement arcades and centres, and casinos (Class N of Part 3) is amended to:

- a) Double the floorspace that can change use to 300 square metres
- b) Remove the limit on the amount of floorspace that can change use
- c) No change
- d) Don't know

Please give your reasons

Response: No change. It is important to ensure that new homes are located with support from existing infrastructure, services and facilities whilst avoiding intensification. Furthermore, it is important to maintain economic growth and diversity of uses to support sustainable communities in the future.

It is important that any change of use to residential is supported by appropriate infrastructure provision / contributions including education, health, transport, leisure / open space and affordable housing requirements to ensure that new residents are not disadvantaged by lacking access to local services and facilities whilst not over-burdening existing infrastructure. Whilst it is acknowledged that residential uses in existing urban areas should be increased this should not undermine existing areas or the potential for other locations to also deliver new housing growth rather than being disadvantaged through infrastructure requirements not required elsewhere.

Q.14 Do you agree that the right (Class M of Part 3) should be amended to replace the existing date on which the building must have been in use as a hot food takeaway, betting office, pay day loan shop or launderette instead to a two-year rolling requirement?

- a) Yes
- b) No
- c) Don't know

Please give your reasons

Response: Yes. It is important the continuation of premises identified as this Use Class is given an opportunity in order to support sustainable economies and communities in the future.

Q.15 Do you agree that the right (Class N of Part 3) should be amended to replace the existing date on which the building must have been in use as an amusement arcade or centre, or casino instead to two-year rolling requirement?

- a) Yes
- b) No
- c) Don't know

Please give your reasons

Response: Yes. It is important the continuation of premises identified as this Use Class is given an opportunity in order to support sustainable economies and communities in the future.

Q.16 Do you think that the permitted development right for the change of use from hot food takeaways, betting offices, pay day loan shops and launderette (Class M of Part 3) should apply in other article 2(3) land?

- a) Yes
- b) No
- c) Don't know

Please give your reasons.

Response: No. There is significant concern about the right being applied to article 2(3) land due to the natural, historic and landscape importance of these areas and

associated buildings supporting the vibrancy and economy of centres, not least through tourism activities. Encouraging uses to change to residential purposes may be acceptable, in principle, within Conservation Areas but the loss of uses may well undermine the service delivery and character of these locations. Article 2(3) land could suffer from the poor conversion of buildings to residential. However, with very little control over how that conversion is achieved due to limited matters for consideration through the prior approval process it is likely to be detrimental. DCN recommends that planning permission should continue to be sought in article 2(3) land.

Q.17 Do you think that the permitted development right for the change of use of amusement arcade or centre, or casino (Class N of Part 3) should apply in other excluded article 2(3) land?

- a) Yes
- b) No
- c) Don't know

Please give your reasons

Response: No. There is significant concern about the right being applied to article 2(3) land due to the natural, historic and landscape importance of these areas and associated buildings supporting the vibrancy and economy of centres, not least through tourism activities. Encouraging uses to change to residential purposes may be acceptable, in principle, within Conservation Areas but the loss of uses may well undermine the service delivery and character of these locations. Article 2(3) land could suffer from the poor conversion of buildings to residential. However, with very little control over how that conversion is achieved due to limited matters for consideration through the prior approval process it is likely to be detrimental. DCN recommends that planning permission should continue to be sought in article 2(3) land.

Q.18 Do you think that any of the proposed changes in relation to the Class M and N permitted development rights could impact on: a) businesses b) local planning authorities c) communities?

- a) Yes
- b) No
- c) 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

Response: Yes the proposed change will have a direct impact on businesses, communities and local planning authorities with the implications to be very carefully considered by Government before moving forward. The key issues of concern are set out below:

- Local communities will be affected due to the loss of services and facilities in particular locations leading to an undermining of the social and economic fabric that these proposals are seeking to support. There is particular concern about fewer services & facilities to support new residents resulting in a greater need to travel elsewhere to meet their needs. This is compounded by the lack of new infrastructure provision being required for these change of use proposals.
- Local authorities will be affected because the primary role for local government is to represent their communities, including through the planning process, to ensure a high quality of life for the future. These reforms will be reducing the democratic accountability of new development proposals in local areas by enabling changes of use to occur without being subject to the planning application process which includes local representations to be provided.
- Businesses will be affected because whilst a key aim of the Government's proposals are to support economic recovery within urban areas by encouraging new housebuilding, it is important to note that once a particular Use Class has been lost it will not return.

Q.19 Do you think that changes to Class M and N will lead to the delivery of new homes that would not have been brought forward under a planning application?

- a) Yes
- b) No
- c) Don't know

If so, please give your reasons

Response: Yes. Nevertheless, the implications of such a change on local economic prosperity, lack of services and facilities together with social cohesion impacts could be significant. New residential proposals should be delivered primarily through the democratic plan-led system to ensure future sustainable communities are achieved.

Q.20 Do you agree that the right (Class G of Part 3) is expanded to allow for mixed use residential above other existing uses?

- a) Yes
- b) No
- c) Don't know

Please give your reasons.

If yes, please say which uses the right might apply to and give your reasons

Response: No. To maintain economic growth and diversity of uses to support sustainable communities in the future, expansion would reduce Use Class G premises. Furthermore, there should be a limit on the number of residential properties that can be created through permitted development rights and therefore not requiring planning permission. It is important to deliver new homes alongside the necessary supporting infrastructure such as education, transport, affordable housing, leisure provision etc.

Q.21 Do you agree that the number of flats that may be delivered under the right (Class G of Part 3) is doubled from two to four?

- a) Yes
- b) No
- c) Don't know

Please give your reasons

Response: Yes provided any change of use to residential is supported by appropriate infrastructure provision / contributions including education, health, transport, leisure / open space and affordable housing requirements to ensure that new residents are not disadvantaged by lacking access to local services and facilities whilst not over-burdening existing infrastructure. Whilst it is acknowledged that residential uses in existing urban areas should be increased this should not undermine existing areas or the potential for other locations to also deliver new housing growth rather than being disadvantaged through infrastructure requirements not required elsewhere.

Design, the impact on neighbours and commercial uses must also be included in these matters to ensure that the economic vibrancy and vitality of

locations continues to be sustained in the future. It is noted that any proposals must ensure appropriate living conditions so all residential development should be subject to the Nationally Determined Space Standards. Furthermore, all residential development must have access to local services, including food shopping, health and educational facilities, and public transport.

Q.22 Do you agree that the permitted development right (Class H of Part 3) is amended to align with any changes made to the uses to which Class G of Part 3 applies?

- a) Yes
- b) No
- c) Don't know

Please give your reasons

Response: Yes. It is important the continuation of premises identified as this Use Class is given an opportunity in order to support sustainable economies and communities in the future.

Q.23 Do you think that any of the proposed changes in relation to the Class G and H permitted development rights could impact on: a) businesses b) local planning authorities c) communities?

- a) Yes
- b) No
- c) 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.

Response: Yes. The proposed changes will have a direct impact on businesses, communities and local planning authorities with more homes through Class G and more commercial premises through Class H.

- Local communities will benefit from increased economic prosperity from new business premises but may also be affected by fewer services & facilities to support new residents resulting in a greater need to travel elsewhere to meet their needs. This is compounded by the lack of new infrastructure provision being required for these change of use proposals.

- Local authorities will be affected because the primary role for local government is to represent their communities, including through the planning process, to ensure a high quality of life for the future. These reforms will be reducing the democratic accountability of new development proposals in local areas by enabling changes of use to occur without being subject to the planning application process which includes local representations to be provided. Nevertheless, economic prosperity may be enhanced.
- Businesses will benefit from new commercial premises to support economic recovery within urban areas although some new flats could reduce the scope. It is important to note that once a particular Use Class has been lost it will not return.

Q.24 Do you think that changes to Class G will lead to the delivery of new homes that would not have been brought forward under a planning application?

- a) Yes
- b) No
- c) Don't know

If so, please give your reasons

Response: Yes. Nevertheless, the implications of such a change on local economic prosperity, lack of services and facilities together with social cohesion impacts could be significant cumulatively. New residential proposals should be delivered primarily through the democratic plan-led system to ensure future sustainable communities are achieved

Q.25 Do you agree that the smaller and larger home size limits within the agricultural buildings to dwellinghouses right (Class Q of Part 3) should be replaced with a single maximum floorspace limit of either:

- a) 100 square metres per dwellinghouse
- b) 150 square metres per dwellinghouse
- c) No change
- d) Don't know

Response: A limit of up to 500 square metres should be applied, which can only relate to smaller homes of no greater than 100 square metres. It is important to ensure farm diversification and continued delivery of the farming sector supports the rural economy rather than lead to a greater number of new dwellings in the open countryside. Therefore, the existing permitted development rights should be maintained to avoid less sustainable growth in areas with limited access to services and facilities together with the loss of agricultural infrastructure to viably maintain farms. Based on the scale of new housing

required nationally there will continue to be a requirement for new greenfield development, which can be supported through new services and facilities to ensure sustainable future communities.

Q.26 Do you agree that an overall limit on the amount of floorspace that can change use, set at 1,000 square metres, should be introduced for the agricultural buildings to dwellinghouses right (Class Q of Part 3)?

- a) Yes
- b) No
- c) Don't know

Please give your reasons

Response: No. It is important to ensure farm diversification and continued delivery of the farming sector supports the rural economy rather than lead to a greater number of new dwellings in the open countryside, which would result if the limited was increased to 1,000 square metres. Therefore, the existing permitted development rights should be maintained to avoid less sustainable growth in areas with limited access to services and facilities together with the loss of agricultural infrastructure to viably maintain farms. It should be noted that any increase in floorspace provision for new homes will negatively impact on the natural landscape character and pressures on rural roads through urbanisations effects together with domestic installations.

Q.27 Do you agree that the 5 home limit within the agricultural buildings to dwellinghouses right (Class Q of Part 3) should be increased to allow up to a total of 10 homes to be delivered within an agricultural unit?

- a) Yes
- b) No
- c) Don't know

Please give your reasons

Response: No. Existing permitted development rights should be maintained to avoid less sustainable growth in areas with limited access to services and facilities together with the loss of agricultural infrastructure to viably maintain farms resulting from facilitating up to 10 new homes for each individual conversion. It should be noted that larger farm complexes could lead to conversion of far more than 10 new homes overall, leading to increased associated pressures. It should also be noted that any increase in floorspace provision for new homes will negatively impact on the natural landscape character and

pressures on rural roads through urbanisations effects together with domestic installations.

Q.28 Do you agree that the permitted development right for the change of use from agricultural buildings to residential use (Class Q of Part 3) should be amended to allow for an extension to be erected as part of the change of use on previously developed land?

- a) Yes
- b) No
- c) Don't know

Please give your reasons

Response: On the basis that the maximum size of new homes is 100 square metres up to a maximum of 5 new homes, it is considered that it may be appropriate to allow rear extensions through permitted development rights. Nevertheless, it should be noted that this should only apply to one proposal per agricultural unit in order to limit the number of new homes delivered in any particular location, rather than multiple separate proposals as previously developed land associated with agricultural buildings can be extensive. It should also be noted that any increase in floorspace provision for new homes will negatively impact on the natural landscape character and pressures on rural roads through urbanisations effects together with domestic installations. Furthermore, there will be increased pressure on Local Planning Authority resources, in particular enforcement, to ensure that the increased permitted development right provisions are being adhered to. Further explanation is required in terms of paragraph 68.

Q.29 Do you agree that a prior approval be introduced, allowing for the consideration of the impacts of an extension on the amenity of neighbouring premises, including overlooking, privacy and light?

- a) Yes
- b) No
- c) Don't know

Please give your reasons

Response: Yes. It is important to consider key matters in terms of new residential uses in the countryside due to impacts on existing premises, but this should be extended to consider the impacts on services and facilities, the natural landscape character and pressures on rural roads.

Q.30 Do you agree that buildings should have an existing floorspace of at least 37 square metres to benefit from the right?

- a) Yes
- b) No
- c) Don't know

Please give your reasons

Response: Yes and welcome that the minimum size corresponds with the nationally described space standards. Nevertheless, it is concerning that small buildings in isolated locations across the open countryside will inevitably occur through the permitted development right changes proposed. Furthermore, there will be increased pressure on Local Planning Authority resources, in particular enforcement, to ensure that the increased permitted development right provisions are being adhered to.

Q.31 Do you think that the permitted development right for the change of use from agricultural buildings to residential use (Part 3 Class Q) should be amended to apply in other article 2(3) land?

- a) Yes
- b) No
- c) Don't know

Please give your reasons

Response: No. There is significant concern about the right being applied to article 2(3) land due to the natural, historic and landscape importance of these areas and associated buildings supporting the vibrancy and economy of centres, not least through tourism activities. There would be enhanced impacts and negative implications of extending permitted development rights into these areas not only increasing pressure of existing services and facilities but also undermining the protected landscapes. Whilst it is noted that greenfield development may be required in other locations to accommodate housing demand nationally, article 2(3) land should not be accommodating such changes of use. Therefore, planning permission should continue to be sought in article 2(3) land.

Q.32 Do you agree that the right be amended to apply to other buildings on agricultural units that may not have been solely used for agricultural purposes?

- a) Yes
- b) No
- c) Don't know

Please give your reasons

Response: No. To maintain economic growth and diversity of uses to support sustainable rural communities in the future, it is not considered appropriate to extend the permitted development right to other buildings. Furthermore, there should be a limit on the number of residential properties that can be created through permitted development rights and therefore not requiring planning permission. It is important to deliver new homes in appropriate locations alongside the necessary supporting infrastructure such as education, transport, affordable housing, leisure provision etc.

Q.33 Are there any specific uses that you think should benefit from the right?

- a) Yes
- b) No
- c) Don't know

If yes, please give examples of the types of uses that the right should apply to

Response: No. Permitted development rights should not be extended to other buildings not in an established agricultural unit as such an approach would increase pressure on existing services and facilities, undermine sustainable rural economies and leading to greater use of rural roads.

Q.34 Are there any specific uses that you think should not benefit from the right?

- a) Yes
- b) No
- c) Don't know

If yes, please give examples of the types of uses that the right should not apply to.

Response: Yes. Permitted development rights should not be extended to other buildings not in an established agricultural unit as such an approach would increase pressure on existing services and facilities, undermine sustainable rural economies and leading to greater use of rural roads.

Q.35 Do you agree that the right be amended to apply to agricultural buildings that are no longer part of an agricultural unit?

- a) Yes
- b) No
- c) Don't know

Please give your reasons

Response: Yes. However, a time period of vacancy should be applied for 12 months to demonstrate that the agricultural unit is not in longer term use. A limit of up to 500 square metres should be applied, which can only relate to smaller homes of no greater than 100 square metres. It is important to ensure farm diversification and continued delivery of the farming sector supports the rural economy rather than lead to a greater number of new dwellings in the open countryside. Therefore, the existing permitted development rights should be maintained to avoid less sustainable growth in areas with limited access to services and facilities together with the loss of agricultural infrastructure to viably maintain farms. Based on the scale of new housing required nationally there will continue to be a requirement for new greenfield development, which can be supported through new services and facilities to ensure sustainable future communities.

Q.36 Do you agree that any existing building must already have an existing suitable access to a public highway to benefit from the right?

- a) Yes
- b) No
- c) Don't know

Please give your reasons

Response: Yes. It is important to ensure there is existing suitable access to the public highway alongside the consideration of transport and highway impacts from the development.

Q.37 Do you have a view on whether any changes are required to the scope of the building operations permitted by the right?

- a) Yes
- b) No
- c) Don't know

Please give your reasons.

If yes, please provide details

Response: Not at this stage. It should also be noted that any change of use or increase in floorspace provision for new homes will negatively impact on the natural landscape character and pressures on rural roads through urbanisations effects together with domestic installations. Furthermore, there will be increased pressure on Local Planning Authority resources, in particular enforcement, to ensure that the increased permitted development right provisions are being met. Finally, it is concerning that some agricultural

buildings have been converted with very limited existing structures but nevertheless considered in scope of building operations being reasonably necessary to enable the conversion to proceed.

Q.38 Do you have a view on whether the current planning practice guidance in respect of the change of use of agricultural buildings to residential use should be amended?

- a) Yes
- b) No
- c) Don't know

Please give your reasons.

If yes, please provide details of suggested changes

Response: Yes. Due to the concern that some agricultural buildings have been converted with very limited existing structures but nevertheless considered in scope of building operations being reasonably necessary to enable the conversion to proceed, further planning practice guidance would be welcomed to specify the structures that should be present.

Q.39 Do you agree that permitted development rights should support the change of use of buildings in other predominantly rural uses to residential?

- a) Yes
- b) No
- c) Don't know

Please give your reasons.

If yes, please specify which uses

Response: No. To maintain economic growth and diversity of uses to support sustainable rural communities in the future, it is not considered appropriate to extend the permitted development right to other predominantly rural uses such as forestry and equestrian. In particular this could impact on areas designated as Green Belt and undermine the key purposes associated with this policy approach. Furthermore, there should be a limit on the number of residential properties that can be created through permitted development rights and therefore not requiring planning permission. It is important to deliver new homes in appropriate locations alongside the necessary supporting infrastructure such as education, transport, affordable housing, leisure provision etc.

Q.40 Are there any safeguards or specific matters that should be considered if the right is extended to apply to buildings in other predominantly rural uses?

- a) Yes
- b) No
- c) Don't know

Please give your reasons
If yes, please specify

Response: Yes. It is important that any change of use to residential is supported by appropriate infrastructure provision / contributions including education, health, transport, leisure / open space and affordable housing requirements to ensure that new residents are not disadvantaged by lacking access to local services and facilities whilst not over-burdening existing infrastructure. Whilst it is acknowledged that residential uses in existing urban areas should be increased this should not undermine existing areas or the potential for other locations to also deliver new housing growth rather than being disadvantaged through infrastructure requirements not required elsewhere.

As well as the matters set out above design, Habitat Regulation Assessment requirements must be met, as well as the impact on neighbours and commercial uses to ensure that the economic vibrancy and viability of locations continues to be sustained in the future. Therefore, any proposals must ensure appropriate living conditions so all residential development should be subject to the Nationally Determined Space Standards. Furthermore, all residential development must have access to local services, including food shopping, health and educational facilities, and public transport.

Q.41 Do you think that any of the proposed changes in relation to the Class Q permitted development right could impact on: a) businesses b) local planning authorities c) communities?

- a) Yes
- b) No
- c) 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

Response: Yes the proposed change will have a direct impact on businesses, communities and local planning authorities with the implications to be very carefully considered by Government before moving forward. The key issues of concern are set out below:

- Local communities will be affected due to the impact on services and facilities in particular locations leading to an undermining of the social and economic fabric that these proposals are seeking to support. There is particular concern about fewer services & facilities to support new residents resulting in a greater need to travel elsewhere to meet their needs. This is compounded by the lack of new infrastructure provision being required for these change of use proposals.
- Local authorities will be affected because the primary role for local government is to represent their communities, including through the planning process, to ensure a high quality of life for the future. These reforms will be reducing the democratic accountability of new development proposals in local areas by enabling changes of use to occur without being subject to the planning application process which includes local representations to be provided. Furthermore, increased pressures will arise on Local Planning Authority resources, in particular enforcement, to address the proposals.
- Businesses will be affected because whilst a key aim of the Government's proposals are to support economic recovery within urban areas by encouraging new house-building, it is important to note that these changes will undermine this approach and reduce new brownfield developments.

Q.42 Do you think that changes to Class Q will lead to the delivery of new homes that would not have been brought forward under a planning application?

- a) Yes
- b) No
- c) Don't know

Please give your reasons

Response: Yes. Nevertheless, the implications of such a change on local economic prosperity, lack of services and facilities, transport and utility networks, impacts on the natural landscape character through urbanisation together with social cohesion impacts could be significant. New residential proposals should be delivered primarily through the democratic plan-led system to ensure future sustainable communities are achieved. In largely rural areas there is historic evidence of significant supply of new homes coming forward through planning consents, prior approvals and prior notifications.

Q.43 Do you agree that permitted development rights should support the change of use of other buildings in a predominantly rural land use to a flexible commercial use?

- a) Yes
- b) No
- c) Don't know

Please give your reasons.

If yes, please specify which uses

Response: Yes. Although this may support rural economic prosperity the implications on existing services and facilities, transport and utility networks as well as the natural landscape character of urbanising such locations would apply and be of concern. Nevertheless, it is important that flexible commercial use occurs through the continuation of premises identified as this Use Class being given an opportunity in order to support sustainable economies and communities in the future.

Q.44 Do you agree that the right be amended to allow for buildings and land within its curtilage to be used for outdoor sports, recreation or fitness?

- a) Yes
- b) No
- c) Don't know

Please give your reasons

Response: Yes. It is important to provide commercial flexibility in order to sustain local economies. Nevertheless, there could be implications on existing services and facilities, transport and utility networks as well as the natural landscape character of urbanising such locations would apply and be of concern.

Any change of use must be supported by appropriate infrastructure provision / contributions including to ensure there is not disadvantage through lack of access to local services and facilities whilst not over-burdening existing infrastructure. This should include design, the impact on neighbours and implications for other commercial uses to ensure that the economic vibrancy and viability of locations continues to be sustained in the future.

Q.45 Do you agree that the right be amended to allow buildings to change use to general industrial, limited to only allow the processing of raw goods produced on the site and which are to be sold on the site, excluding livestock?

- a) Yes
- b) No
- c) Don't know

Please give your reasons

Response: Yes. However, it is important to recognise that whilst the rural economic prosperity and diversification may be enhanced, increased intensity of uses on the site and visits would impact on environmental and transport networks, together with potential Habitat Regulation Assessment requirements. There could be implications on existing services and facilities, transport and utility networks as well as the natural landscape character of urbanising such locations would apply and be of concern.

Any change of use must be supported by appropriate infrastructure provision / contributions including to ensure there is not disadvantage through lack of access to local services and facilities whilst not over-burdening existing infrastructure. This should include design, the impact on neighbours and implications for other commercial uses to ensure that the economic vibrancy and viability of locations continues to be sustained in the future.

Q.46 Should the right allow for the change of uses to any other flexible commercial uses?

- a) Yes
- b) No
- c) Don't know

Please give your reasons.

If yes, please specify which uses

Response: Yes. However, it is important to recognise that whilst the rural economic prosperity and diversification may be enhanced, increased intensity of uses on the site and visits would impact on environmental and transport networks, together with potential Habitat Regulation Assessment requirements. There could be implications on existing services and facilities, transport and utility networks as well as the natural landscape character of urbanising such locations would apply and be of concern.

Any change of use must be supported by appropriate infrastructure provision / contributions including to ensure there is not disadvantage through lack of access to local services and facilities whilst not over-burdening existing infrastructure. This should include design, the impact on neighbours and implications for other commercial uses to ensure that the economic vibrancy and viability of locations continues to be sustained in the future.

Q.47 Do you agree that the right be amended to allow for a mix of the permitted uses?

- a) Yes
- b) No
- c) Don't know

Please give your reasons

Response: Yes. However, it is important to recognise that whilst the rural economic prosperity and diversification may be enhanced, increased intensity of uses on the site and visits would impact on environmental and transport networks, together with potential Habitat Regulation Assessment requirements. There could be implications on existing services and facilities, transport and utility networks as well as the natural landscape character of urbanising such locations would apply and be of concern.

Any change of use must be supported by appropriate infrastructure provision / contributions including to ensure there is not disadvantage through lack of access to local services and facilities whilst not over-burdening existing infrastructure. This should include design, the impact on neighbours and implications for other commercial uses to ensure that the economic vibrancy and viability of locations continues to be sustained in the future.

Q.48 Do you agree that the right be amended to increase the total amount of floorspace that can change use to 1,000 square metres?

- a) Yes
- b) No
- c) Don't know

Please give your reasons

Response: No. It is important to recognise that whilst the rural economic prosperity and farm diversification may be enhanced, increased intensity of uses on the site and visits would impact on environmental and transport networks, together with potential Habitat Regulation Assessment requirements. Therefore, the existing permitted development rights should be maintained to avoid less sustainable growth in areas with limited access to services and facilities together with the loss of infrastructure to viably maintain businesses. It should be noted that any increase in floorspace provision could negatively impact on the natural landscape character and pressures on rural roads through urbanisations effects together with commercial installations.

Q.49 Is the trigger as to whether prior approval is required set at the right level (150 square metres)?

- a) Yes
- b) No
- c) Don't know

Please give your reasons.

If not, please say what it should be, and give your reasons

Response: Yes. It is important that matters for assessment through the prior approval process is maintained, together with the trigger in relation to prior notification.

Q.50 Do you think that any of the proposed changes in relation to the Class R permitted development right could impact on: a) businesses b) local planning authorities c) communities?

- a) Yes
- b) No
- c) 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

Response: Yes - the proposed changes will have a direct impact on businesses, communities and local planning authorities with more commercial premises through Class R.

- Local communities will benefit from increased economic prosperity from new business premises but may also be affected by pressure on existing services and facilities resulting in a greater implications to meet their needs. This is compounded by the lack of new infrastructure provision being required for these change of use proposals.
- Local authorities will be affected because the primary role for local government is to represent their communities, including through the planning process, to ensure a high quality of life for the future. These reforms will be reducing the democratic accountability of new development proposals in local areas by enabling changes of use to occur without being subject to the planning application process which includes local representations to be provided. Nevertheless, economic prosperity may be enhanced.
- Businesses will benefit from new commercial premises to support economic recovery. Nevertheless, it is important to note that once a particular Use Class has been lost it will not return.

Q.51 Do you agree that the ground area limit of new buildings or extensions erected under the right be increased from 1,000 to 1,500 square metres?

- a) Yes
- b) No
- c) Don't know

Please give your reasons.

Response: Yes. It is recognised that this could further support rural agricultural prosperity and enhance farm diversification. Furthermore, it is important to recognise

that this does not include livestock buildings which can lead to increased water and air quality implications leading to mitigation through the Habitat Regulations Assessment requirements alongside other environmental and transport network impacts.

Q.52 Do you agree that we remove the flexibility for extensions and the erection of new buildings where there is a designated scheduled monument?

- a) Yes
- b) No
- c) Don't know

Please give your reasons

Response: Yes. Designated scheduled monuments and heritage assets must be protected for the future from new development to ensure sustainable communities and quality environments.

Q.53 Do you agree that the right be amended to allow extensions of up to 25% above the original building cubic content?

- a) Yes
- b) No
- c) Don't know

Please give your reasons.

Response: Yes. It is recognised that this could further support rural agricultural prosperity and enhance farm diversification. Furthermore, it is important to confirm that this does not include livestock buildings which can lead to increased water and air quality implications leading to mitigation through the Habitat Regulations Assessment requirements alongside other environmental and transport network impacts.

Q.54 Do you agree that the right be amended to allow the ground area of any building extended to reach 1,250 square metres?

- a) Yes
- b) No
- c) Don't know

Please give your reasons

Response: Yes. It is recognised that this could further support rural agricultural prosperity and enhance farm diversification. Furthermore it is important to confirm that this does not include livestock buildings which can lead to increased water and air quality implications leading to mitigation through the Habitat

Regulations Assessment requirements alongside other environmental and transport network impacts..

Q.55 Do you agree that we remove the flexibility for extensions where there is a designated scheduled monument?

- a) Yes
- b) No
- c) Don't know

Please give your reasons

Response: Yes. Designated scheduled monuments and heritage assets must be protected for the future from new development to ensure sustainable communities and quality environments.

Q.56 Do you think that any of the proposed changes in relation to the Part 6 permitted development rights could impact on: a) businesses b) local planning authorities c) communities?

- a) Yes
- b) No
- c) 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.

Response: Yes. The proposed changes will have a direct impact on businesses, communities and local planning authorities with increased capacity for agricultural buildings.

- Local communities could benefit from increased economic prosperity linked to enhanced farm business premises but may also be affected by pressure on existing services & facilities resulting in a greater implication to meet their needs. This is compounded by the lack of new infrastructure provision being required for these change of use proposals.
- Local authorities will be affected by an increased workload but not the reflective planning fees to cover the associated costs. These reforms will be reducing the democratic accountability of new development proposals in local areas by enabling changes of use to occur without being subject to the planning application process which includes local representations to be provided. Nevertheless economic prosperity may be enhanced.

- Businesses will benefit from new flexibilities to support economic growth in the rural areas, although additional pressures on existing services and facilities could have implications.

Q.57 Do you agree that the maximum floorspace limit for the extension or alteration to a Commercial, Business and Service establishment on non-protected land is increased to either 200 square metres or a 100% increase over the original building, whichever is lesser?

- a) Yes
- b) No
- c) Don't know

Please give your reasons.

Response: No. Whilst it is recognised that a range of uses are covered by Class E which are linked to Class A of Part 7, this includes the opportunity for change of use to residential through permitted development rights. Therefore, although economic prosperity may be enhanced by this proposal, there is also the potential for new homes to be delivered.

It is important that any change of use to residential is supported by appropriate infrastructure provision / contributions including education, health, transport, leisure / open space and affordable housing requirements to ensure that new residents are not disadvantaged by lacking access to local services and facilities whilst not over-burdening existing infrastructure. Whilst it is acknowledged that residential uses in existing urban areas should be increased this should not undermine existing areas or the potential for other locations to also deliver new housing growth rather than being disadvantaged through infrastructure requirements not delivered elsewhere.

Q.58 Do you agree that the maximum floorspace of a new industrial and/or warehousing building on non-protected land permitted under the Part 7 Class H permitted development right be amended to 400 square metres?

- a) Yes
- b) No
- c) Don't know

Please give your reasons

Response: Yes. It is important that the continuation of premises identified as part of this Use Class are given an opportunity to expand in order to support sustainable economies and communities in the future.

Q.59 Do you agree that the maximum floorspace of a new industrial and/or warehousing extension on non-protected land be increased to either 1,500 square metres or a 75% increase over the original building, whichever is lesser.

- a) Yes
- b) No
- c) Don't know

Please give your reasons

Response: Yes. It is important that the continuation of premises identified as part of this Use Class are given an opportunity to expand in order to support sustainable economies and communities in the future.

Q.60 Do you think that any of the proposed changes in relation to the Part 7 permitted development rights could impact on: a) businesses b) local planning authorities c) communities?

- a) Yes
- b) No
- c) 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.

Response: Yes. The proposed changes will have a direct impact on businesses, communities and local planning authorities with increased capacity for commercial buildings.

- Local communities could benefit from increased economic prosperity linked to enhanced commercial premises but may also be affected by pressure on existing services & facilities resulting in greater implications to meet their needs. This is compounded by the lack of new infrastructure provision being required for these change of use proposals.
- Local authorities will be affected by an increased workload but not the reflective planning fees to cover the associated costs. These reforms will be reducing the democratic accountability of new development proposals in local areas by enabling changes of use to occur without being subject to the planning application process which includes local representations to be provided. Nevertheless, economic prosperity may be enhanced.
- Businesses will benefit from new flexibilities to support economic growth, although additional pressures on existing services and facilities could have implications.

Q.61 Do you agree that the permitted development right for the temporary use of land should be amended so that markets can operate either:

Response: Yes. Markets can bring economic prosperity to local communities and should be encouraged. However, it should be recognised that although increased opportunities for markets can enhance footfall to high streets and local centres it does mean more competition to existing businesses.

Q.62 Do you think that any of the proposed changes in relation to the Part 4 permitted development rights could impact on: a) businesses b) local planning authorities c) communities?

- a) Yes
- b) No
- c) 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.

Response: Yes. The proposed changes will have a direct impact on businesses, communities and local planning authorities with increased capacity for markets.

- Local communities could benefit from increased economic prosperity linked to enhanced market activity but may also be affected by pressure on existing services and facilities during these times, such as parking and utility capacity.
- Local authorities will be affected by an increased workload through managing market events which should be recouped through appropriate rental agreements. Nevertheless, economic prosperity may be enhanced.
- Businesses will benefit from increased footfall in relevant locations new flexibilities to support economic growth, although additional pressures on existing services and facilities could have implications together with competition for established businesses.