

Report to Cabinet/ Portfolio Holder for Growth and Regeneration

Subject: Response to Government consultation 'Planning reform: supporting the high street and increasing the delivery of new homes'

Date: 9th January 2019

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Wards Affected

Borough-wide

Purpose

To gain portfolio holder endorsement of Gedling Borough Council's proposed response attached as Appendix A to the Government consultation 'Planning reform: supporting the high street and increasing the delivery of new homes'.

Key Decision

This is not a Key Decision.

Recommendation(s)

THAT:

- 1) the Portfolio Holder endorses the proposed response to the consultation attached as Appendix A.**

1 Background

- 1.1 The Government is consulting on proposed planning reforms with the objective of supporting high streets, delivering more homes, making effective use of land and making certain decisions more efficient. The

consultation is split into four parts which are summarised below alongside a summary of the Council's proposed position. The Council's full response is attached as Appendix A.

1.2 Part 1 – The government proposes several reforms to the national permitted development rights, which give consent to certain types of development without the need for planning permission. The following is proposed:-

- To introduce a permitted development right to change the use of shops (A1), financial and professional services (A2) hot food takeaways (A5) and betting/ pay day loan/ laundrette shops (Sui Generis) to business uses (B1). The Council's response is that this should be restricted to Offices (B1a) only as permitting light industrial uses (B1b and c) may have a detrimental impact upon local retail areas.
- To introduce a permitted development right to change the use of hot food takeaways (A5) to residential (C3). The Council's response is that whilst C3 uses are generally more desirable than A5 uses, these changes of use may not be desirable in local retail centres particularly where a unit is within a prominent position.
- To extend permitted development rights to allow the temporary change of use (for 2 or 3 years) from a range of retail, office and leisure uses to community uses such as libraries, museums and health clinics. The Council's response is to agree with this proposal.
- To make more efficient the change of use between shops (A1), financial and professional services (A2) and restaurants and cafes (A3) to enable high streets to adapt quickly without the need for planning permission. It is proposed this would be achieved by simplifying the definition of A1 or by merging A1/A2/A3 classes. The Council's response is that these proposals would result in the Council having less control for the ranges of use acceptable in local centres to protect the prime retail function of these areas.
- To introduce a permitted development right to extend buildings, including dwellings, upwards to create additional homes in town centres or elsewhere, subject to prior approval by the local authority (considering the flooding, contamination, highways, design, siting, appearance and amenity impacts of proposals). It is proposed that the maximum limit for this right would be 5 storeys from ground level and proposals for an additional storey should not exceed 3 meters in height, otherwise planning permission would be required. The Council's response is in general support of making efficient use of land but ensuring that consideration is given to amenity and design

in particular and also to raise concern that these developments would not be required to make contributions to local infrastructure such as health and education. The Council does not support the proposed permitted development rights for upwards extensions applying to residential dwellings or retail parks.

- To remove the right for communications operators to install public telephone boxes given the widespread use of mobile phones and the cumulative negative impact upon the street scene of high streets. It is also proposed to remove deemed consent for placing advertisements within telephone boxes to allow for the merits of an application to be considered by a planning application. The Council's response is to agree the removal of rights to install new telephone boxes, but to disagree with the removal of deemed content for advertisement on existing telephone boxes as these would generally be difficult to refuse on the grounds they are already in place.
- To increase the permitted height threshold for electronic vehicle charging points from 1.6 meters to 2.3 meters to reflect technological changes. This right would not be applicable within the curtilage of a dwelling. The Council's response is to agree with this proposal.
- To make permanent the currently time-limited permitted development right for larger extensions to dwellings (up to 8 meters for detached dwellings and 6 meters for semi-detached or terraced dwellings), subject to prior approval. The Council's response is to agree with this proposal.
- To introduce a permitted development right that would allow the demolition of commercial buildings and replacement build as residential use, subject to prior approval. The Council's response is to disagree with this proposal as it could undermine protected employment sites and that the full suite of planning considerations should be applied to this type of development. Concern is also raised that these developments would not be required to make contributions to local infrastructure such as health and education.

1.3 Part 2 – The Government proposes to simplify procedures for the disposal of local authority surplus land by extending local authority freedoms to sell land without seeking consent from the Secretary of State. The proposal is to increase or remove the financial threshold against which local authorities can sell their land at undervalue without Government consent. The Council is generally supportive of the proposed reform to allow for local management and decision taking.

1.4 Part 3 – The Government proposes to introduce a listed building consent order to grant listed building consent for repair and maintenance works

undertaken by Canal & River Trust on listed waterway structures. There are no relevant listed structures in Gedling Borough so no response is given.

- 1.5 Part 4 – The Government is consulting on draft guidance in relation to compulsory purchase powers by new town development corporations. There are no new town proposals proposed or development corporations established in Gedling Borough so no response is given.

2 Proposal

- 2.1 It is proposed that the Council responds to the Government consultation with the response attached as Appendix A.

3 Alternative Options

- 3.1 The alternative options are for Gedling Borough Council to not respond to the consultation or to amend the drafted response. There is no requirement for the Council to respond to this public consultation but doing so will inform the Government's planning reform proposals from the Council's perspective. The response has been informed by the relevant Council Officers and can be amended if the Portfolio Holder considers it necessary to do so.

4 Financial Implications

- 4.1 No financial implications. Cost of Officer time drafting the response met from existing budgets.

5 Appendices

- 5.1 **Appendix A** – Proposed consultation response

6 Background Papers

- 6.1 'Planning reform: supporting the high street and increasing the delivery of new homes' (MHCLG, October 2018):
<https://www.gov.uk/government/consultations/planning-reform-supporting-the-high-street-and-increasing-the-delivery-of-new-homes>

7 Reasons for Recommendations

- 7.1 To inform the Government of the Council's perspective on proposed planning reforms.