

Report the Portfolio Holder for Growth and Regeneration

Subject: Response to Government consultation – ‘Supporting Housing Delivery & Public Service Infrastructure’

Date: 12th January 2021

Author: Planning Policy Manager

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 ‘Supporting Housing Delivery & Public Service Infrastructure’.

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 has launched a consultation seeking views on the proposed introduction of a new permitted development (PD) right to allow for the change of use from any use, or mix of uses, within the new Class E (commercial, business and service) to Class C3 (residential). The consultation also proposes measures to provide public service infrastructure more quickly through expanded PD rights and a new streamlined planning application process for hospitals, schools and prisons. A review of existing PD rights is proposed following the

introduction of new class E and changes to the General Permitted Development Order (GPDO) that came into effect on 1st September 2020. The Council's full response is attached as **Appendix A**.

- 1.2 The proposals are part of a raft of proposed reforms to the planning system to speed up the planning system and increase delivery of new homes to meet the Government's housing target of 300,000 homes per year nationally. In this context, Government is looking for a housing led recovery to drive regeneration in the high street. Government clearly sees changes to PD rights as being a key mechanism to drive housing delivery:

“the profound impact of COVID-19 on our towns and cities has become even clearer. It has magnified and accelerated patterns that already existed and while it is too soon to know for certain the scale of the long-term impact, it is very likely to present a generational challenge and opportunity to repurpose more commercial centres, offices and retail spaces into housing and mixed uses”.

- 1.3 In principle retail development in town centres is supported in the right locations such as upper floors or on the periphery of centres. There are concerns that the proposals relating to new PD rights could lead to the dilution of the retail core and prime retail frontages within centres and may lead to unintended consequences such as conflicts between uses, where such issues would otherwise have been mediated or mitigated through planning controls.

Proposed Permitted Development (PD) Rights

- 1.4 The new PD right would allow for the change of use from any use, or mix of uses, within the new commercial, business and service use class (Class E) to residential use (Class C3) without the need to apply for planning permission. The new right will be significantly wider than existing PD rights. For example, indoor sports venues, restaurants and crèches would have the right, in addition to offices and retail premises.

A planning fast track for public service buildings?

- 1.5 There are two elements to the government's proposals for public service buildings:
- Expanding the existing PD right, which allows educational establishments and hospitals to extend without the need for a planning application.

- Introducing a more streamlined planning process for public buildings, where a full planning application is required.

1.6 These proposals are not anticipated to cause any significant issues for Development Management although the proposed reduction to the consultation period for 3rd party consultees from 21 days to 14 days is not supported as it risks issues around transparency and probity. The response also calls for appropriate fees to be paid to cover Council costs.

Consolidation and simplification of existing permitted development rights

1.7 Government proposes to review, simplify and rationalise these PD rights that they consider fall into four categories:

1. Right is no longer required for example, shops to financial services.
2. Right is unchanged by the amendments to the Use Classes Order
3. Right is replaced by PD rights for new class E for example offices to dwelling houses and no longer required
4. Right requires detailed consideration such as a range of individual rights allow for the change of use from, for example, hot food takeaways, betting shops and payday loan shops, to uses that are now within the Class E.

1.7 In general these changes to simplify, streamline and consolidate the very complex PD rights regime are welcome with some qualifications.

2 Proposal

2.1 It is proposed that the Council responds to the Government consultation with the response attached as **Appendix A** in advance of the consultation deadline of 28th January 2021.

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 is met from existing budgets.

5 Legal Implications

- 5.1 None. This is an opportunity to comment on potential planning reforms which have not yet come into force.

6 Equalities Implications

- 6.1 None. This is an opportunity to comment on potential planning reforms which have not yet come into force. The consultation questions include an opportunity to comment on the potential equalities implications of the proposals.

7 Carbon Reduction/Environmental Sustainability Implications

- 7.1 None. This is an opportunity to comment on potential planning reforms which have not yet come into force. There is an opportunity, through comments on the consultation questions, to comment on the potential carbon reduction/environmental sustainability implications of the proposals.

8 Appendices

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

9 Background Papers

- 9.1 “Supporting Housing Delivery & Public Service Infrastructure” (MHCLG, December 2020)
<https://www.gov.uk/government/consultations/supporting-housing-delivery-and-public-service-infrastructure/supporting-housing-delivery-and-public-service-infrastructure>

10 Reasons for Recommendations

- 10.1 To inform the Government of the Council’s perspective on proposed planning reforms.

Statutory Officer approval

Approved by:

Date:

On behalf of the Chief Financial Officer

Approved by:

Date:

On behalf of the Monitoring Officer