

Consultation on Extension of Permitted Development Rights to Support Housing Delivery and Public Service Infrastructure: Summary

Deadline for Responses: 28 January 2021

Section 1: Extension of Permitted Development rights to include transfer from commercial to residential use

This would allow a change of use under permitted development from any use within the new Commercial, Business and Service class (which includes offices, retail, restaurants, indoor sports and creches) to residential. Pubs, theatres and live music venues would be excluded.

This appears to be taken as given. Consultees are not asked if they agree with this. They are, however, asked about details of its application, including whether they agree that:

- I. There should be no size limit to the buildings to which it applies.
- II. It should not apply to buildings in national parks, AONBs, etc.
- III. It should apply in conservation areas, but possibly with the provision that conversion of ground floor premises would require 'prior approval' from the planning authority.
- IV. Prior approval would also be needed to ensure that such developments meet basic quality requirements (e.g. not subject to flooding or pollution, have safe access and adequate natural light, meet fire safety requirements).
- V. Applications should be subject to a fee per 'dwelling house' (suggested at £96).

N.B. Prior approval means that the applicant has to consult with the planning authority and get permission, but not submit a full planning application, which means that the application is not subject to public consultation.

Section 2: Measures to facilitate expansion of educational establishments, hospitals and prisons

Educational establishments (schools, colleges and universities), hospitals and prisons are currently able to make some developments under Permitted Development rights. It is proposed to extend these to allow them to increase the 'footprint' of a building by 25% or up to 250 sq.m. (whichever is greater) and to extend the height limit from 5m to 6m unless within 10 m of a boundary.

It is also proposed to speed up the approval of new educational establishments, hospitals and prisons by reducing the time in which local authorities have to make a decision from 13 weeks to 10 weeks and the public consultation period from 21 days to 14 days. This would apply to new developments on sites of at least 1 ha and floor space of at least 1000 sq.m. Developments requiring an EIA (usually those over 5 ha) would be excluded.

Consultees are invited to comment on the general principles and details of these proposals.

Section 3: Consolidation and simplification of existing Permitted Development rights

It is proposed to simplify the current legislation on permitted development rights by July 2021. This will entail grouping them into four main categories: permission no longer required; covered by current permitted development regulations; covered by new permitted development regulations; more complex cases. There are no details. Consultees are merely asked to comment on the general approach.

For the full consultation, see: <https://www.gov.uk/government/consultations/supporting-housing-delivery-and-public-service-infrastructure/supporting-housing-delivery-and-public-service-infrastructure>

Councillor Diana Conyers

Chair of Planning, Regeneration and Environment Committee
13 January 2021