

# DRAFT RESPONSE SERVICE

As part of the Rural Opportunities Bulletin, RSN will regularly provide concise potential responses to key current consultations. These are not intended to be definitive or to reflect the views of RSN and may include potentially opposing responses to reflect different views designed to assist individual organisations in compiling their own response. We do however recognise the pressure members are under and we hope this service will assist.

## **Greater flexibilities for change of use consultation – Department for Communities & Local Government, August 2013**

<https://www.gov.uk/government/consultations/greater-flexibilities-for-change-of-use>

The proposals in this consultation are stated to support government priorities for making better use of existing buildings, supporting the high street and rural communities; providing new housing; developing more free schools and contributing to the provision of child care for working families.

The consultation seeks views on 5 proposals for permitted development rights to allow:

- shops and financial and professional services to change use to a dwelling house
- existing buildings used for agricultural purposes of up to 150 square metres to change to residential use
- retail uses to change to banks and building societies only
- premises used as offices, hotels, residential and non-residential institutions, and leisure and assembly to be able to change use to nurseries providing childcare
- a building used for agricultural purposes of up to 500 square metres to be used as a new state funded school or a nursery providing childcare

All proposals also include permission to carry out building work connected with the change of use. The consultation closes on 15 October 2013.

**Consultation Question 1** – *Do you agree there should be permitted development rights, as proposed, for shops (A1) and financial and professional services (A2) to change use to a dwelling house (C3) and to carry out building work connected with the change of use?*

*How do you think the prior approval requirement should be worded, in order to ensure that it is tightly defined and delivers maximum benefits?*

**Draft Response:** No. There is undoubtedly an urgent need for additional residential development and change of use of commercial property is one tool to enable this to be achieved. However, this needs to be properly considered in relation to a range of local factors and is best determined locally. Issues such as infrastructure provision, amenity, impact on traffic/parking, relationship to neighbouring properties and many more are critical factors which require proper consideration. The strong fear would be that unrestricted changes of use could, in fact, undermine the efforts of local authorities and their partners in stimulating economic growth and increased employment opportunities for local people.

**Consultation Question 2** – *Do you agree there should be permitted development rights for retail units (A1) to change use to banks and building societies?*

**Draft Response:** Yes. Banks and building societies are important town centre uses which

generate footfall and form a key element of a centre's offer. There is an existing permitted development right for financial and professional services uses to change to retail use and enabling the reverse to happen, within the parameters described, appears logical.

**Consultation Question 3** – *Do you agree there should be permitted development rights, as proposed, for existing buildings used for agricultural purposes to change use to a dwelling house (C3) and to carry out building work connected with the change of use?*

**Draft Response:** No. There is an urgent need for additional homes in many rural areas affordable to local people. However, this needs to be properly planned taking account of local views and local circumstances. Proposals of the scale referred to need to be properly considered against all factors and efforts made to ensure that developments positively contribute to both housing need and economic growth. In any event, given the breadth of elements suggested for 'prior approval' it is unclear that the proposals would significantly reduce the approval timescales involved.

**Consultation Question 4** – *Do you agree that there should be permitted development rights, as proposed, to allow offices (B1), hotels (C1); residential institutions (C2); secure residential institutions (C2A) and assembly and leisure (D2) to change use to nurseries providing childcare and to carry out building work connected with the change of use?*

**Draft Response:** Accessible and affordable child care provision is essential to enable people to work. If this proposal is to proceed it is essential that clear definitions are used to define nurseries as suggested. However, there are important infrastructure and other considerations to take into account when determining proposals for any form of childcare. On balance, it is considered easiest and simplest to leave such nursery proposals subject to planning permission as at present. If the proposed building and location is well suited for nursery provision this can be assessed through the planning process in the normal way.

**Consultation Question 5** – *Do you agree there should be permitted development rights, as proposed, for buildings used for agricultural purposes to change use to new state funded schools or nurseries providing childcare and to carry out building work connected with the change of use?*

**Draft Response:** No. Schools require particular consideration in relation to their location, setting etc. Many agricultural buildings may well lend themselves to appropriate conversion but the level of detailed consideration provided by the planning process should be maintained in order to ensure all aspects of the proposed development of a new school are properly taken into account.

**Consultation Question 6** – *Do you have any comments and further evidence on the benefits and impact of our proposals set out in the consultation?*

**Draft Response:** Simplifying procedures as part of a thrust to enable the development and maintenance of sustainable communities into the future is a sound objective. There is a need to provide flexibility to land and building owners to enable properties to be utilised effectively in the 21<sup>st</sup> century as behaviour, opportunities and aspirations constantly change. Whilst some changes to permitted development rights may well be warranted, a better approach would be to enable local authorities and their partners the flexibility to change permitted development rights to reflect local circumstances, local needs and local opportunities.