



Report for:
INFORMATION

Item Number: 7

Contains Confidential or Exempt Information	<i>NO – Part I</i>
Title	Further Relaxation of Planning Control though Changes to Permitted Development
Responsible Officer(s)	Simon Hurrell, Head of Planning and Property Services
Contact officer, job title and phone number	Suki Coe, Development Control Manager 01628 796042
Member reporting	Cllr M J Saunders, Lead Member for Planning and Property
For Consideration By	O&S Planning and Housing
Date to be Considered	1st May 2014
Implementation Date if Not Called In	
Affected Wards	All
Keywords/Index	Planning Simplification Measures, householders, extensions, permitted development

Report summary

This report sets out the latest set of changes to the 'permitted development' regime under the Town and Country Planning (General Permitted Development Order). The Enterprise and Regulatory Reform Act also came into effect this introduces changes to the heritage protection legal framework. The changes came into effect in the 6th April 2014.

In summary these new permitted development rights are being introduced to make it easier for businesses to make the best use of their premises; to deliver more homes; to support high streets; to simplify the change of use system; to support sustainability by promoting the reuse of buildings; and to facilitate the provision of registered nurseries and state-funded schools.

If recommendations are adopted, how will residents benefit?

Benefits to residents and reasons why they will benefit	Dates by which residents can expect to notice a difference
Conversion of barns to homes will increase the supply of rural homes	May 2014

Greater flexibility of uses within the Town Centre will increase the vitality of the High Street	May 2014
Flexible change of use of buildings to nursery schools and state funded schools will improve access to education for local children	May 2014
Report to be noted	

1. Details of Recommendations

RECOMMENDATIONS:

That O&S Panel note the changes.

3. Key Implications

Residents will have additional opportunities to develop their property and / or businesses offered by a further relaxation of the planning regime introduced by the government in April 2104.

There is an opportunity to further increase housing supply through the development of new homes from agricultural buildings. Some communities will benefit from additional flexibility in the high street through the additional potential to change the use of premises. Providers of early years child care will have more opportunity to develop their nursery business to serve local residents in line with free schools and other educational uses.

There is now an opportunity to apply conditions to prior approval applications which will mean that the applicants will be able to benefit from the permitted development relaxations, with conditions to mitigate the issues raised, in areas of risk without having to apply for planning permission.

This will reduce the number of planning applications needed for development; this will impact on the workload of Development Control Panels and speed up decision making. Some residents will find these changes 'uncomfortable' as development that have been refused permission in the past may not be permitted under this regime. This will apply to proposals for the conversion of agricultural buildings in the green belt in particular. This is likely to increase the number of reports to the enforcement team about alleged breaches of planning control from the public. This will increase the level of work for the enforcement team and potentially lead to an increased number of complaints about the service.

Listed Building and Heritage Partnership Agreements introduce listed building consent for a group of buildings in a single consent even though the range of issues cover multiple structures or may take a number of years to be completed.

Local Listed Building Consent Orders can be made by Councils where works are required for a number of buildings in an area, for example, when looking to enhance and area or introduce a new lighting scheme.

Listed Building Consent Orders are made by the Secretary of State and grants consent for works and avoids the need for express consent for works already granted listed building consent. This is effectively is a legal confirmation that in specific cases

some works to a listed building do not require a listed building application – it is similar to a Certificate of Lawful Development to confirm permitted development.

4. Financial Details

The Planning Service will have less fee paying work but will have to deal with some complex proposals; this will impact on income and costs. The ‘permitted development’ process will not attract Section 106 contributions for these developments and this will impact on the level of income available to Council services for infrastructure spending.

There is potential for more enforcement enquiries as residents become aware of development activity but will not have been in receipt of a formal notification or ‘yellow notice’. This will make additional demands on the capacity of the team. We are in the process of appointing a Senior Enforcement Officer to focus on the major enforcement cases and will increase the capacity of the team to respond to residents concerns. We will monitor the impact on this team to ensure that we are able to resource the service to the level expected by local residents.

5. Legal Implications

The Council will still have to ensure that it meets its statutory duties under the Town and Country Planning Acts, and to manage the risk involved to minimise the potential for legal challenge and accusations of maladministration.

6. Value for Money

The introduction of further extended permitted development rights, particularly for the conversion of agricultural buildings will result in additional work to help to support property owners to stay within the lawful limits of permitted development.

7. Sustainability Impact Appraisal

None

8. Risk Management

The Planning Service prioritises these permitted development proposals to ensure the council makes a decision on each proposal within 56 days. Failure to do so would mean that the development is permitted.

9. Links to Strategic Objectives

Our Strategic Objectives are:

Residents First

- Improve the Environment, Economy and Transport
- Work for safer and stronger communities

Value for Money

- Enhanced Customer Services
- Deliver Effective Services
- Deliver Economic Services

Delivering Together

- Strengthen Partnerships

10. Equalities, Human Rights and Community Cohesion

No Equality Impact Assessment (EQIA) has been completed.

11. Staffing implications

The Planning Service has dedicated 2 planning officers to focus on this work stream; so far this approach has been successful, however this will need to be monitored as the scope of the permitted development changes becomes greater. The workload is likely to shift between officers rather than generate new work.

12. Property and Assets

None.

13. Any other implications

14. Consultation

None

15. Timetable for Implementation

16. Appendices

Appendix 1 – Briefing note of the changes to Permitted Development April 2014

17. Background Information

18. Consultation (Mandatory)

Name of consultee	Post held and Department	Date sent	Date received	See comments in paragraph:
Internal				
Cllr Burbage	Leader of the Council			
Cllr MJ Saunders	Lead Member for Planning	16/04/14	16/04/14	
Mike McGoughrin	Managing Director	16/04/14	16/04/14	
Simon Hurrell	Head of Planning and Property	16/04/14		
Maria Lucas/Shared Legal Solutions	Head of Legal Services	16/04/14		
Mark Lampard	Finance partner	16/04/14		

Report History

Decision type:	Urgency item?
For information	Yes

Full name of report author	Job title	Full contact no:
Suki Coe	Development Control Manager	01628 796042