

Relaxation of the planning rules for change of use from business to residential: Consultation Questionnaire

The Government welcomes your views on the proposals set out in the consultation document, *Relaxation of planning rules for change of use from commercial to residential*, which is available on our website at: www.communities.gov.uk/consultations.

Our preference is to receive responses electronically and we would be grateful if you could return the completed questionnaire to the following e-mail address:

C3consultation@communities.gsi.gov.uk

If you wish to post your response, however, please send the completed questionnaire to:

Theresa Donohue
Consultation Team (Commercial to residential use)
Planning Development Management Division
Department for Communities and Local Government
1/J3, Eland House
Bressenden Place
London SW1E 5DU

This consultation will run for 12 weeks from 8 April 2011. **The deadline for submissions is 30 June 2011.**

Data Protection

This is to inform you that we may, with your consent, quote from your response in a published summary of the response to this consultation. If you are content for your views to be made public in this way, please tick the box.

✓

Otherwise, your views may be set out in the response, but without attribution to you as an individual or organisation.

We shall treat the contact details you provide us with carefully and in accordance with the data protection principles in the Data Protection Act 1998. We shall not make them available to other organisations, apart from any contractor (“data processor”) who may be appointed on our behalf to analyse the results of this questionnaire, or for any other purpose than the present survey without your prior consent. We shall inform you in advance if we need to alter this position for any reason.

About you

i) Your details

Name:	Stephen Russell
Position:	Policy and Public Affairs Officer
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ii) Are the views expressed on this consultation an official response from the organisation you represent, or your own personal views?

Organisational response	<input checked="" type="checkbox"/>
Personal views	<input type="checkbox"/>

iii) What category do you consider your organisation falls into?

Local planning authority	<input type="checkbox"/>
Housing developer	<input type="checkbox"/>
Community group/representative	<input type="checkbox"/>
Parish council	<input type="checkbox"/>
Business	<input type="checkbox"/>
Planning professional	<input type="checkbox"/>
Landowner	<input type="checkbox"/>
Voluntary sector or charitable organisation	<input checked="" type="checkbox"/>
Other (please state) _____	<input type="checkbox"/>

The consultation questions

Question A:

Do you support the principle of the Government's proposal to grant permitted development rights to change use from B1 (business) to C3 (dwelling houses) subject to effective measures being put in place to mitigate the risk of homes being built in unsuitable locations?

Yes

No

Please give your reasons:

Making better use of existing buildings whose current uses are no longer seen as valuable or necessary is a policy which is fully supported. If conversion of existing buildings offers the possibility of rapidly bringing on line homes for an increasing population, the obstacles to this provision should be reviewed.

However, it is critical that in applying this policy, change of use must also be assessed in relation to quality and not just quantity of residential provision. These will still be homes in which future generations will grow up and we should not risk a two tier standard of residential provision – new residential schemes which are subject to all the national policy requirements applying to new housing schemes and conversions from use class B to use class C3 which might fail the test of quality applied to new housing.

Question B:

Do you support the principle of granting permitted development rights to change use from B2 (general industrial) and B8 (storage & distribution) to C3 (dwelling houses) subject to effective measures being put in place to mitigate the risk of homes being built in unsuitable locations?

Yes

No

Please give your reasons:

n/a

Question C:

Do you agree that these proposals should also include a provision which allows land to revert to its previous use within five years of a change?

Yes

No

Comments:

Question D:

Do you think it would be appropriate to extend the current permitted development rights outlined here to allow for more than one flat?

Yes No

If so, should there be an upper limit?

Yes No

Comments:

n/a

Question E:

Do you agree that we have identified the full range of possible issues which might emerge as a result of these proposals?

Yes No

Are you aware of any further impacts that may need to be taken into account?

Yes No

Please give details:

Our main concern is that context, landscape and amenity provision should not be relaxed in looking at a change in use. Converting a floor of offices to a floor of apartments is the easy bit.

Social and transport infrastructure should be available to ensure that schools are in proximity and have the capacity to serve residential uses. Equally, would a residential use be sustainable in terms of transport connections or would car ownership be necessary to connect into the adjoining area. A broad range of sustainable policies must apply to the change of use

Question F:

Do you think that there is a requirement for mitigation of potential adverse impacts arising from these proposals and for which potential mitigations do you think the potential benefits are likely to exceed the potential costs?

Yes No

Comments:

n/a

Question G:

Can you identify any further mitigation options that could be used?

n/a

Question H:

How, if at all, do you think any of the mitigation options could best be deployed?

n/a

Question I:

What is your view on whether the reduced compensation provisions associated with the use of article 4 directions contained within section 189 of the Planning Act 2008 should or should not be applied? Please give your reasons:

n/a

Question J:

Do you consider there is any justification for considering a national policy to allow change of use from C to certain B use classes?

Yes No

Please give your reasons:

n/a

Question K:

Are there any further comments or suggestions you wish to make?

Various standards apply to open space provision (Fields in Trust/NPFA 6 acre standard, Natural England Green Infrastructure Guidance , Mayor of London Supplementary Planning Guidance Providing for Children and Young Peoples Play) and other considerations. It is assumed that in facilitating a change of use, a residential scheme will be assessed against policies which seek to maintain the quality of the residential provision for future generations.

The setting of housing is critical to its perceived attractiveness and social, environmental and economic sustainability. Amenity provision can sometimes be negotiated away with S106 contributions for provision off site. This approach should be used with caution as young children may not be able to easily and safely reach some offsite provision which has not been provide close to their homes. If other development uses the same strategy the open space use should be provided on site is double counted off site with consequences of over use on scarce green space.

The impact assessment questions

Question 1:

Do you think that the impact assessment broadly captures the types and levels of costs and benefits associated with the policy options?

Yes No

If not why?

n/a

Question 2:

Are there any significant costs and benefits that we've omitted?

Yes

No

If so, please describe including the groups in society affected and your view on the extent of the impact:

n/a

Question 3:

Are the key assumptions used in the analysis in the impact assessment realistic?

Yes No

If not, what do you think would be more appropriate and do you have any evidence to support your view?

n/a

Question 4:

Are there any significant risks or unintended consequences we have not identified?

Yes No

If so please describe:

n/a

Question 5:

Do you agree that the impact assessment reflects the main impacts that particular sectors and groups are likely to experience as a result of the policy options?

Yes No

If not, why not?

n/a

Question 6:

Do you think there are any groups disproportionately affected?

Yes

No

If so please give details:

n/a

Question 7:

Do you think this proposal will have any impacts, either positive or negative, in relation to any of the following characteristics – Disability, Gender Reassignment, Pregnancy and Maternity, Race, Religion or belief, Sex, Sexual Orientation and Age?

Yes

No

Please explain what the impact is and provide details of any evidence of the impact:

n/a

Question 8:

Do you have any information on the current level of planning applications for change of use from B use classes to C3 in your local authority area which might be helpful in establishing a baseline against which to measure the impact of this policy?

n/a