

# Planning

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## Supporting housing delivery and public service infrastructure

Thank you for providing South Oxfordshire and Vale of White Horse District Councils (South and Vale) with the opportunity to comment on the supporting housing delivery and public infrastructure consultation. We have chosen to submit comments by email focussing on what we consider the key areas as opposed to answering every question.

Overall, we are supportive of a more accessible, efficient and predictable planning system. We understand the need to explore more immediate changes to the planning system to provide greater certainty and flexibility to ensure that it can effectively contribute to some of the immediate challenges facing the country. We support sustainable measures in relation to the future of our high streets, town centres and schools and hospitals.

However, there are proposals that are included in the consultation that concern us based on experience, and we consider there are alternative approaches that could be considered. Whilst we understand the need for a planning system to be able to act more efficiently and flexibly, we would not be supportive of short-term measures that could undermine more sustainable longer-term planning and development. We also would not want to see measures being implemented that could impact on the ambitions of Neighbourhood Plans and the policies within these plans which often strive to protect local facilities and services.

We have followed the three main topic areas as headings below.

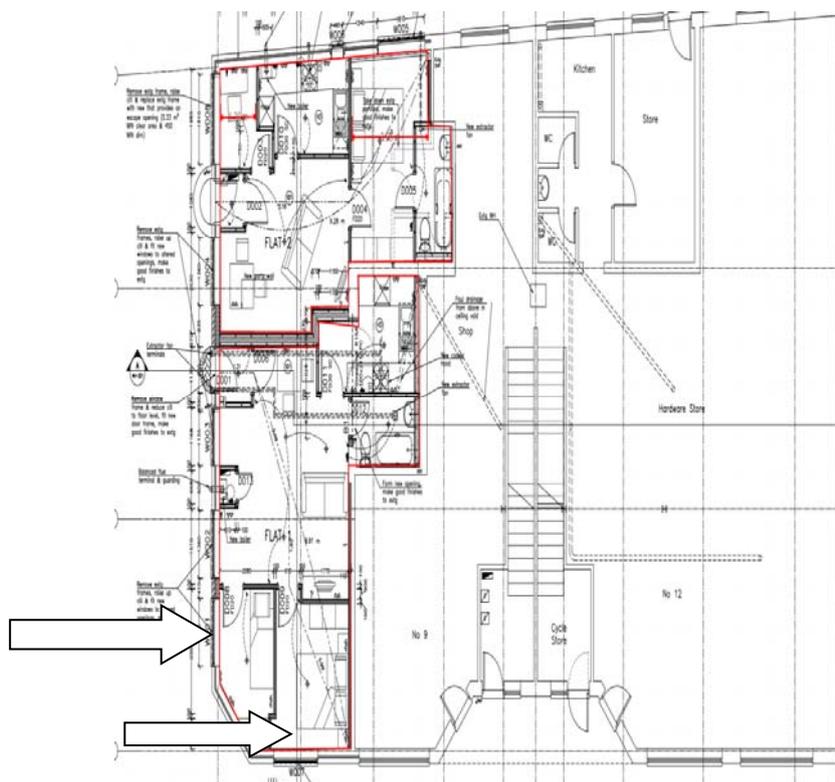
### **Supporting housing delivery through a new national permitted development right for the change of use from the Commercial, Business and Service use class to residential**

We are supportive of the development of housing on previously developed land, and this proposal which encourages the conversion of existing buildings is, in principle a positive step. However, we have some areas of concern which we have detailed below.

## Size of the buildings to which the right might apply (question 1)

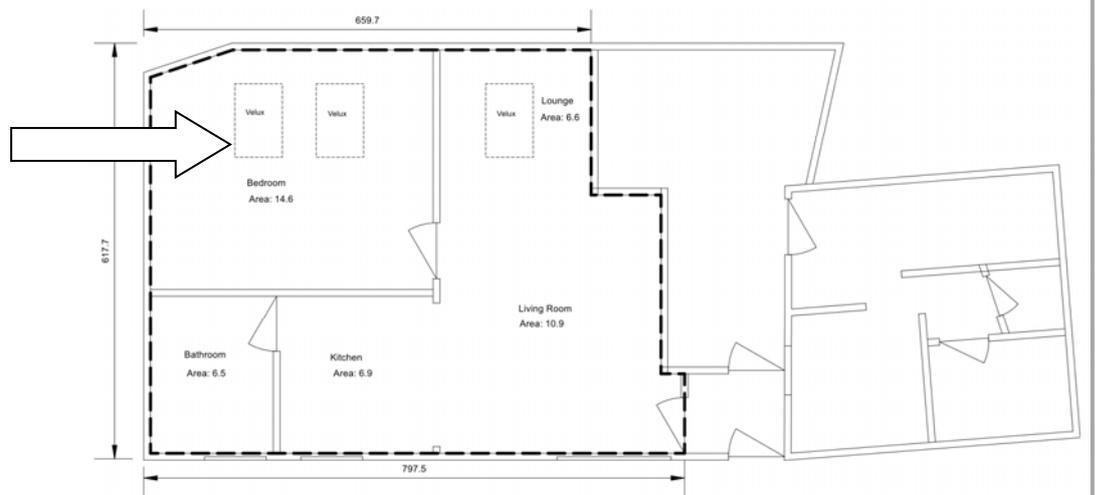
### Parking and amenity spaces, space standards and natural light

- By not placing a size limit on the buildings that could be converted there could be issues in terms of providing quality amenity space and parking. Some buildings would be capable of being converted into a high number of flats.
- Both south and vale are rural districts and whilst we are very supportive of alternative methods of transport other than the private car, many of our residents still rely on this to get from home to work.
- If unlimited size conversions could take place there may be situations where a number of residential units are created with no parking provision. Parking is often limited in historical market towns in any event.
- In town centre locations there is limited opportunity for private amenity space with homes. As with parking it would be concerning to see a high number of residential units being created without any amenity space.
- There could also be issues with premises being too small for conversion. Despite the space standards being introduced we are seeing a loophole with this.



- The floorplan above is for the conversion of an office into two flats. Flat 1 has marked out a single bed and a double bed, therefore 3 people could occupy this property. The internal space is 50 sqm, which is below the space standards. Flat 2 is shown as a single person flat and has an internal floorspace of 37 sqm, however it could be occupied by a couple and be a 2-person property, again this would be under the space standards.
- Whilst space standards have been introduced to try and prevent poor quality living accommodation, we are seeing ways in which this is being worked around.

Two rooflights are the only source of light and ventilation into this bedroom.



- The example above illustrates a bedroom with only rooflights as a source of light and ventilation
- Both examples raise concerns in relation to good quality living standards and design
- The national design guide that was published on 1 October 2019 aims to 'create high quality buildings and places that are beautiful, enduring and successful'. We are concerned that the proposals set out in this consultation could undermine the aims of the national design guide.

#### Loss of facilities and pressure on out of town locations

- We are also concerned about the loss of facilities in town centres if no size limit is placed on converting buildings.
- If most buildings are converted to residential then it could put pressure on leisure development, retail and commercial on out of town locations, which would undermine a more sustainable approach.
- We want to see vibrant communities within our towns that are served by a range of services and facilities. If there is no restriction on size, then many buildings could be converted to residential which would leave our town centres with fewer facilities.

#### Affordable housing provision

- The consultation document is silent on affordable housing provision. We are concerned that a number of residential conversions could go ahead without the requirement for affordable housing to be provided.

- Town centre locations offer the opportunity for working, living, education and leisure to be within walking distance. This could be a benefit for many and by not including affordable housing provision as part of this excludes some people from benefiting from this.

### **Rights in AONB's and conservation areas (questions 2.1, 2.2, 2.3)**

#### Applications for prior approval and fees and other matters that should be considered (questions 3.2 4.1, 4.2)

- Rights should be restricted in AONB's, conservation areas and where the building is listed
- In all three cases they require a higher standard of design and often more detailed issues need to be considered. This would be difficult to achieve through a permitted development and/ or prior approval process
- If a prior approval process was introduced for this form of development, energy efficiency measures should also be included as a matter for consideration. Whilst some aspects of this may be included in future Building Regulations, these matters often need consideration at the planning stage
- We have concerns about the democratic process and prior approval applications. Allowing the conversion of some large buildings into a number of new flats with limited consultation may not be perceived as open and transparent as a planning application. Whilst we understand the aim of the proposed changes is to simplify and make this part of the system simpler, it is likely to cause communities concern that residential conversions are happening with limited local engagement and consultation.
- For communities with adopted Neighbourhood Plans which include policies relating to commercial, businesses and services, this proposal could be perceived as undermining localism.

#### Impact on businesses, communities and local planning authorities (questions 6.1, 6.2)

- We are concerned about people who have businesses and rent premises that could be converted to residential under this proposal. We may see a number of businesses facing challenges to relocate if the premises they rent are converted.
- In relation to the impact of this proposal on people with protected characteristics, we would want to ensure that within our towns and communities that access to facilities and services is still available.
- The fee currently for a new house is £462, therefore for a scheme of 10 new flats the fee for a planning application would be £4620. Under the proposal set out as part of this consultation a fee of £96 per house is proposed. Therefore, for a scheme of 10 flats, the fee would be £960. This is a loss of income for the local planning authority of £3660 on just one application.
- In many instances the level of work required in relation to a Prior Approval compared to a planning application is similar. Therefore, local planning authorities could face a reduction in income but not in the amount of work. We would not be supportive of this approach.
- Whilst the consultation proposal is suggesting a Prior Approval process, we often find these require as much information and assessment as a planning application. However, the applicant has assumed permission if the local authority does not determine the application within the determination period. Therefore, we are concerned that we will see a reduction in income, yet the level of work will remain the same.

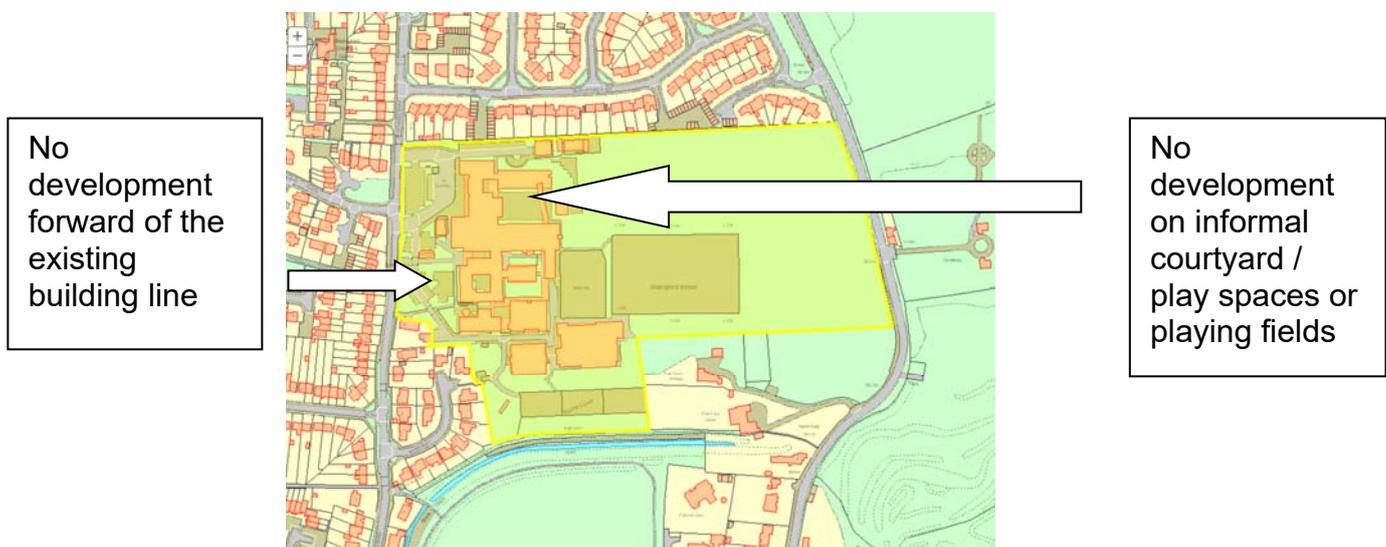
- We often receive calls from nearby neighbours and Town and Parish Councils who are not clear about the Prior Approval process. The consultation process is not as extensive, and we have concerns that some communities could experience a high number of new houses with less consultation and engagement.

### **Supporting public service infrastructure through the planning system** (Questions 7.2, 7.3, 7.4, 8, 9.2, 10.1, 10.2)

Overall, we can see some benefits in allowing schools, hospitals, prisons and armed forces sites having greater flexibility to respond quickly to social and economic changes and we have detailed some examples below. However, we would have concerns about allowing such flexible permitted development rights in AONB's and Conservation Areas where current planning policies and national guidance exists to give these areas more protection and management in relation to new development. In addition, sites within the Green Belt should also be restricted in terms of permitted development rights to ensure current Green Belt policies are not undermined.

#### Flexibility for schools

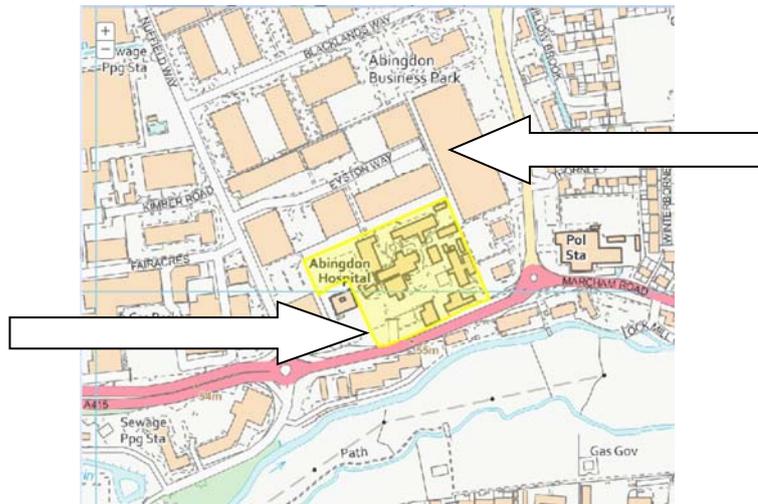
- The plan below is a secondary school site within one of our districts.
- This is a typical example of schools across our districts, as there are neighbouring properties nearby and the school buildings form part of the street scene.
- In principle we are supportive of the proposals to allow schools greater flexibility to undertake development without requiring planning permission
- However, any new development should not take place on existing play or sports fields and on any courtyard play areas.
- In addition, we would suggest that any new development cannot take place forward of the existing building line where it is adjacent to the street, in order to protect the character and appearance of the street scene. Also, no new development should take place where the new building would be 15m from a residential neighbouring property. This is to ensure that the amenity of nearby residential properties are protected.



### Flexibility for hospitals

- We are also supportive of greater flexibility and increased permitted development rights for hospitals.
- The plan below is a minor injury hospital in one of our districts.
- This hospital is surrounded by commercial uses, no residential properties adjoin the site. Therefore, in these cases it may be appropriate to allow permitted development rights to be more generous than outlined in the consultation (Q7.1). We would suggest that no development should be considered permitted development where it is forward of the existing building line adjacent to the street. However, spaces within the site could be developed without the need for planning permission.

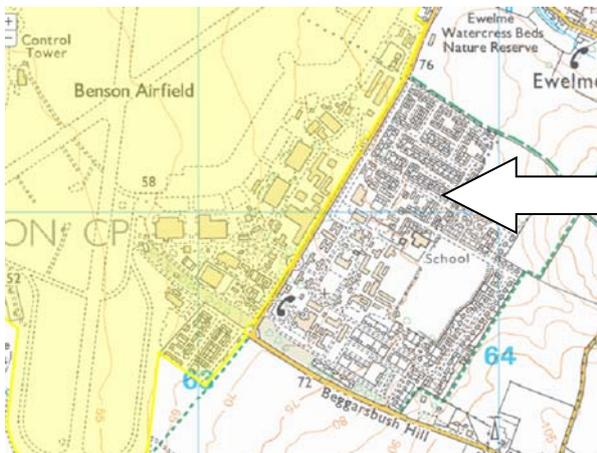
Avoid development in front of the existing building line to reduce any potential impact on the character of the street scene.



Where the site is not adjacent to residential use, new permitted development rights could be more generous.

### Flexibility for armed forces sites

- We are also supportive of greater flexibility for armed forces sites.
- The plan below is an example of an RAF site within one of our districts.
- Permitted development rights for armed forces sites could allow new buildings close to existing ones, providing the height of the adjacent buildings are not exceeded. In addition, outdated accommodation could be replaced with new accommodation without the need for planning permission providing it is not more than 20% greater than the original building.



Area of the site where there is existing accommodation for RAF personnel. The impact on replacing this may be limited and therefore could be considered as part of the new permitted development rights.

- Noise considerations are important for any development on these sites and any new permitted development rights could only apply to buildings that do not result in the intensification of activities generating noise. For example on a RAF site if the new building was to accommodate more helicopters, this should be exempt from PD as the local authority would want to consider in more detail the impacts of this and to enable wider engagement and consultation with the nearby community.

### Flexibility for prisons

- The plan below is an example of a prison site within our district.
- We support the principle of prisons benefitting from permitted development rights, which in some cases could be above what is set out in the consultation.
- However, where the site is adjacent to residential properties, permitted development rights should be restricted to avoid any development have a detrimental impact on the amenity of neighbouring occupiers.



### A faster planning application process for public service developments

- Whilst we are supportive of a faster and simpler system, we would not want to see engagement and consultation within the communities reduced. It is important for localism and the democratic process that communities should be able to have an input, especially in areas where they are developing their Neighbourhood Plans or have adopted ones.
- We are concerned about the proposal to reduce the consultation period from 21 days to 14 as this may reduce the opportunity people in the local community have to respond.

### **Consolidation and simplification of existing permitted development rights**

- We support the move to consolidating and simplifying the existing permitted development rights.
- We would want to ensure there is clarity in any transitional arrangements.

We hope the above can be taken into consideration.

Yours sincerely

**Emily Hamerton: Development Manager**

South Oxfordshire District Council

Vale of White Horse District Council