

Planning Reform: Supporting the high street and increasing the delivery of new homes

This response to the Government's proposals on this subject is submitted by the London Forum of Amenity and Civic Societies (London Forum), a charity established over thirty years ago by the Civic Trust to network, inform, support and represent over one hundred community and civic groups in London.

Part 1. Permitted development rights and use classes

a) Allow greater change of use to support high streets to adapt and diversify:

London Forum considers that a universal change through introducing new permitted development rights regardless of location, relative vitality or type of town centre, is an extremely blunt tool, which in many circumstances will not deliver what is proposed – support for the high street – and might even have the opposite effect.

Firstly, our primary concern is the impact of these changes on London. In broad terms, London's high streets/town centres, including local neighbourhood centres and parades, are in a different context to those in other regions:

- having lower vacancy rates,
- having a very strong housing market,
- experiencing the adverse impacts of earlier permitted development changes, including the influx of A2 and A3 uses in the primary retail frontages of major centres and in local centres, and
- experiencing the “stripping out” of offices/businesses from our town centres.

The increased permitted development rights proposed could be harmful to town centres in London, although we are unconvinced that, if it is being targeted at the most run-down town centres in the country, even that might be pointless if there is no market for the properties. A lesson from urban policy is that “a rising tide does not raise all ships” – the worst-off places would remain unaffected by these measures.

On the other hand, in areas where there is an active property market, it merely encourages owners to try to achieve a higher value land use, which can rapidly destabilise the offer of the centre through the loss of key shops and local services.

Secondly, these measures would have different impacts in different types of centres. Research undertaken by Roger Tym and partners for ODPM during the review that informed the 2005 Use Classes Order, looked at the likely impact of having interchangeability between A1, A2, and A3 for units smaller than 150sqm. Looking at different regions and different sized centres, the conclusions were that smaller centres where markets were stronger would lose the range of local shops and services.

Thirdly, if the main aim is to support the high street, this would be better achieved by local decision-making in support of a local strategy for town centres of all types.

At a recent seminar of the London Planning and Development Forum, Mark Williams (past President of REVO formerly BCSC) concluded that additional permitted development rights were not what was needed to support the high street. What was needed was strong local leadership and for decisions to be taken locally rather than be prescribed through permitted development rights.

Finally, this proposal is not based on any evidence of either the need for such an across-the-board measure nor whether it would be beneficial to encourage change of use where there is no problem. There is no evidence that in town centres where there is a high vacancy rate that the need for planning consent is preventing a change of use – there is probably no market, even for housing. Where there is an active market, removing the need for consent for change of use merely promotes churn and the displacement of retail uses. A “one-size-fits-all” approach is the opposite of what is really needed – a clear town centre strategy, agreed among all stakeholders and curated by the local authority. Decision-making on the composition of the town centre offer must remain a local matter. Introducing more permitted development rights, which could promote the demise of a town centre as a result of the cumulative effect of individual decisions, is the opposite of what is needed.

In short, the proposed additional permitted development rights would further undermine the planning system and make it much harder for town and city centres to shape positive change. Local authorities should retain the powers to shape how their town centres change, rather than expect individual property owners to make decisions that will support a local town centre strategy but which could harm it. Instead of imposing permitted development rights across the board, it would be better if the NPPF and NPPG provided positive plan-making as the means by which a locally-relevant town centre strategy can be implemented.

It would be quite wrong for any developer or land owner to be allowed by permitted development right to take a decision on any site that could prevent a local authority carrying out its plan for a town centre.

Chapter 7 of the NPPF is quite clear in paragraph 85, particularly its section b), that local authorities’ planning policies should “define the extent of town centres and primary shopping areas, and make clear the range of uses permitted in such locations, as part of a positive strategy for the future of each centre”. The proposals in this consultation would negate that NPPF planning approach.

Allow greater change of use to support high streets to adapt and diversify:

Question 1.1: Do you agree that there should be a new permitted development right to allow shops (A1) financial and professional services (A2), hot food takeaways (A5), betting shops, pay-day loan shop and launderettes to change to office use (B1)?

No – London Forum is strongly opposed to this proposal. The best place for offices, especially if they are to support high streets, is not at ground floor on the street frontage, but on the upper floors, in the side streets or in edge-of-centre locations. Random change of use could undermine rather than support the high street and they must be under the control of local authorities.

Our concerns are:

- **the loss of active uses**
- **NPPF policy is sufficient to encourage flexibility – no need for PD changes**
- **the likely impact on vulnerable local centres**
- **the social impact of the loss of uses like launderettes**
- **the dead frontages that ground-floor offices would create**

In any case, giving consent for an “across the board” change of use regardless of whether the change would support the high street or indeed harm it, is inappropriate, as it could result in the loss of active uses which would be harmful to the vitality and viability of the centre.

The proposed change would not and could not be limited to vacant or underused premises – it would apply to all A1, A2 and A5 uses, as well as launderettes, regardless of whether they are active, their contribution to vitality and viability of the centre, their value to the community as part of the local social infrastructure (see NPPF paras 91/92) and the overall impact of the changes.

Para 121 of the NPPF encourages local planning authorities to:

- a) use retail and employment land for homes in areas of high housing demand, provided this would not undermine key economic sectors or sites or the vitality and viability of town centres, and would be compatible with other policies in this Framework.

That policy allows the local planning authority to consider fully the impact of changes of use, whilst the proposed permitted development rights removes the necessary degree of assessment – it would negate NPPF paragraph 121.

London Forum consider that this NPPF paragraph is sufficient as a policy to enable local planning authorities to make decisions on a case-by-case basis based on their local circumstances.

Whilst the NPPG notes that housing may be an appropriate town centre use when on the upper floors, in major centres/high streets, offices should be retained there as an important source of office premises in the centre. Generally encouraging the attrition of ground-floor activity/footfall-generating ‘A’ Use Class uses could be damaging to the vitality and viability of smaller centres.

London Forum is particularly concerned about:

Impact on vulnerable local/neighbourhood centres/parades where retail and launderettes could be rapidly expunged, if local office rents rise and valuable local shops and services are expelled. This would be a one-way trip. Local/neighbourhood centres provide a focus for local communities, providing essential local shops. These types of centres are most vulnerable to declining critical mass/attractions and as a result would have declining footfall.

Launderettes: Why pick on launderettes? Launderettes are a valuable local social and community use, especially in London where many tenants, whether in social or

private housing, do not have the space and/or cannot afford to buy a washing machine/dryer. The loss of launderettes would have a high social impact in London.

This is exactly the type of valued community facility that the NPPF (paras 91/92) encourages local planning authorities to “guard against unnecessary loss”, “particularly where this would reduce the community’s ability meet its day-to-day needs.” It also encourages places that “promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other”.

Launderettes should be deleted from this proposal.

Dead frontages: Ground floor offices are even worse than housing in producing dead frontages. Far from being beneficial in terms of animating a local centre, offices could be the kiss of death for footfall. In terms of economic activity and expenditure of employees they would be better than housing.

Adverse appearance: Any property in a town centre primary or secondary frontage converted to a dwelling is unlikely to be a satisfactory home, particularly if the only light is through a window on the main street. Part of the pavement in front of many shops, cafes, take-aways and launderettes is in the same ownership as the property, sometimes with glass light blocks in the walkway above a projecting basement. In London that has resulted in some such permitted conversions resulting in a car and refuse and recycling bins positioned on that section of pavement. That is very harmful to the appearance and function of the frontage. An example is in the photograph [here](#).

Question 1.2: Do you agree that there should be a new permitted development right to allow hot food takeaways (A5) to change to residential use (C3)?

No

Hot-food takeaways have played an important role in maintaining the vitality, through the activity and footfall they generate, of many declining neighbourhood centres in the more deprived areas of London. Their displacement from these centres could do the opposite to what these measures are intended to do.

However, the cumulative impact of hot food takeaways can be detrimental to healthy lifestyles and may encourage anti-social behaviour, noise and disturbance. Local authorities will have their own policies to control the number of similar uses in an area.

Question 1.3: Are there any specific matters that should be considered for prior approval to change to office use?

Yes – impact of:

- the loss of community facilities, such as launderettes;
- the cumulative effect of losses of shops and local services on the viability of local neighbourhood centres and parades
- the impact of a dead frontage on the particular centre
- the effect on the viability of the town centre
- the types of business space needed in the area

Permitted development rights for change from high street uses are proposed by Government to be subject to prior approval by the local planning authority, in line with existing change of use prior approvals. However, due to the potential adverse impacts of permitted development as in London Forum's response above, the considerations, analyses and tests that a local authority would have to apply would be so extensive that such changes should all be initiated by a full planning application and its consideration should be in the context of applicable, local Development Plan policies.

The "specific matters" that a local authority can consider for a Prior Approval are quite inadequate for dealing with a change that could harm the vitality of a high street and the means of improving it and managing its development for future needs.

b) Temporary change of use

Question 1.4: Do you agree that the permitted development right for the temporary change of use of the premises listed in paragraph 1.9 should allow change to a public library, exhibition hall, museum, clinic or health centre?

No – these require larger premises and should be subject of a planning application.

The changes would be significant. A public library, exhibition hall, museum, clinic or health centre should not be temporary uses because, if there is a need, space should be found for them on a long-term basis as part of the local Development Plan. The cost of establishing them on a temporary basis and the effect of their removal on the community if they cannot continue where located must be taken into account.

This type of permitted development could result in the wrong uses in the wrong places in unsuitable premises.

London Forum recognises that social and community uses may be able to take up opportunities for temporary uses, but only where the market is weak and there are empty properties.

The suggested community use candidates for temporary change of use sound attractive, but **this idea needs a reality check**. What evidence is there that these uses are seeking to expand in the high street? Is there sufficient evidence of a "problem" that justifies this initiative? Or is it entirely academic?

Are there likely to be suitable premises in the high street, as opposed to the wider town centre? The examples listed almost all require large premises. For such premises, if they were vacant, a temporary use would be appropriate, but by the time a prior approval has been sought, it might just as well have been a planning application.

Where the market is strong and there are few empty properties, these social and community uses will not be able to compete for the space. In those circumstances, existing shops turn into A2 and A3 uses – it is purely displacement of retail uses, especially when these uses start taking over primary retail frontages.

Because the use of permitted development is such a blunt tool, it cannot distinguish between empty properties with no market interest for continuing A1 use and centres where such premises are occupied by viable shops but get displaced “temporarily” by A2 or A3 uses. As we have seen with offices to housing, permitted development rights cannot distinguish between vacant and occupied units.

Question 1.5: Are there other community uses to which temporary change of use should be allowed?

Pop-up temporary uses – but is there a problem that requires permitted development?

Question 1.6: Do you agree that the temporary change of use should be extended from 2 years to 3 years?

No – what evidence is there that 2 years is not sufficient for a temporary use? If the use is really looking for a longer period, why not seek planning consent after 2 years?

c) Support for the high street through the Use Classes Order

Question 1.7: Would changes to certain of the A use classes be helpful in supporting high streets?

No – what is needed is strong local leadership and a town centre strategy to ensure that there is a strong thrust to place-making. A free-for-all is counterproductive.

London Forum recognises that the community’s changing expectations of town centres – not just the main town centre/high street, but also local neighbourhood centres – are changing. These changing expectations will be different for main town centres and high streets than for local centres. For larger centres, with primary retail frontages at their core, the need is maintain a critical mass of retail with a mix of leisure, including cafes and restaurants, and financial services, especially in the secondary frontages.

Planning for town centres requires town centre partnerships, which would include not only the Council, businesses and property owners, but also the local community. The Government stresses the need for community engagement – if this commitment is genuine, the Government should not be taking decisions that reduce the ability of the partnership to take key place-shaping decisions, including the vision for and the role of the centre.

The recent introduction of permitted development rights to allow changes for use from A1 to A2 and A3, has meant that A2 and A3 uses have moved into primary frontages reducing the proportion that is retail. This has considerably reduced the ability of local planning authorities to shape the high street.

In local neighbourhood centres in areas with market pressures there has been a noticeable increase in A2 uses (eg estate agents) and A3 uses (cafes/restaurants), using the existing permitted development rights. In some places this has had a marked impact, whilst in others it has diversified the mix.

The effect of the existing measures let alone the proposed changes and the more speculative proposal of “mixed uses”, will vary by type and relative vitality and viability of centres. Unfortunately, the proposals would apply across the board so there would be no possibility of differentiating between regions or centres.

With regard to going further, as described in paragraph 1.12, the problems identified by the 2005 Roger Tym report would apply – there would be a major impact on the mix of uses in local centres, reducing their ability to meet the local shopping and services needs of local communities.

Overall, the way to diversify town centres and local centres is through the development plan policies. Local place-shaping policies are critical to the future viability and vitality of town and local centres. Place-shaping strategies and policies should be the main tools for managing change and curating the mix of town centres. Centrally-directed change through increasing permitted development would create a free-for-all and would be the antithesis of managing change tailored to local needs.

Merging the A1, A2 and A3 use classes, even if it were limited to individual units, would undermine any possibility of place-shaping our town and local centres.

Question 1.8: If so, which would be the most suitable approach:

- a. that the A1 use class should be simplified to ensure it captures current and future retail models; or,**
- b. that the A1, A2 and A3 use classes should be merged to create a single use class?**

London Forum is **strongly opposed** to the suggested new use class changes.

d) A new permitted development right to support housing delivery by extending buildings upwards to create additional new homes

Question 1.9: Do you think there is a role for a permitted development right to provide additional self-contained homes by extending certain premises upwards?

Not sure – but probably more limited than has been suggested. However, the number of considerations that would need to be taken into account in determining prior approval applications would make it better to be the subject of a normal planning application.

London Forum is pleased to note that the proposed right would not apply to listed buildings and buildings in conservation areas.

In terms of suitability for additional storeys and problems of independent access to the new units, such as most areas of terraced housing and suburban semis, large areas of London would not be suitable candidates.

Projects to extend upwards above existing buildings are often complex in both structural and regulatory terms, involving a range of factors including the strengthening of walls and foundations, party wall issues, compliance of older structures with building regulations, heritage considerations, neighbours' right to daylight and overlooking.

In 2016 Mike Kiely, chair of the Planning Officers Society, said if the PDR was put in place it would be unlikely to be used on a significant scale. He pointed out that permitted development rights to convert spaces above shops into up to two flats have existed for years, but said the right has not been taken up extensively.

When this consultation was launched he said "As was highlighted in the response to the consultation on upward extension proposals for London in 2016, the prior approval process that would be required to protect neighbours and the character and amenity of an area would result in a permitted development right process that would be very close to that required for a planning application."

The statement in paragraph 1.14 refers to "certain buildings in high streets and town centres", whilst paragraph 1.15 refers to "certain buildings, in particular those in commercial or residential (C3) use - are these just examples?"

Some of the prime candidates, such as blocks of flats, might not qualify as they are already taller than their surroundings. Many private blocks are long-leasehold flats where leaseholders may resist such proposals.

Large schemes involving the addition of homes on existing buildings, such as stations, retail 'sheds' and supermarkets, should be covered by planning policies with site allocations and full planning applications, not by changes initiated under permitted development.

Building upwards of existing residential homes may not deliver many extra homes as they will simply make the homes larger.

Question 1.10: Do you think there is a role for local design codes to improve outcomes from the application of the proposed right?

Yes - Local context and character studies should inform any design codes that would be used for defining the height, design and appearance in views of any upward extensions. This should be a matter for local determination not central prescription.

d) 1) Height limits

Question 1.11: Which is the more suitable approach to a new permitted development right:

- a. that it allows premises to extend up to the roofline of the highest building in a terrace; or**
- b. that it allows building up to the prevailing roof height in the locality?**

London Forum repeats its answer to Question 1.10, as follows:-
Local context and character studies should inform any design codes that would be used for defining the height of any upward extensions. This should be a matter for local determination not central prescription.

Question 1.12: Do you agree that there should be an overall limit of no more than 5 storeys above ground level once extended?

5 storeys could be too much in many circumstances.
London Forum repeats its answer to Question 1.10, as follows:-
Local context and character studies should inform any design codes that would be used for defining the height of any upward extensions. This should be a matter for local determination not central prescription.

Question 1.13: How do you think a permitted development right should address the impact where the ground is not level?

A permitted development right should not apply in such cases. A local authority would need to consider a planning application to ensure the impact on context and character, views and visual impact could be acceptable.

Question 1.14: Do you agree that, separately, there should be a right for additional storeys on purpose-built free-standing blocks of flats? If so, how many storeys should be allowed?

No – many of these will already be significantly taller than the prevailing building height. Such developments should be subject to normal planning applications.

d) 2) Premises that would benefit from a permitted development right to build upwards

Question 1.15: Do you agree that the premises in paragraph 1.21 would be suitable to include in a permitted development right to extend upwards to create additional new homes?

Yes – provided that they meet all the required standards.

Question 1.16: Are there other types of premises, such as those in paragraph 1.22 that would be suitable to include in a permitted development right to extend upwards to create additional new homes?

No - all of these should be subject to normal planning applications.

d) 3) Works to extend upwards

Question 1.17: Do you agree that a permitted development right should allow the local authority to consider the extent of the works proposed?

Yes

d) 4) Prior Approval

Question 1.18: Do you agree that in managing the impact of the proposal, the matters set out in paragraphs 1.25 -1.27 should be considered in a prior approval?

Yes – but, since these are some of the main considerations in assessing planning applications, this suggest that this should have been handled as a full planning application, to ensure that these matters can be the subject of appropriate planning conditions. Without conditions how can all of these matters be enforced?

London Forum **agrees** that all applications for prior approval should be subject of an appropriate fee

Question 1.19: Are there any other planning matters that should be considered?

No

Question 1.20: Should a permitted development right also allow for the upward extension of a dwelling for the enlargement of an existing home? If so, what considerations should apply?

No - London Forum is **strongly opposed** to permitted development rights for upward extensions, but especially if it is merely to enlarge an existing building without providing additional homes.

The materials and construction resources that would be used for extending existing homes should be used to build additional homes.

The disruption to the lives of neighbours would be similar to that for the creation of new basements.

e) The permitted development right to install public call boxes and associated advertisement consent

A number of London boroughs have been inundated with applications for prior approval for new telephone “kiosks” with an associated application for advertisement consent for a large digital advertising screen. Most of these kiosks are, because of the footprint, permitted development and can only be assessed in terms of the siting and impact on amenity and the advert assessed only in terms impact on amenity and safety.

The rights to locate these kiosks on the highway were given in the 1980s to encourage more competition in the public telephone market. The result was a huge number of kiosks, many of which have proved surplus to needs, especially with the increasing use of mobile phones.

More recently, instead of being subject to a war between telephone companies, we now have a war between public advertising companies, each seeking to “piggy-back” onto telephone kiosks.

London Forum strongly supports the proposal to remove permitted development rights, introducing the requirement to demonstrate the need for further kiosks and the use of local plan policies to reduce clutter and consider the cumulative effect of kiosks and advertising when assessing applications.

Question 1.21: Do you agree that the permitted development right for public call boxes (telephone kiosks) should be removed?

Yes – the London Forum strongly urges MHCLG to remove these PD rights and agrees that all additional kiosks should be the subject of planning application.

Question 1.22: Do you agree that deemed consent which allows an advertisement to be placed on a single side of a telephone kiosk should be removed?

Yes – London Forum strongly supports this, as well as large digital advertisement panels that are gratuitously attached to bus shelters

f) Increasing the height threshold for the permitted development right for electric vehicle charging points in areas used for off-street parking

Question 1.23: Do you agree the proposed increased height limit for an electrical vehicle charging point upstand in an off-street parking space that is not within the curtilage of a dwelling house?

London Forum has seen no evidence to justify charging points over 1.6m in height.

g) Making permanent two time-limited permitted development rights

A. Change of use from storage or distribution to residential

Question 1.24: Do you agree that the existing time-limited permitted development right for change of use from storage or distribution to residential is made permanent?

No - Storage and distribution buildings are often of large footprint or of awkward shape and could be difficult to convert to satisfactory dwellings. Many are single storey. They

are the kind of buildings that could be replaced, in suitable places, by taller residential buildings providing there was no conflict with existing industrial uses in the location.

The conversion by permitted development rights of offices to dwellings has resulted in some cases to sub-standard accommodation as in the report [here](#).

The prior approval matters that local authorities may take into consideration for the current permitted development of such buildings, as described in the proposal paper paragraph 1.40, are inadequate. Local authorities need to consider the requirements of all proposed new housing developments for health services, social and other local infrastructure, shops, facilities and services. Many storage and distribution centres are not in close enough proximity to those elements of infrastructure.

The change of use from storage or distribution to residential should be brought under full development management by removing the current permitted development and requiring a full planning application.

B. Larger extensions to dwelling houses

Question 1.25: Do you agree that the time-limited permitted development right for larger extensions to dwelling houses is made permanent?

YES, as there have been only a few complaints of which London Forum is aware. However, it must remain “subject to consultation with neighbours on amenity”. That needs to be stressed in new guidance to local authorities who must seek comments from all those who could be affected, not only the householders on each side. It is possible for a rear extension to adversely affect the setting of a listed building and that must be taken into account.

Question 1.26: Do you agree that a fee should be charged for a prior approval application for a larger extension to a dwelling house?

A proposed fee for a proposed extension is a welcome improvement to the scheme but £96 is too small a charge for the advertising and other work a local authority would have to carry out. London Forum suggest a fee of £150.

h) Supporting housing delivery by allowing for the demolition of commercial buildings and redevelopment as residential

London Forum opposes strongly the proposed kind of permitted development for this purpose. That is because of the harm caused by permitted development of offices in London which has caused a serious loss of work space for businesses, social enterprises and voluntary groups. It has also reduced the available office stock in some London boroughs below the level that would give choice to expanding businesses and attraction for businesses to locate into London. That has harmed London’s economy and reduced its GDP contribution.

RICS has [reported](#) on that and stated that “The original impact assessment from DCLG in 2013 was flawed. The policy of office-to-residential change of use being

permitted development should be properly reviewed, and it should be returned to full planning control.”

The dwellings that have resulted from the permitted development of offices have, in several cases, been below national space standards and unsuitable for living. An example is described [here](#).

London Forum recommends that **all** residential developments are subject to full planning control and assessed against the local Development Plan.

Question 1.27: Do you support a permitted development right for the high-quality redevelopment of commercial sites, including demolition and replacement build as residential, which retained the existing developer contributions?

No - If the demolition of commercial buildings and redevelopment as residential is made permitted development, the “wider range of considerations” (paragraph 1.46) that would have to be applied to an application would be complex and extensive.

As the consultation explains in paragraphs 1.45 onwards the analysis of suitability of a proposed scheme would be considerable and amount to all that would have to be applied to a full planning application.

Permitted development with a prior approval system for the redevelopment of any site for residential purposes would be unsatisfactory for achieving the type of homes that local authorities need in specific locations.

The Prior Approval assessment would have to take into account

- the method of demolition and disposal of resulting waste,
- the state of the site, the context and character of the site and its surroundings,
- whether or not the site and the area have designated requirements or limitations in site allocations or policies in the Local Plan or Neighbourhood Plan,
- the design, materials, bulk, height and appearance expected for buildings on the site,
- the effect on any protected or locally designated views and historic assets including World Heritage Sites,
- the types of homes required to meet local need,
- the space standards expected for those homes,
- the demand on the local social and other infrastructure and services,
- the accessibility to town centre uses and facilities,
- the access to and the capacity of public transport,
- the car parking spaces that should be allowed,

- the viability considerations for the proposed development and
- the CIL and S.106 contributions required.

Development management could be satisfactorily performed only by considering a full planning application in the normal manner. The policies and associated guidance of the NPPF and, in the case of the capital, the London Plan and the Mayor's SPGs could then be taken fully into account. Otherwise the new development could be unsustainable.

The loss of more business work space by this proposed additional type of permitted development could have a seriously detrimental effect on local economies and that would be more than the detrimental effects [reported](#) by RICS in 2018 and their recommendations for planning applications to apply should be taken into account.

Many commercial buildings will need to be replaced with offices and other business work space, not all by residential uses, in order to create mixed uses and successful communities.

The needs for their area are known and planned for by local authorities. They must be left in charge of development and not defeated in their aims and objectives by permitted development that takes out of their control the redevelopment of what might be essential sites in a zone or town centre for which they have holistic plans and policies in place.

The proposed permitted development could also prevent them from carrying through compulsory purchase for land assembly to build the types of homes and mixed uses each area requires.

The NPPF encourages the use of site allocations and strategic policies in Local Plans in its paragraphs 20 to 23. Also, LPAs must "establish a housing requirement figure for their whole area" (paragraph 65) and "strategic policies should also set out a housing requirement for designated neighbourhood areas which reflects the overall strategy for the pattern and scale of development and any relevant allocations."

Allowing anyone to demolish office buildings anywhere, which could include those in industrial estates, and build some form of housing would negate that NPPF policy.

There should be no permitted development of demolition and redevelopment of commercial buildings as residential.

Question 1.28: What considerations would be important in framing any future right for the demolition of commercial buildings and their redevelopment as residential to ensure that it brings the most sites forward for redevelopment?

There should be no right for demolition. Full planning control should be applied to any developments involving commercial and residential provision.

i) Impact Assessment

Question 1.29: Do you have any comments on the impact of any of the measures?

- i. **Allow greater change of use to support high streets to adapt and diversify**
The proposed changes could be harmful and should be left to local authorities to plan for the future of town centres and to decide changes based on responses to full planning applications in most cases.
- ii. **Introducing a new right to extend existing buildings upwards to create additional new homes**
It is unlikely to provide many additional homes on top of existing dwellings. Building upwards on top of other buildings requires full planning applications to be made.
- iii. **Removing permitted development rights and advertisement consent in respect of public call boxes (telephone kiosks).**
It would restore control of high streets to local authorities and reduce clutter and its associated hazards in the public realm.
- iv. **Increasing the height limits for electric vehicle charging points in off-street parking spaces**
Irrelevant. There seems to be no reason to do so.
- v. **Making permanent the right for the change of use from storage to residential**
It could result in unsatisfactory housing in the wrong places
- vi. **Making permanent the right for larger extensions to dwelling houses**
It could be effective if local authorities receive an adequate fee for such proposals and notify all those who could be affected.

In its comments on the proposals above, London Forum has described in detail the impacts it believes the proposed changes would have and those should be taken into consideration.

Increasingly, the impact in terms of “removing the need for a planning application” is being reduced by the need for further issues to assess before agreeing to give prior approval.

Any other gains, such as the assertions that these proposals will “support the high street” are untested and, in any case, likely to likely to have considerable unintended collateral damage. The intended beneficiaries may either remain unaffected through lack of an effective market (e.g. local centres with high vacancy rates) or, at the other end of the spectrum, be the subject of an “invasion” of A2 and A3 uses in the primary retail frontages of town centres or in local centres.

London Forum firmly believes that the best way to support town centres is to have strong local leadership, a clear strategy owned by the main stakeholders, and local decision-making powers so as to be able to shape the future of these centres, both town centres and local centres. Leaving decisions to the market – to individual property owners and speculators – without sufficient control to shape/curate the mix of town centre uses is a high price to pay.

j) Public sector equality duty

Question 1.30: Do you have any views about the implications of our proposed changes on people with protected characteristics as defined in the Equality Act 2010? What evidence do you have on these matters? Is there anything that could be done to mitigate any impact identified?

No comment.

London Forum agrees with the verdict of Martin Goodall in his Planning Law Blog of 9th November 2018:

“Widening permitted development rights to the extent that is now canvassed by the government makes rather a nonsense of the whole concept of “permitted development”.