

**Report to** Sustainable development panel  
25 July 2012  
**Report of** Head of planning service  
**Subject** Planning Policy Update

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**Item**  
**6**

## **Purpose**

The report provides updates on current consultations by Broadland District Council on its Site Allocations DPD, and by the Department for Communities and Local Government on the re-use of existing buildings. There are no specific comments proposed on the Broadland District Council consultation. A response to the DCLG consultation is attached at Appendix 1.

## **Recommendation**

That the panel:

- 1) notes the report in relation to the Broadland District Council consultation; and
- 2) comments on the emerging responses to the DCLG consultation set out in Appendix 1.

## **Corporate and service priorities**

The report helps to meet the corporate priority a prosperous city and the service plan priority to deliver the local development framework.

## **Financial implications**

There are no direct financial implications to this report.

## **Contact officers**

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## **Background documents**

None

## Report

1. This report provides an update for members on two planning policy documents on which the Council has been consulted. The first is a consultation by Broadland District Council on its Site Allocations Development Plan Document (DPD); the consultation deadline for this is Monday 6 August 2012. The second is a government consultation on proposals for the re-use of existing buildings, with a deadline of 11 September 2012.
2. The general approach taken by the planning policy team to date in relation to consultations by external bodies is to report to sustainable development panel only where significant comments are proposed to be made on behalf of the council, for example where a proposed site allocation in an adjoining authority might have strategic planning implications for Norwich. However, in the interests of effective partnership working with our Greater Norwich Development Partnership (GNDP) partner authorities, it is proposed that officers will report to sustainable development panel on relevant DPD consultations by these authorities (Broadland District Council, Norfolk County Council, and South Norfolk Council), as well as the Broad Authority.
3. It is also proposed to keep the panel informed about government consultation documents which raise planning policy issues when necessary, as many of these proposed policy initiatives follow on from the recent changes to national planning guidance.

## Broadland District Council consultation

4. Broadland District Council (BDC) is in the process of producing its Site Allocations DPD. In late 2011 the Council consulted on a 'shortlist' of sites for a range of types of development. As a result of that consultation, a number of respondents have suggested alternative sites to those already proposed. The alternative sites do not have the same status as the shortlisted sites. Unlike the shortlisted sites they have not been through a process of site assessment, but are being consulted upon by BDC to seek the views of the public and other stakeholders.
5. A total of 37 alternative sites are currently being consulted upon, as well as proposed changes to 8 settlement limits. The sites are located throughout Broadland District Council's area including Blofield, Brundall, Taverham, and Horsham St Faith, and several sites are within the built up area of Norwich including Thorpe St Andrew.
6. The key considerations which guide the council's approach to commenting on the plans of adjoining local authorities are whether they raise any strategic planning implications for Norwich, and whether they support the Joint Core Strategy for Broadland, Norwich and South Norfolk. It is not the council's intention to comment on matters of detail in relation to individual sites unless identified as strategically significant.
7. Many of the alternative sites are small in scale and therefore do not have any strategic significance for Norwich. Other sites are larger but are located in settlements which the Joint Core Strategy identifies as suitable for more significant levels of development, and therefore do not raise any particular issues. It is an issue for Broadland District Council itself as to which of the shortlisted and alternative sites will eventually become 'preferred options' and it will have regard to relevant JCS policy concerning the appropriate scale of development in its settlements in coming up with

the final site selection, in accordance with the JCS settlement hierarchy. The proposed settlement limit changes do not raise any strategic issues for Norwich.

8. It should be noted that the alternative site at Pinebanks in Thorpe St Andrew is proposed for housing with playspace, and is proposed in conjunction with another alternative site in Thorpe St Andrew at Griffin Lane for housing and community facilities. There are some concerns about the potential loss of open space on the Pinebanks site and the peripheral nature of the Griffin Lane site if intended to serve residents of the Pinebanks site. This will be further investigated and any further information reported to Members at the Panel meeting.
9. Following the consultation Broadland District Council will assess all comments and select their 'preferred options' for development (based on both the previously shortlisted sites and the alternative sites), which will then be subject to consultation later this year.

## **Consultation on the re-use of existing buildings (CLG)**

10. The second relevant consultation on which views are sought is a formal consultation from the Department of Communities and Local Government (CLG), published on 3 July. The consultation paper: *New opportunities for sustainable development and growth through the reuse of existing buildings* seeks to bring forward proposals to relax planning controls to make it easier to bring redundant buildings back into use, and to extend permitted development rights to change the use of certain premises without the need for planning permission. It is one of three consultation papers being published concurrently by CLG on various reforms to the planning system. The other two consultations are about simplifying information requirements for planning applications and making provisions for the award of costs against statutory consultees who have acted unreasonably. Only the change of use consultation is considered to have direct policy implications for the council.
11. The consultation period ends on 11 September but as there will be no further opportunity for member input before the deadline, early consideration of the proposals has been necessary and an officer response has been drafted for this meeting.
12. The proposals relate to two planning statutory instruments: the Use Classes Order 2007 (UCO) and the General Permitted Development Order 1995 (GDPO). Together these instruments act to deregulate aspects of the planning system, classifying land uses into separate use classes and allowing changes within and between these classes in certain circumstances without planning permission. Permitted development rights for change of use set out in the orders are generally limited to cases where the impacts of "before" and "after" uses are broadly similar or beneficial. Thus a hot food takeaway can be changed to a café without planning permission but not vice versa.
13. This is a follow-up to the 2011 CLG consultation on significantly relaxing planning controls on the change of use from offices and light industrial premises to housing. The government has announced that those earlier proposals are not now being taken forward (largely due to lack of support), but will instead rely on the NPPF's advice to local authorities to identify and make the best use of empty housing and other buildings to augment the housing supply. To facilitate this the government has confirmed that they will increase the permitted development allowance to create self contained flats above shops from one flat to two; arguing that making it easier to convert redundant space above shops for residential purposes will help to promote

regeneration and increase housing supply, and the increased resident population will help to support existing shops.

14. The three substantive proposals in the current round of consultation relevant to Norwich are as follows:

- Doubling of the maximum floorspace thresholds for permitted changes of use between B1 (business/office) and B8 (warehouse) classes and from B2 (industry) to B1 and B8. The result of the change would be to automatically permit these changes in premises of up to 470 sq.m, rather than the current maximum of 235 sq.m.
- Introducing a new permitted development right to allow the temporary use of vacant premises for two years, where the use is low impact, without the need for planning permission.
- Allowing C1 uses (hotels, boarding and guest houses) permitted development rights to change to C3 (dwelling houses) without the need for planning permission.

Comment is also being invited on proposals to relax permitted development rights to change the use of agricultural buildings for various purposes supporting rural growth. These are not directly relevant to the city although the beneficial reuse of premises for commercial uses to support tourism is strongly promoted through Joint Core Strategy policy 5.

15. It is proposed that a prior approval process, similar to that in operation for mobile phone masts, would need to be introduced alongside some of these provisions. This would ensure that local planning authorities have an opportunity to assess the potential impact of certain changes of use before they occur and to require full planning applications where the impact is considered to be material.

16. Though presented mainly as a means of removing burdens on applicants, developers and businesses through these specific focused changes, the consultation also invites suggestions for updated definitions within the Use Classes Order which could bring greater clarity and remove ambiguity.

## **Potential impacts for Norwich**

### **Controls on change of use of B class floorspace**

17. Proposals to free up controls on changes of use of floorspace within Class B (industrial, office, warehousing and research and development) are intended to remove unnecessary burdens on small businesses and promote the flexible use of commercial accommodation. The consultation proposal is to double the current floorspace allowance below which planning permission for such changes would be unnecessary. The current cut-off figure of 235 sq.m (2,500 sq ft) is long established and represents a proportionate and justifiable threshold which allows relatively small scale changes of use to be made within the commercial floorspace stock without the cost and potential delays of seeking planning permission. The implications for Norwich of an arbitrary doubling of the figure would be that rather larger office and industrial premises would now fall outside the scope of planning control if change of use only were contemplated.

18. Officers do not support this proposal. There is particular concern over the implication for B1 (a) office use of relaxing the size threshold for permitted change of use. Although the proposals would make it more straightforward to take up low demand small industrial and warehouse units for office purposes, further proliferation of office occupancy at higher densities in peripheral industrial estates could undermine the aspirations of the JCS and emerging DM Policies Plan to retain offices in a range of accessible locations and focus further office development in the city centre and neighbourhood centres. This could, in turn, make it more difficult to implement the NPPF's advice that offices must be prioritised in centres as main town centre uses. Low cost premises on older estates may not be designed for, or especially well suited to, office occupation, potentially resulting in substandard working conditions; furthermore office use might attract significantly more car journeys if the site's accessibility is poor. B1 office use could be established outside planning control in locations where the noise and amenity impacts of adjoining existing industrial uses might result in poor working conditions for employees and lack of appropriate controls would not allow the opportunity for properly planned and integrated office parking, servicing and delivery arrangements (for example, where premises had been designed and laid out for other types of employment, or where several premises shared a common parking/servicing area)

Temporary two year PD rights for change of use of premises in class A (retail and related uses), B1 (offices), D1 (non-residential institutions) and D2 (assembly and leisure) uses

19. These proposals would allow the temporary use of retail and commercial premises for up to two years for a range of purposes without planning permission, subject to a prior notification procedure running on a comparatively short timescale and by which the planning authority would be informed of the proposed change and (in particular circumstances) would be able to require a planning application if the proposal was judged to be potentially harmful. Failure of the council to respond in the prescribed period would result in automatic approval. Through this prior notification process, planning authorities would also be able to assess and monitor the impacts of these short term uses.
20. Officers consider this proposal has merit, with significant caveats. Whilst potentially useful to encourage the take-up of long term vacant premises in the city centre and neighbourhood local centres there may be problems in its practical application. To be effective a two year temporary PD right would need to be very clearly defined in terms of those uses which are "low impact" ones: however, defining a range of uses which would be acceptable in all circumstances in Norwich might be difficult. Officers would not wish to see a regime which increased the likelihood of potentially problematic or noisy uses being introduced in situations where there is residential accommodation above or adjoining the premises. Also, there might be little or no control over hours of operation unless this could be regulated through licensing – not always an available option.
21. Prior notification arrangements already operate for categories of development such as phone masts and certain demolition works. However, there are few details on how such a system might work in this context or to which uses it would apply. Officers consider that what would effectively be a new type of planning submission would represent an added layer of administrative and technical procedure which would offer few cost savings for the planning service compared with the cost of processing a full application – indeed both prior notification *and* an application might be necessary. This would tend to complicate the planning process for the general public rather than

simplifying it, at a time when the government is seeking to streamline the process. . In our view the alternative of using local development orders and Article 4 directions to vary permitted development rights tailored to the particular circumstances of Norwich would tend to offer more flexibility, although the cost of introducing and consulting on such orders could itself be considerable given that both are legally complex and cumbersome.

#### Proposals to introduce permitted development rights to for hotels (C1) to change to dwellings (C3)

22. This proposal would allow hotels, guest houses and boarding houses to become dwelling houses without the need for planning permission. It is presented very much as a mechanism for use in holiday resorts and visitor areas with a lot of redundant and declining visitor accommodation. Officers support this move in principle, but again with caveats. For Norwich as elsewhere there are significant advantages in easing the administrative burden on the operators of relatively small hotels and guest houses (which may have originally been dwellings anyway) that are non-viable and failing. Proposals involving the conversion of hotels and bed and breakfast accommodation to residential and other uses are relatively uncommon in Norwich as a comparatively thriving visitor destination, although typically the council will receive one or two applications a year. In policy terms there is a strong argument for an adequate range and choice of accessible visitor accommodation to be maintained to support the city's tourism role but the impact of relaxing control here – provided it was qualified with an appropriate size threshold – is likely to be minimal.
23. Officers consider that, if implemented, PD rights for hotel to residential conversion would need to be qualified by an appropriate and proportionate size threshold (possibly expressed either in terms of maximum floorspace or maximum number of bedrooms). Hotels, boarding houses and guest houses can be established in areas with widely differing characteristics and do not always cater to the leisure visitor or tourist market. Some might be city centre facilities located (for example) close to the Late Night Activity Zone where it is expedient to resist new residential development in the interests of protecting amenity and ensuring acceptable living and working conditions for neighbours. In addition design policies require a good standard of internal layout and external amenity space for residential dwellings. Introduction of PD rights allowing smaller hotels to become dwellings without the need for permission could not guarantee that future permanent residents would be protected from noise and disturbance or that living conditions or internal and external amenity space would be adequate. If implemented it would be necessary to introduce a specific Article 4 direction removing PD rights in and close to the Late Night Activity Zone and potentially in other selected areas..

#### Other changes to the Use Classes Order

24. The consultation asks for other suggestions on how the use classes order might be changed to update out of date definitions or otherwise clarify its content. Officers have made a number of recommendations in this area, as listed in Question 12 of the attached Appendix including a reappraisal of how A class uses are prioritised.

## **Appendix 1:**

**Proposed response to DCLG consultation on the re-use of existing buildings**



## Response form

### New opportunities for sustainable development and growth through the reuse of existing buildings: Consultation

We are seeking your views to the following questions on the proposals to support sustainable development and growth through encouraging the reuse of empty and redundant existing buildings where the original use was no longer required or appropriate.

### How to respond:

**The closing date for responses is 11 September 2012.**

This response form is saved separately on the DCLG website.

Responses should be sent preferably by email:

Email responses to: [Deregulate.planning@communities.gsi.gov.uk](mailto:Deregulate.planning@communities.gsi.gov.uk)

Written responses to:

Saima Williams

Consultation Team (Wider change of use)



Planning Development Management Division

Department for Communities and Local Government

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## About you

### i) Your details:

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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 ☒

Personal views ☐

### iii) Please tick the box which best describes you or your organisation:

District Council ☒

Metropolitan district council ☐

London borough council ☐

Unitary authority/county council/county borough council ☐

Parish council ☐

Community council ☐

Non-Departmental Public Body (NDPB) ☐

Planner ☐

Professional trade association ☐

Land owner ☐

Private developer/house builder ☐

- Developer association ☐
- Voluntary sector/charity ☐
- Other ☐

(please comment):	
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**iv) What is your main area of expertise or interest in this work  
(please tick one box)?**

- Chief Executive ☐
- Planner ☒
- Developer ☐
- Surveyor ☐
- Member of professional or trade association ☐
- Councillor ☐
- Planning policy/implementation ☐
- Environmental protection ☐
- Other ☐

(please comment):	
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Would you be happy for us to contact you again in relation to this questionnaire?

Yes ☒ No ☐

## ii) Questions

Please refer to the relevant parts of the consultation document for narrative relating to each question.

### **Question 1: Do you think there should be permitted development rights for buildings used for agricultural purposes to change use to:**

- **Class A1 (shops), A2 (financial and professional services), and A3 (restaurants and cafes),**
- **Class B1 (Business) and B8 (storage and distribution),**
- **Class C1 (Hotels)**
- **Class D2 (Assembly and Leisure)**

Yes ☐ No ☐

#### Comments

The issue is not generally relevant to Norwich as an urban authority. Although there may be some scope for relaxing permitted development restrictions within a strictly limited size threshold, more extensive deregulation allowing change of use of agricultural buildings to a wider range of commercial purposes could have very undesirable consequences. It could intensify commercial activity in rural areas without good accessibility to services and facilities and harm environmentally sensitive locations in the countryside, also potentially increasing car dependency and the overall the need to travel. This would undermine the objectives and sustainable development priorities of the NPPF.

### **Question 2: Should thresholds and limitations be applied to reduce the potential impact of any permitted change of use?**

Yes ☒ No ☐

#### Comments

Changes in the use of agricultural premises below a modest size threshold could potentially be brought within the scope of permitted development although in practice the circumstances of each case would be different: in some cases the potential transport, environmental or amenity impacts of the proposed use itself might be harmful irrespective of scale.

**Question 3: Are there circumstances that would justify a prior approval process to allow the local planning authority to consider potential impacts?**

Yes ☐ No ☒

Comments

A prior approval process is superficially attractive although this authority would not support it for the following reasons :

- it would add unnecessary complexity to the planning application process at a time when the government's focus is on streamlining and simplification
- it would mean increased time and resources having to be devoted to adapting existing IT systems to handle new categories of prior approval, adding to administrative and technical burdens when many local authority planning services are already operating with a greatly reduced resource in these areas,
- there would be increased delays and relatively few administrative cost savings in having to register certain categories of development for prior approval and then potentially having to proceed with full applications anyway, compared with the relative cost of maintaining the status quo
- such a process would be unlikely to give certainty and clarity to prospective developers and applicants.

**Question 4: Do you agree that the size thresholds for change of use should be increased?**

Yes ☐ No ☒

Comments

Presumably this relates solely to changes within and between the B use classes (although the question doesn't say so). B class uses vary significantly in their impacts, patterns of travel demand, parking and servicing requirements, density of occupation, etc. Our particular concern with relaxing the size threshold for permitted change of use would be the implication for B1 (a) office use:

- further proliferation of office occupancy at higher densities in peripheral industrial estates could act to undermine strategic and local policies to retain offices and promote development in centres (as in Norwich) and the NPPF's advice that offices must be prioritised in centres as main town centre uses;
- low cost premises on older estates may not be designed for, or especially well suited to, office occupation resulting in poor working conditions;
- office use might attract significantly more car journeys if the site's accessibility is poor,
- B1 office use could be established outside planning control in locations where the noise and amenity impacts of adjoining existing industrial uses would result in poor working conditions for employees,
- Lack of appropriate controls would not give the opportunity for properly

planned and integrated office parking, servicing and delivery arrangements if premises had been designed and laid out for other types of employment or where several premises shared a common parking/servicing area.

**Question 5: If so, is 470m<sup>2</sup> the correct threshold, or should the increase in the limit be larger or more modest?**

Yes ☐ No ☐

Comments

N/A

**Question 6: Do you think there should be permitted development rights to allow for the temporary use of buildings currently within the A, B1 and D1 and D2 use classes for a range of other specified uses for two years?**

Yes ☐ No ☒

Comments

Potentially this could be to the economic advantage of city and town centre areas which suffer from long term vacancy and chronic decline, but we can foresee problems in its practical application. To be effective a two year temporary use PD right would need to be very clearly defined in terms of those uses which are “low impact” ones: but defining a range of uses which would be acceptable in all circumstances might be difficult. We would not wish to see a regime which increased the likelihood of potentially problematic or noisy uses being introduced in situations where there is residential accommodation above or adjoining the premises. There might be little or no control over hours of operation unless this could be regulated through licensing – not always an available option.

There are few details on how a notification and monitoring procedure might work, and (as with proposed prior notification arrangements for other uses) this would be an added layer of administrative procedure which complicates the planning process rather than simplifying it. In our view the use of local development orders and Article 4 directions tailored to the particular circumstances of an area would tend to offer more flexibility.

**Question 7: If you agree with the proposal what uses do you think should be allowed on a temporary basis?**

Comments

N/A

**Question 8: Do you think there should be permitted development rights to allow hotels to change to residential use without the need for a planning permission?**

Yes ☐ No ☒

Comments

This proposal, if implemented, would need to be qualified by an appropriate and proportionate size threshold (possibly expressed either in terms of maximum floorspace or maximum number of bedrooms). Small hotels, boarding houses and guest houses can be established in areas with widely differing characteristics and do not always cater to the leisure visitor or tourist market. Extending PD rights in this way might be seen as advantageous in the case of

smaller hotels and guest houses which were originally dwelling houses, but not all small hotels are of this type and some might be located (for example) in areas dominated by noisy and potentially disruptive late night uses, clubs and bars. In Norwich planning policy restricts new residential development or change of use within and adjacent to a defined city centre Late Night Activity Zone in the interests of protecting amenity and ensuring acceptable living and working conditions for neighbours. In addition design policies require a good standard of internal layout and external amenity space for residential dwellings. Introduction of PD rights allowing smaller hotels to become dwellings without the need for permission could not guarantee that future permanent residents would be protected from noise and disturbance or that living conditions or internal and external amenity space would be adequate. If implemented it would be necessary to introduce a specific Article 4 direction removing PD rights in and close to the Late Night Activity Zone and potentially in other selected areas.

**Question 9: Should thresholds and limitations be applied to reduce the potential impact of any permitted change of use?**

Yes ☒ No ☐

Comments

See above

**Question 10: Are there circumstances that would justify a prior approval process to allow the local authority to consider potential impacts?**

Yes ☐ No ☒

Comments

See response to question 3.

**Question 11: Are you aware of any updates or amendments needed to the descriptions currently included for the existing Use Classes?**



Yes ☒ No ☐

Comments

See below Q12

## Question 12: If yes, what is the amendment, and what is the justification?

### Comments

- We support the suggestion that nail bars and beauty parlours, etc should be reclassified as A1 shops where the service is purely cosmetic, since they have many characteristics in common with hairdressers. Clinical and medical services involving surgical procedure should continue to be regarded as D1 since their characteristics have more in common with surgeries and clinics.
- Similarly we do not see any particular merit in retaining the sui generis use class introduced for tattoo studios since tattoos and body adornment are becoming more generally accepted. They should also be regarded as A1 shops.
- Computer and small domestic appliance repairs are usually an appropriate supporting retail service in local and neighbourhood centres and do not involve more intensive engineering or manufacturing processes, so should be regarded as A1.

There are a number of anomalies in the types of use which have historically been regarded as retail.

- The designation of *internet café* is effectively redundant with the near universal adoption of high speed broadband, wi-fi, 3g phones and a wide range of other internet-capable mobile devices. It has little value and can be considered for deletion.
- There is no particular logic in regarding dry cleaners as retail and launderettes as sui generis uses since they are similar in impact and both appropriate supporting services in local parades, albeit that both are now becoming less common.
- Funeral directors and undertakers have very little in common with other types of retail service and should be considered for reclassification as A2 (professional service) or sui generis.
- We suggest that betting offices should be reclassified as sui generis uses. In store betting and gambling machines make many of these more akin to amusement centres than other types of A2 use and in our view the claim that they make a beneficial contribution to town centre vitality and viability is dubious.
- Theatres, cinemas and concert halls all offer passive entertainment to seated or standing customers in an auditorium and are effectively very similar in their characteristics and impacts: therefore there is little logic in categorising the majority of these uses as D2 assembly and leisure but theatres as sui generis. We suggest that consideration should be given to how theatres should be treated: one option would be to include theatres within D2 but this would not necessarily prevent their loss if e.g. a change of use to a cinema or bingo hall were contemplated: another option is to include them within a new live entertainment use class (e.g. D3) allowing other D2 uses to change to theatres but not vice versa.
- There are considerable grey areas in the UCO around food and drink uses, drinking establishments and late night entertainment uses. We would welcome some clarification in the definitions which would enable clearer distinctions to be made between cafés, café-bars, A4 drinking establishments, sex encounter establishments and night clubs. In particular a workable definition of what constitutes a night club (as opposed to a late night drinking establishment with ancillary entertainment) would assist in the implementation of late night use policies and enable more effective enforcement of planning and licensing control.

Although we acknowledge that the five Class A uses have operated for almost 25 years, the logic of placing A2 financial and professional uses above cafes and restaurants and giving them higher status in the notional “order of priority” for uses in the high street has long been suspect. It is accepted by most commentators and the government’s own advisors that cafes and restaurants make a beneficial contribution to town centre vitality, viability and diversity as well as stimulating and supporting the evening economy. This is recognised in local and strategic policy for Norwich which seeks to promote and encourage such uses throughout the city centre and in local and district centres. Food and drink uses are becoming much more prevalent than they once were with the decline of the traditional high street as a destination purely for “shopping” and its move into a broader leisure and entertainment offer. Many chain coffee shops and cafes operate tacitly under A1 use and planning authorities are reluctant to devote resources to enforcement where there is little demonstrable harm, even though there might be a significant element of food consumption on the premises justifying an application for A3. Conversely the positive contribution of many A2 uses to town centre vitality and viability is far less clear-cut, a refusal of permission having been defended successfully in Norwich on the basis of demonstrable harm to the vitality, viability and retail function of a primary shopping frontage resulting from the replacement of a shop by a building society branch.

We fully accept the need for a wide range of appropriate supporting A2 services in centres. However, there is little logic in a system which allows change of use from a lively and attractive café or restaurant (A3) to any number of financial and professional service uses (A2) offering generally fewer benefits to vitality and viability, without the need for planning permission. Although this is not the case with all types of A2, such uses might typically have more limited opening hours and large areas of dead and unattractive frontage offering little in the way of attractiveness, vitality and local distinctiveness. In Norwich it has often been necessary to remove permitted development rights by condition to effectively implement our policies on the management of uses in shopping frontages and the overall strategy to ensure the continued vitality and viability of the centre.

In view of the generally wide ranging benefits of A3 uses for centres and the less obvious benefits of many kinds of A2, we consider that serious consideration should be given to either merging the present A1 and A3 use class (for example as A1 (a) and A1 (b) ) or re-prioritising the separate uses within class A so that those uses which are deemed to have most benefits to the vitality and liveliness of centres are placed highest in the order of preference. There may also be a need to reassess the extent of permitted change within and between A class uses, for example to make it less straightforward to convert longstanding community pubs to A2. Appropriate controls would remain on the installation of external fume extraction plant for A1/A3 uses and the more intensive and potentially problematic uses such as drinking establishments (A4) and hot food takeaways (A5) should remain as separate use classes.

## **Question: Impact Assessment**

**Do you have any comments on the assumptions and analysis set out in the consultation stage Impact Assessment? (See Annex 1)**

**See also the further specific questions within that Impact Assessment**

Yes ☒ No ☐

Comments

We would comment in general terms that the impact of the various policy options on local authorities are defined only in terms of the potential loss of fee income and the direct costs around the planning application process itself. This gives only partial view of the issue.

We acknowledge that any wider costs and benefits for LPAs are difficult to quantify but extending PD rights to a wider range of development would have identifiable impacts on the effectiveness of planning policies which depend on planning controls which would no longer be available.

For example the proposal to extend PD rights for change of use of small hotels to dwellings could result in residential accommodation being established in city centre locations where an adequate standard of residential amenity could not be guaranteed; this in turn weakening the effectiveness of policies designed to improve such standards and leading, potentially, to a higher number of appeals.

**Thank you for your comments.**