



# NORWICH City Council

**Committee name:** Sustainable development panel

**Committee date:** 03/10/2023

**Report title: Government Consultation on Proposed Changes to Permitted Development Rights**

**Portfolio:** Councillor Stonard, Cabinet member for inclusive and sustainable growth

**Report from:** Head of planning and regulatory services

**Wards:** All wards

## Purpose

To inform members about the recent consultation on changes to the permitted development rights, and to share the consultation response submitted to Government.

## Recommendation:

To note the response attached in appendix 1.

## Policy framework

The council has five corporate priorities, which are:

- People live independently and well in a diverse and safe city.
- Norwich is a sustainable and healthy city.
- Norwich has the infrastructure and housing it needs to be a successful city.
- The city has an inclusive economy in which residents have equal opportunity to flourish.
- Norwich City Council is in good shape to serve the city.

This report addresses the first four aims.

## Report details

### Background

1. The government published the consultation on the proposed changes to permitted development rights on 24 July 2023. There were 88 questions within

the consultation document and the deadline for providing a response was 25 September 2023 which did not allow for discussion at Sustainable Development Panel prior to submitting a response. The consultation response was submitted on 21<sup>st</sup> September following sign off by Cllr Mike Stonard. The consultation document is available here:

<https://www.gov.uk/government/consultations/permitted-development-rights/consultation-on-additional-flexibilities-to-support-housing-delivery-the-agricultural-sector-businesses-high-streets-and-open-prisons-and-a-call-f>.

2. The consultation sought views on a number of proposed changes to permitted development rights including changes to:
  - a number of permitted development rights that allow certain existing buildings to change to residential use,
  - non-domestic extensions rights,
  - the temporary use of land to allow markets to operate for more days per calendar year,
  - rights which allow extensions and alterations to open prisons
  - the application of local design codes to certain permitted development rights and
  - rights that allow for agricultural diversification.
3. The consultation also contained a call for evidence led by Defra which sought views on nature-based solutions, farm efficiency projects and diversification.

### **Summary of key issues within the consultation**

4. The key issues which apply to Norwich are as set out below. The submitted response to the consultation questions is given in Appendix 1.
  - The government wants to apply local design codes to certain permitted development rights. Currently for some permitted development rights there is a prior approval on the ground of design or external appearance. The consultation asked if design or external appearance should be replaced by consideration of design codes where they are in place locally.
  - In terms of class MA (change of use from commercial to residential) there is currently a 1,500sqm cap. The consultation sought views on whether this should be doubled, removed all together or stay the same. Views were also sought on whether the requirement for premises to be vacant for at least 3 months should be removed.
  - The consultation proposed that hotels and guest houses could change to residential under permitted development.
  - Currently hot food takeaways, betting offices, pay day loan shops and laundrettes can change to residential under permitted development if under 150 sqm. The consultation asked if this should be doubled or the limit removed. It was also proposed that laundrettes should no longer be able to convert to residential under permitted development and the

consultation sought view on whether this permitted development right should apply in conservation areas.

- Class G currently allows for the change of use of space above a wide ranges of uses to residential. It applies to all uses within class E, pay day loan shops and betting offices. The consultation sought views on whether this should be expanded to allow for mixed use residential above other uses. It was also asked if the number of flats should be increased from two to four.
- The consultation proposed to increase the amount of floorspace that class E business can extend under permitted development but it was not proposed to increase this in conservation areas.
- It was proposed to increase the size of new industrial buildings and industrial extensions that can be built under permitted development.
- Currently markets can operate for up to 14 days a year under permitted development. It was proposed to increase this.
- The consultation also contains several questions about agricultural buildings. No responses were provided to these questions.
- The section regarding open prisons was also not considered relevant to Norwich as the prison is a closed prison.

### **Council response**

5. The full response provided to Government is set out in Appendix 1. Whilst officers were supportive of some proposals, they had particular concerns over the proposed amendments to the permitted development rights that relate to the change of use of commercial, business and service uses to residential. The Class MA revisions could further undermine the council's ability to manage the town centre and our local economy. Potentially it could result in large stores converting to residential which could erode the amount of active frontages on our high streets impacting upon vitality and vibrancy. Furthermore, it could discourage changes of uses to other community uses or those that benefit our local economy. Whilst we acknowledge that the amount of town centre uses may need to reduce, this needs to be done in a planned and managed way. The relaxation of conditions and limitation for permitted development rights could result in the piecemeal loss of town centre uses at ground floor level which could become interspersed with residential, affecting the way that our high streets' function.
6. It is acknowledged that the changes may increase housing provision overall, however the Council is concerned that without being able to consider all material planning considerations, the proposed changes may result in some substandard housing and would also reduce the opportunities for seeking affordable housing and securing social infrastructure to support new residents.

### **Consultation**

7. Due to the nature of the report, no public or stakeholder consultation has taken place. The portfolio holder was briefed on the consultation response prior to submission, and the chair and vice-chair of this Panel have been briefed on this report. Stakeholders had the opportunity to comment on the consultation.

## Implications

### Financial and resources

8. None directly as a result of this report.

### Legal

9. There are no legal implications.

### Statutory considerations

Consideration	Details of any implications and proposed measures to address:
Equality and diversity	Whilst the report itself does not have any equality and diversity impacts, the proposed changes including potential loss of town centre uses could negatively impact upon certain groups with protected characteristics (eg age, disability) as they may need to travel further to access shops and services.
Health, social and economic impact	Whilst the report itself does not have any health, social and economic impacts, the future implications of the changes could have quite significant social and economic impacts.
Crime and disorder	No likely implications
Children and adults safeguarding	No likely implications
Environmental impact	No likely implications

### Risk management

Risk	Consequence	Controls required
No risks have been identified in terms of the publication of this report.	n/a	n/a

### Other options considered

10. One option was to not submit a response to the consultation. This was not supported as the scope of the consultation concerned some fundamental changes to permitted development rights and it was felt important to provide comments so the Councils support/concerns can be recorded/ taken into account.

**Reasons for the decision/recommendation**

The recommendation is to note the consultation response. Due to timescales it was not possible for the draft consultation response to be discussed at this panel.

**Background papers:** None

**Appendices:** Appendix 1 - Submitted consultation response

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## **Appendix 1**

### **Responses to individual questions**

The response to each of the consultation questions is set out below in italics. A brief summary of the key issues raised within the consultation document is also given for context but was not included within the response submitted to government.

#### **Design Codes**

The LURB is seeking to introduce a duty for all local councils to produce a design code for their authority area, either as part of their local plan or as a supplementary plan which will give design codes significant weight when determining planning applications. Applying local design codes to certain permitted development rights could offer certainty to developers about the type of development that is acceptable and provide more local influence to local authorities about the design of new homes in their area. Currently for some permitted development rights there is a prior approval on the ground of design or external appearance which will be assessed on a case-by-case basis. The government is seeking views on whether the terms design or external appearance should be replaced by consideration of design codes where they are in place locally. This would allow for consideration specifically of whether the external appearance of the building meets local design code requirements.

**Q.1 Do you agree that prior approvals for design or external appearance in existing permitted development rights should be replaced by consideration of design codes where they are in place locally?**

- a) Yes**
- b) No**
- c) Don't know**

**Please give your reasons.**

*Yes, it would seem appropriate to include reference to local design codes; however it must be made clear that where these are not in place, design and external appearance are still important considerations.*

**Q.2 Do you think that any of the proposed changes to permitted development rights in relation to design codes could impact on: a) businesses b) local planning authorities c) communities?**

- a) Yes**
- b) No**
- c) Don't know**

**Please give your reasons. It would be helpful if you could specify whether your comments relate to a) business, b) local planning authorities, or c) communities, or a combination.**

*Yes, it could impact upon a, b and c and the impact is likely to be positive as it may enable LPAs to secure a higher quality design for the benefit of businesses and communities. Setting out design expectations would also provide more certainty. Initially it may have negative implications on developers and landowners as more consideration will need to be given to the quality of development.*

### **Supporting housing delivery through change of use permitted development rights**

Class MA allows the change of use from commercial, business and service uses to residential subject to certain limitations and conditions. It currently allows up to 1,500 square metres to change use without full planning permission. It is proposed to increase this.

**Q.3 Do you agree that the permitted development right for the change of use from the Commercial, Business and Service use class (Use Class E) to residential (Class MA of Part 3), should be amended to either:**

- a) Double the floorspace that can change use to 3,000 square metres**
- b) Remove the limit on the amount of floorspace that can change use**
- c) No change**
- d) Don't know**

**Please give your reasons.**

*Norwich City Council objects to doubling the floorspace or removing the limit. Any increase will further undermine our ability to manage the town centre and our local economy. It could deliver more substandard housing whereby we are not able to consider all material planning considerations and it could also significantly reduce the amount of affordable housing and social infrastructure that can be secured on changes of use from a commercial use to residential. Potentially it could mean that large stores could be converted which could erode active frontages on our high streets which in turn could impact upon vitality and vibrancy. It could discourage changes of uses to other beneficial community, business or service uses which would be of detriment to our local economy. Whilst we acknowledge that the amount of town centre uses may need to reduce, this needs to be done in a planned and managed way. The piecemeal loss of town centre uses at ground floor level is likely to result in residential interspersed with town centre uses which will affect the way that our high streets function.*

*Norwich City Council has recently introduced an Article 4 Direction to manage the change of use of certain offices to residential within the city centre. Whilst officers from DLUHC suggested that we should not include offices over 1,500 sqm, we had concerns that developers could convert part of these larger offices to residential or that the threshold set out within the GPDO could change. On this basis larger offices of strategic importance were included in our Direction so whilst we do not support this proposed change, the implications on our Article 4 Direction and the change of use from offices to residential will fortunately be minimal.*

The existing permitted development right requires that the premises be vacant for a continuous period of at least 3 months immediately prior to the date of the application.

**Q.4 Do you agree that the permitted development right (Class MA of Part 3) should be amended to remove the requirement that the premises must be vacant for at least three continuous months immediately prior to the date of the application for prior approval?**

- a) Yes
- b) No
- c) Don't know

**Please give your reasons.**

*No. Norwich City Council does not agree that the right should be amended. Removing the three month period could result in a number of landlords applying for prior approval on sites where there are successful businesses which have no intention of vacating the premises. This could be of significant detriment to Norwich's economy.*

Class MA currently applies in Conservation Areas but not other Article 2(3) land. It is proposed to allow town and village centres within protected landscapes to benefit from the right. Given this does not apply to Norwich, it is not proposed to answer **Q.5.**

In Conservation Areas the LPA can consider the impact of the change of use of the ground floor on the 'character or sustainability of the conservation area'.

**Q.6 Do you think the prior approval that allows for the local consideration of the impacts of the change of use of the ground floor in conservation areas on the character or sustainability of the conservation is working well in practice?**

- a) Yes
- b) No
- c) Don't know

**Please give your reasons.**

**If no, please explain why you don't think the prior approval works in practice?**

*It is important within a historic city centre such as Norwich to be able to consider the impact that the loss of a commercial use at ground floor level would have upon the character and appearance of the conservation area. It is important that piecemeal development does not erode its special character in line with the objectives of the NPPF and local plan policies.*

*Whilst in our experience it is not used that frequently as a reason for refusal, the 'impact on the character of the conservation area' clause has been used to negotiate amendments/withdrawals where it has been considered that the loss of a ground*



*floor retail unit in a shopping street would erode the conservation area's character. Removing this clause would mean that no consideration could be given to the character of the area. An alternative to 'impact on the character of the conservation area' would be a clause requiring consideration of the impact on vitality and viability of a centre. Norwich City Council would support a clause across the board for the consideration of vitality and viability so that the same impacts can be considered inside and outside of conservation areas.*

It is proposed to allow the change of use of hotel, boarding houses or guest house to dwellinghouses.

**Q.7 Do you agree that permitted development rights should support the change of use of hotels, boarding houses or guest houses (Use Class C1) to dwellinghouses?**

- a) Yes
- b) No
- c) Don't know

**Please give your reasons.**

*No, hotels are essential in supporting tourism and leisure in Norwich and the LPA should be able to consider all material planning consideration (including the impact that the loss would have upon the economy) where it is proposed for a hotel to be lost.*

**Q.8 Are there any safeguards or specific matters that should be considered if the change of use of hotels, boarding houses, or guest houses (Use Class C1) to dwellinghouses was supported through permitted development rights?**

- a) Yes
- b) No
- c) Don't know

**Please give your reasons.  
If yes, please specify.**

*Norwich City Council does not agree with permitted development rights for change of use of hotels to residential. If this right were to be introduced, the LPA should be able to consider the impact upon local tourism so a range of tourist accommodation can be retained.*

**Q.9 Do you think that any of the proposed changes in relation to the Class MA permitted development right could impact on: a) businesses b) local planning authorities c) communities?**

- a) Yes
- b) No
- c) Don't know

**Please give your reasons. It would be helpful if you could specify whether your comments relate to a) business, b) local planning authorities, or c) communities, or a combination.**

*Yes, it could have significant impacts upon a), b) and c). It could force some businesses out of premises and the loss of an active frontage could be harmful to other businesses. It could result in the loss of businesses and services for local communities. The proposal will also reduce fee income for LPAs and reduce affordable housing provision to the detriment of communities.*

**Q.10 Do you think that changes to Class MA will lead to the delivery of new homes that would not have been brought forward under a planning application?**

- a) Yes
- b) No
- c) Don't know

**If so, please give your reasons.**

*Yes. Norwich City Council does acknowledge that the proposal may help housing delivery but our concern is that this could be at the expense of the future of our high street. Furthermore, it could lead to residential development in inappropriate places and will result in the loss of affordable housing opportunities for Norwich and other local authorities as the proposed permitted development right will not trigger affordable housing or other section 106 planning gain payments. In our experience the quality of housing in PD residential conversions is also lower than for those which require full planning permission.*

**Betting offices, pay day loan shops, hot food takeaways, launderettes to dwellinghouses and change of use of arcades to dwellinghouses**

Both Class M and N are long standing and subject to a floorspace limit which allows up to 150 square metres to change use to residential. It is proposed to double to 300 square metres or remove the limit.

**Q. 11 Do you agree that the right for the change of use from hot food takeaways, betting offices, pay day loan shops and launderettes (Class M of Part 3) is amended to:**

- a) Double the floorspace that can change use to 300 square metres
- b) Remove the limit on the amount of floorspace that can change use
- c) No change
- d) Don't know

**Please give your reasons.**

*Norwich City Council does not agree with increasing or removing the floorspace limit. These uses all contribute toward the local economy and are often situated within active frontages. The loss of larger units could significantly impact upon the frontage*

*and footfall. Furthermore it could result in more residential development in inappropriate places such as in the late night activity zone where noise could impact upon future resident's living conditions.*

It is proposed that permitted development rights to change launderettes to residential no longer applies.

**Q.12 Do you agree that the existing right (Class M of Part 3) is amended to no longer apply to launderettes?**

- a) Yes
- b) No
- c) Don't know

**Please give your reasons**

*Yes, Norwich City Council agrees. Launderettes can provide a valuable community service.*

**Q. 13 Do you agree that the right for the change of use from amusement arcades and centres, and casinos (Class N of Part 3) is amended to:**

- a) Double the floorspace that can change use to 300 square metres
- b) Remove the limit on the amount of floorspace that can change use
- c) No change
- d) Don't know

**Please give your reasons.**

*Norwich City Council does not agree with increasing or removing the floorspace limit. This use contributes toward the local economy and are often situated within active frontages. The loss of larger units could significantly impact upon the frontage and footfall.*

Class M and N are long standing and apply to buildings that were in the use on 20 March 2013 for Class M or 19 March 2014 for class N. It is proposed to have a two-year rolling requirement which mirrors the approach currently taken for Class MA.

**Q.14 Do you agree that the right (Class M of Part 3) should be amended to replace the existing date on which the building must have been in use as a hot food takeaway, betting office, pay day loan shop or launderette instead to a two-year rolling requirement?**

- a) Yes
- b) No
- c) Don't know

**Please give your reasons.**

*Yes. To make it consistent with Class MA.*

**Q.15 Do you agree that the right (Class N of Part 3) should be amended to replace the existing date on which the building must have been in use as an amusement arcade or centre, or casino instead to two-year rolling requirement?**

- a) Yes
- b) No
- c) Don't know

**Please give your reasons.**

*Yes, to make it consistent with Class MA.*

Class M does not apply to any article 2(3) land while Class N does apply in Conservation areas but not other article 2(3) land.

**Q.16 Do you think that the permitted development right for the change of use from hot food takeaways, betting offices, pay day loan shops and launderette (Class M of Part 3) should apply in other article 2(3) land?**

- a) Yes
- b) No
- c) Don't know

**Please give your reasons.**

*No, Norwich City Council does not agree that Class M should apply in other article 2(3) land.*

**Q.17 Do you think that the permitted development right for the change of use of amusement arcade or centre, or casino (Class N of Part 3) should apply in other excluded article 2(3) land?**

- a) Yes
- b) No
- c) Don't know

**Please give your reasons.**

*This is not applicable to Norwich as we do not have any other article 2(3) land.*

**Q.18 Do you think that any of the proposed changes in relation to the Class M and N permitted development rights could impact on: a) businesses b) local planning authorities c) communities?**

- a) Yes
- b) No
- c) Don't know

**Please give your reasons. It would be helpful if you could specify whether your comments relate to a) business, b) local planning authorities, or c) communities, or a combination.**

*Yes potentially to a), b) and c).*

**Q.19 Do you think that changes to Class M and N will lead to the delivery of new homes that would not have been brought forward under a planning application?**

- a) Yes
- b) No
- c) Don't know

**If so, please give your reasons.**

*Yes potentially but the numbers are likely to be minimal.*

**Commercial, Business and Service, betting office or pay day loan shop to mixed use residential (Class G)**

Class G allows floorspace above many commercial premises to change to up to two flats subject to consideration of the impact of noise on potential residents.

**Q.20 Do you agree that the right (Class G of Part 3) is expanded to allow for mixed use residential above other existing uses?**

- a) Yes
- b) No
- c) Don't know

**Please give your reasons.**

**If yes, please say which uses the right might apply to and give your reasons.**

*Yes. Where it will provide acceptable living conditions Norwich City Council supports the use of upper floors for residential. We would however not support the change of use above hot food takeaways, restaurants, bars, nightclubs, taxi offices, amusement arcades and casinos as these uses tend to attract late night noise which could have significant amenity implications for future residents.*

**Q.21 Do you agree that the number of flats that may be delivered under the right (Class G of Part 3) is doubled from two to four?**

- a) Yes
- b) No
- c) Don't know

**Please give your reasons.**

*No. Although Norwich City Council supports the use of upper floors for residential, these types of proposals are often complicated due to the sharing of entrances and outside space with the commercial unit below. Increasing the number of flats to four would be more complex and would benefit from a full planning application to ensure that living conditions are acceptable for future residents without affecting the operation of the business at ground floor level.*

Class H provides for change of use from a mixed use residential to a Commercial, Business and Service use, betting office or pay day loan shop. If Class G is amended to apply to other uses then it is proposed to amend Class H to make sure the two rights align.

**Q.22 Do you agree that the permitted development right (Class H of Part 3) is amended to align with any changes made to the uses to which Class G of Part 3 applies?**

- a) Yes
- b) No
- c) Don't know

**Please give your reasons.**

*Yes to ensure consistency.*

**Q.23 Do you think that any of the proposed changes in relation to the Class G and H permitted development rights could impact on: a) businesses b) local planning authorities c) communities?**

- a) Yes
- b) No
- c) Don't know

**Please give your reasons. It would be helpful if you could specify whether your comments relate to a) business, b) local planning authorities, or c) communities, or a combination.**

*In order to avoid unacceptable impacts on communities (from poor living conditions) and on business (residential neighbours in inappropriate locations) the number of residential units needs to be limited and should not apply to units that attract late night noise as set out in questions 20 & 21.*

**Q.24 Do you think that changes to Class G will lead to the delivery of new homes that would not have been brought forward under a planning application?**

- a) Yes
- b) No
- c) Don't know

**If so, please give your reasons.**

*Yes potentially but the numbers are likely to be minimal.*

#### **Agricultural buildings to dwellinghouses (Class Q)**

**Q25 – 42** relate to the change of use of agricultural buildings to dwellinghouses. This is not applicable to Norwich so we have not responded to any of these questions.

#### **Agricultural buildings to a flexible commercial use (Class R)**

**Q43-50** relate to agricultural diversification. Whilst the provision of commercial, business and service uses in rural areas may not be sequentially preferable and has the potential to impact upon town centre uses, the direct impact upon Norwich City Centre and our district and local centres is likely to be minimal. It is acknowledged that these proposals would also have the benefit of supporting Norfolk's rural economy. Therefore, it was not considered necessary to respond to each of these questions; however it is proposed to submit the following comment.

*Whilst agricultural diversification will not directly impact upon Norwich, it may have some indirect impacts upon our city centre and district centres and could encourage unsustainable transport patterns.*

#### **Agricultural development**

**Q51-56** relate to the extension and alternation of agricultural buildings. This is not applicable to Norwich so we have not responded to any of these questions.

#### **Supporting businesses and high streets through greater flexibilities**

This permitted development right allows for the extension or alteration of commercial, business and service establishments.

On article 2(3) land the gross floorspace of the original building cannot increase by 25% or 50 square metres (whichever is the lesser). In any other case, the gross floorspace of the original building cannot increase by 50% or 100 square metres (whichever is the lesser). It is proposed to increase this for non protected areas but it is not proposed to make changes to article 2(3) land.

**Q.57 Do you agree that the maximum floorspace limit for the extension or alteration to a Commercial, Business and Service establishment on non-**

**protected land is increased to either 200 square metres or a 100% increase over the original building, whichever is lesser?**

- a) Yes
- b) No
- c) Don't know

**Please give your reasons.**

*Yes. Norwich City Council would support this increase provided it does not apply on article 2(3) land.*

Class H allows for the erection, extension, or alteration of industrial buildings (Use Class B2) or warehouse (Use Class B8). Currently where a new building is on article 2(3) land a new building cannot exceed 100 square metres. In all other cases the gross floorspace of a new building cannot exceed 200 square metres.

**Q.58 Do you agree that the maximum floorspace of a new industrial and/or warehousing building on non-protected land permitted under the Part 7 Class H permitted development right be amended to 400 square metres?**

- a) Yes
- b) No
- c) Don't know

**Please give your reasons.**

*No. Norwich City Council does not support this increase. In a tight urban area such as Norwich these types of extensions could have significant impacts on neighbours and would also have design and transport implications which should be assessed under a full planning application.*

The same permitted development right also provides for significant extensions to existing warehouses or industrial buildings. On article 2(3) land 500 sq m or 10% (whichever is the lesser) and in other cases up to 1,000 sq m or 50% (whichever is the lesser).

**Q.59 Do you agree that the maximum floorspace of a new industrial and/or warehousing extension on non-protected land be increased to either 1,500 square metres or a 75% increase over the original building, whichever is lesser.**

- a) Yes
- b) No
- c) Don't know

**Please give your reasons.**

*No. Norwich City Council does not support this increase. In a tight urban area such as Norwich these types of extensions could have significant impacts on neighbours*



*and would also have design and transport implications which should be assessed under a full planning application.*

**Q.60 Do you think that any of the proposed changes in relation to the Part 7 permitted development rights could impact on: a) businesses b) local planning authorities c) communities?**

- a) Yes
- b) No
- c) Don't know

**Please give your reasons. It would be helpful if you could specify whether your comments relate to a) business, b) local planning authorities, or c) communities, or a combination.**

*The proposed changes could have significant implications on a), b) and c). Whilst it is likely to have a positive impact upon businesses, the impact on residents in terms of amenity and transport could be significantly detrimental.*

Existing PD rights allow for the temporary use of land for any purpose for up to 28 days per calendar year, of which up to 14 days can be used for markets, motor car and motorcycle racing.

**Q.61 Do you agree that the permitted development right for the temporary use of land should be amended so that markets can operate either:**

- a) 28 days per calendar year (in line with other uses permitted under the right)
- b) A different number of days per calendar year
- c) No change
- d) Don't know

**Please give your reasons. If you have chosen a different number of days per calendar year, please specify what number of days the right should provide for?**

*Norwich City Council would support increasing the number of days to 28 days per calendar year in line with other uses permitted under the right.*

**Q.62 Do you think that any of the proposed changes in relation to the Part 4 permitted development rights could impact on: a) businesses b) local planning authorities c) communities?**

- a) Yes
- b) No
- c) Don't know

**Please give your reasons. It would be helpful if you could specify whether your comments relate to a) business, b) local planning authorities, or c) communities, or a combination.**

*Yes the changes have the potential of a), b) and c). In particular it could adversely impact upon existing market stall holders.*

### **Ensuring the sufficient capacity of open prisons**

**Q63-64** relate to open prisons. There are no open prisons within Norwich City Council's administrative area so it is not considered necessary to respond to these question.

### **Public Sector Equality Duty**

Q.66 Do you think that the changes proposed in this consultation could give rise to any impacts on people who share a protected characteristic? (Age; Disability; Gender Reassignment; Pregnancy and Maternity; Race; Religion or Belief; Sex; and Sexual Orientation).

- a) Yes
- b) No
- c) Don't know

Please give your reasons

*Yes potentially the loss of town centre uses could negatively impact upon those of certain age or those with disabilities as they may need to travel further to access shops and services.*

### **Call for evidence – nature-based solutions, farm efficiency projects and diversification**

**Q67-74** relate to natural based solutions (ponds, wetlands, reservoirs e.g. for peat re-wetting and other engineering works). The term applies to projects seeking to use, manage, change or restore an area of land to address environmental issues such as nutrient pollution, flooding, plant pest or disease impacts, climate change or biodiversity loss. Whilst it is not considered necessary to respond to the questions, the following comments have been sent:

*Norwich City Council is unlikely to have significant Nature Based solutions (although we could have a series of smaller ones). Therefore, we do not feel it appropriate to respond to all the questions within the section but would like to make the following comments:*

- *Creating new permitted development rights may have an impact on the environment and those impacts may not be understood or assessed if the development is not covered by other assessment or permitting methods outside of the planning process.*
- *Consideration should be given to including conditions in any new PD right that only allows development subject to acceptable environmental assessments. Alternatively, developments could be required to obtain prior approval.*
- *There is however concern that this could create a vicious circle of requiring environmental assessments for projects that are being put in place as a result of other environmental assessments (e.g. creation of a wetland to mitigation*

*nutrient neutrality impacts identified through an HRA). This issue has already been recognised in relation to BNG, where projects implemented to achieve BNG for development are themselves not subject to BNG assessment.*

**Q75-88** relate to farm efficiency and farm diversification. This is not applicable to Norwich, so no response has been provided.