

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

## Consultation response pro forma

Thank you for responding to the consultation. Online responses via Survey Monkey at <https://www.surveymonkey.co.uk/r/PlanCon18> are particularly welcomed. If you are responding by email or in writing, please reply using this pro forma, which should be read alongside the consultation document at <https://www.gov.uk/government/consultations/planning-reform-supporting-the-high-street-and-increasing-the-delivery-of-new-homes>. You are able to expand the comments box should you need more space. Required fields are indicated with an asterix(\*). You may respond to one or more of the respective parts of the consultation.

The consultation document and consultation process have been planned to adhere to the Consultation Principles issued by the Cabinet Office. Information provided in response to this consultation, including personal data, may be published or disclosed in accordance with the access to information regimes. The Ministry of Housing, Communities and Local Government will process your personal data in accordance with the law and in the majority of circumstances this will mean that your personal data will not be disclosed to third parties. Further information is included at Annex A and a full privacy notice is included at Annex B.

The completed pro forma should be returned to:  
[planningconsultation2018@communities.gov.uk](mailto:planningconsultation2018@communities.gov.uk)

Or posted to:

Planning Consultation  
Planning Development Management Division  
Ministry of Housing, Communities and Local Government  
3<sup>rd</sup> floor, North East  
Fry Building  
2 Marsham Street  
London  
SW1P 4DF

**The consultation runs from 29 October 2018 and closes at 23.45 on 14 January 2019**

### Your details

First name*	
Family name (surname)*	

Title	
Address	
City/Town*	
Postal Code*	
Telephone Number	
Email Address*	

Are the views expressed on this consultation your own personal views or an official response from an organisation you represent?\*

**Please select an option from this drop down menu**

If you are responding on behalf of an organisation, please select the option which best describes your organisation.\*

**Please select an option from this drop down menu**

If you selected other, please state the type of organisation

Click here to enter text.

Please provide the name of the organisation (if applicable)

Click here to enter text.

# Part 1: Permitted development rights and use classes

## 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)?

**Please select an answer from this drop down menu**

Click here to enter text.

**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)?

**Please select an answer from this drop down menu**

Click here to enter text.

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

**Please select an answer from this drop down menu**

Click here to enter text.

**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?

**Please select an answer from this drop down menu**

Click here to enter text.

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

**Please select an answer from this drop down menu**

Click here to enter text.

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

**Please select an answer from this drop down menu**

Click here to enter text.

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

**Please select an answer from this drop down menu**

Click here to enter text.

**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?  
Please give your reasons.

**Please select an answer from this drop down menu**

Click here to enter text.

**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?

**Please select an answer from this drop down menu**

Click here to enter text.

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

**Please select an answer from this drop down menu**

Click here to enter text.

**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?

**Please select an answer from this drop down menu**

Click here to enter text.

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

**Please select an answer from this drop down menu**

Click here to enter text.

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

Click here to enter text.

**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?

**Please select an answer from this drop down menu**

Click here to enter text.

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

**Please select an answer from this drop down menu**

Click here to enter text.

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

**Please select an answer from this drop down menu**

Click here to enter text.

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

**Please select an answer from this drop down menu**

Click here to enter text.

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

**Please select an answer from this drop down menu**

Click here to enter text.

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

**Please select an answer from this drop down menu**

Click here to enter text.

**Question 1.20:** Should a permitted development right also allow for the upward extension of a dwelling for the enlargement of an existing home?

**Please select an answer from this drop down menu**

If so, what considerations should apply?

Click here to enter text.

**The permitted development right to install public call boxes, and associated advertisement consent**

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

**Please select an answer from this drop down menu**

Click here to enter text.

**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?

**Please select an answer from this drop down menu**

Click here to enter text.

**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 dwellinghouse?

**Please select an answer from this drop down menu**

Click here to enter text.

**Making permanent two time-limited permitted development rights**

**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?

**Please select an answer from this drop down menu**

Click here to enter text.

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

**Please select an answer from this drop down menu**

Click here to enter text.

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

**Please select an answer from this drop down menu**

Click here to enter text.

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

**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?

**Please select an answer from this drop down menu**

Click here to enter text.

**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?

Click here to enter text.

**Impact assessment**

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

**Please select an answer from this drop down menu**

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

Click here to enter text.

ii. Introducing a new right to extend existing buildings upwards to create additional new homes



Click here to enter text.

iii. Removing permitted development rights and advertisement consent in respect of public call boxes (telephone kiosks)

Click here to enter text.

iv. Increasing the height limits for electric vehicle charging points in off-street parking spaces

Click here to enter text.

v. Making permanent the right for the change of use from storage to residential

Click here to enter text.

vi. Making permanent the right for larger extensions to dwellinghouses

Click here to enter text.

### **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?

**Please select an answer from this drop down menu**

What evidence do you have on these matters?

Click here to enter text.

Is there anything that could be done to mitigate any impact identified?

Click here to enter text.

## Part 2. Disposal of local authority land

**Question 2.1:** Do you think that the threshold for the existing general consent for the disposal of land held for purposes other than planning or housing at undervalue (under section 123 of the Local Government Act 1972) should:

- a. remain at the current level?
- b. be increased?
- c. be removed completely?

**Please select an answer from this drop down menu**

Please give your reasons.

Click here to enter text.

**Question 2.2:** If you consider it should be increased, do you think the new threshold should be:

- a. £5 million or less?
- b. £10 million or less?
- c. other threshold? (please state level)

**Please select an answer from this drop down menu**

Please give your reasons.

Click here to enter text.

**Question 2.3:** Do you agree that the Secretary of State should issue a new general consent under section 233 of the Town and Country Planning Act 1990 for the disposal of land held for planning purposes?

**Please select an answer from this drop down menu**

Please give your reasons.

Click here to enter text.

**Question 2.4:** If yes, do you think any new general consent should apply to:

- a. disposals at an undervalue of £2 million or less?
- b. disposals at an undervalue of £5 million or less?
- c. disposals at an undervalue of £10 million or less?
- d. disposals at some other undervalue threshold? (please state level)

e. all disposals regardless of the undervalue?

**Please select an answer from this drop down menu**

Please give your reasons.

Click here to enter text.

**Question 2.5:** Do you agree that the economic, social or environmental well-being criteria which apply to the existing general consent should also apply to any new general consent for the disposal of land held for planning purposes?

**Please select an answer from this drop down menu**

Click here to enter text.

**Question 2.6:** Do you have any additional comments about the current system governing disposals of land at an undervalue by local authorities, and our proposals to amend it?

**Please select an answer from this drop down menu**

Click here to enter text.

**Question 2.7:** Do you consider that the current £10m threshold contained in the general consent governing disposals by the Greater London Authority remains appropriate?

**Please select an answer from this drop down menu**

Please give your reasons.

Click here to enter text.

**Question 2.8:** If you consider the current threshold is no longer appropriate, or that the limit should be removed completely, please specify what you think the alternative should be and give reasons.

Click here to enter text.

## Public sector equality duty

**Question 2.9:** Do you have any views about the implications of our proposed changes on people with protected characteristics as defined in the Equality Act 2010?

**Please select an answer from this drop down menu**

What evidence do you have on these matters?

Click here to enter text.

Is there anything that could be done to mitigate any impact identified?

Click here to enter text.

## Part 3. Canal & River Trust: Draft listed building consent order

**Question 3.1:** Do you agree that the types of work set out in paragraph 3.8 should be granted a general listed building consent?

**Please select an answer from this drop down menu**

Please give your reasons.

Click here to enter text.

**Question 3.2:** Do you agree that the safeguards mentioned included in the order are appropriate?

**Please select an answer from this drop down menu**

Please give your reasons.

Click here to enter text.

**Question 3.3:** Do you consider that any additional safeguards are required?

**Please select an answer from this drop down menu**

Please provide details.

Click here to enter text.

### Public sector equality duty

**Question 3.4:** Do you have any views about the implications of our proposed changes on people with protected characteristics as defined in the Equality Act 2010?

**Please select an answer from this drop down menu**

What evidence do you have on these matters?

Click here to enter text.

Is there anything that could be done to mitigate any impact identified?

Click here to enter text.

# Part 4. New town development corporations: Draft compulsory purchase guidance

**Question 4.1:** Do you have any comments on the draft text at Annex D of the consultation document?

**Please select an answer from this drop down menu**

Click here to enter text.

## Public sector equality duty

**Question 4.2:** Do you have any views about the implications of the proposed guidance on people with protected characteristics as defined in the Equality Act 2010?

**Please select an answer from this drop down menu**

What evidence do you have on these matters?

Click here to enter text.

Is there anything that could be done to mitigate any impact identified?

Click here to enter text.

# About this consultation

This consultation document and consultation process have been planned to adhere to the Consultation Principles issued by the Cabinet Office.

Representative groups are asked to give a summary of the people and organisations they represent, and where relevant who else they have consulted in reaching their conclusions when they respond.

Information provided in response to this consultation, including personal data, may be published or disclosed in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 (FOIA), the Data Protection Act 2018 (DPA), and the Environmental Information Regulations 2004).

If you want the information that you provide to be treated as confidential, please be aware that, as a public authority, the Department is bound by the Freedom of Information Act and may therefore be obliged to disclose all or some of the information you provide. In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Department.

The Ministry of Housing, Communities and Local Government will process your personal data in accordance with the law and in the majority of circumstances this will mean that your personal data will not be disclosed to third parties. A full privacy notice is included at Annex B.

Individual responses will not be acknowledged unless specifically requested.

Your opinions are valuable to us. Thank you for taking the time to read this document and respond.

Are you satisfied that this consultation has followed the Consultation Principles? If not or you have any other observations about how we can improve the process please contact us via the [complaints procedure](#).



# Privacy notice

## Personal data

The following is to explain your rights and give you the information you are entitled to under the Data Protection Act 2018.

Note that this section only refers to your personal data (your name address and anything that could be used to identify you personally) not the content of your response to the consultation.

### **1. The identity of the data controller and contact details of our Data Protection Officer**

The Ministry of Housing, Communities and Local Government (MHCLG) is the data controller. The Data Protection Officer can be contacted at [dataprotection@communities.gov.uk](mailto:dataprotection@communities.gov.uk)

### **2. Why we are collecting your personal data**

Your personal data is being collected as an essential part of the consultation process, so that we can contact you regarding your response and for statistical purposes. We may also use it to contact you about related matters.

### **3. Our legal basis for processing your personal data**

The Data Protection Act 2018 states that, as a government department, MHCLG may process personal data as necessary for the effective performance of a task carried out in the public interest, i.e. a consultation.

### **3. With whom we will be sharing your personal data**

Your personal data will not be shared with any organisation outside of MHCLG.

### **4. For how long we will keep your personal data, or criteria used to determine the retention period.**

Your personal data will be held for two years from the closure of the consultation.

### **5. Your rights, e.g. access, rectification, erasure**

The data we are collecting is your personal data, and you have considerable say over what happens to it. You have the right:

- a. to see what data we have about you
- b. to ask us to stop using your data, but keep it on record
- c. to ask to have all or some of your data deleted or corrected
- d. to lodge a complaint with the independent Information Commissioner (ICO) if you think we are not handling your data fairly or in accordance with the law. You can contact the ICO at <https://ico.org.uk/>, or telephone 0303 123 1113.

- 6.** The Data you provide directly will be stored by Survey Monkey on their servers in the United States. We have taken all necessary precautions to ensure that your rights in terms of data protection will not be compromised by this.
- 7.** Your personal data will not be used for any automated decision making.
- 8.** Your personal data will moved from Survey Monkey 6 months from the date the consultation closes and stored in a secure government IT system.