



Public Service and Permitted Development Consultation
Ministry of Housing, Communities and Local Government
Planning Directorate
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By email to:

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Dear MHCLG

Supporting housing delivery and public service infrastructure. Consultation response.

Cambridge Past, Present & Future is Cambridge's largest civic society. We are a charity run by local people who are passionate about where they live. We operate in the greater Cambridge area and working with our members, supporters and volunteers we:

- Are dedicated to protecting and enhancing the green setting of Cambridge for people and nature.
- Care about Cambridge and are an independent voice for quality of life in the strategic planning of Greater Cambridge.
- Are working to protect, celebrate and improve the important built heritage of the Cambridge area.
- Own and care for green spaces and historic buildings in and around the city for people and nature, including Wandlebury Country Park, Coton Countryside Reserve, Cambridge Leper Chapel & Barnwell Meadows, Bourn Windmill and Hinxtton Watermill.

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

Q1 Do you agree that there should be no size limit on the buildings that could benefit from the new permitted development right to change use from Commercial, Business and Service (Class E) to residential (C3)? Please give your reasons.

No. Cambridge PPF objects to this change to permitted development rights in principle. See answer to question 5 below.

Q2.1 Do you agree that the right should not apply in areas of outstanding natural beauty, the Broads, National Parks, areas specified by the Secretary of State for the purposes of section 41(3) of the Wildlife and Countryside Act 1981, and World Heritage Sites? Please give your reasons.

Yes. It should also not apply everywhere else as well.

Q2.2 Do you agree that the right should apply in conservation areas? Please give your reasons.

No. Special care needs to be taken to protect the character of Conservation Areas which would be particularly vulnerable to random changes of use.

Q2.3 Do you agree that, in conservation areas only, the right should allow for prior approval of the impact of the loss of ground floor use to residential? Please give your reasons.

If this permitted development right is granted, prior approval of the impact of the loss of ground floor use to residential should be required in all cases, not just in conservation areas. It should assess the impact on the cohesion of the shopping street and the impact of any random changes on the attractiveness of the remaining shops and service uses in the immediate area. In the case of local service uses (nurseries, health facilities and indoor sports facilities) the impact of the loss of the facility on the convenience of the local community and the adequate provision of similar services within a reasonable distance should also be subject to prior approval.

Q3.1 Do you agree that in managing the impact of the proposal, the matters set out in paragraph 21 of the consultation document should be considered in a prior approval? Please give your reasons.

Q3.1. Yes.

Q3.2 Are there any other planning matters that should be considered? Please specify.

The following should also require prior approval:

- The impact of the change on the cohesion of the shopping street and on the attractiveness and viability of retail and service premises in the vicinity.
- Residential accommodation should meet nationally described space standards.
- Impact on privacy and overlooking of neighbouring properties.
- Design of any changes to the external appearance of the building.
- Satisfactory provision of storage for waste, recycling and bikes.
- In the case of service uses (nurseries, health facilities and indoor sports facilities) the impact of the loss of the facility on the convenience of the local community and the adequate provision of similar services within a reasonable distance (say 1 km in rural areas or 0.5 km in urban areas).

Q4.1 Do you agree that the proposed new permitted development right to change use from Commercial, Business and Service (Class E) to residential should attract a fee per dwellinghouse? Please give your reasons.

Yes. The prior approval process would still involve significant administrative cost to the local authority.

Q4.2 If you agree there should be a fee per dwellinghouse, should this be set at £96 per dwellinghouse? Please give your reasons.

No. The fee should be the same as for a change of use application.

Q5. Do you have any other comments on the proposed right for the change of use from Commercial, Business and Service use class to residential? Please specify.

Cambridge PPF strongly opposes this proposed change to permitted development rights in principle because of the harm that it would do to high streets and town centres. Although high streets and town centres will inevitably need to adjust and in some cases contract in response to changes in shopping and leisure habits, this needs to be done in a planned and curated way by local communities through their local planning and management policies, not by allowing the market to decide in a random and potentially counterproductive manner. The changes to permitted development rights proposed in this consultation would effectively prevent local planning authorities from planning positively and creatively to facilitate change and adaptation of town centres and local high streets. Local shops and facilities in high value residential areas could be particularly vulnerable, and this would be wholly counterproductive at a time when 'shopping local' is becoming increasingly important. Loss of local shops would lead to an increase in car dependency, and travel

to more distant shops and would in turn lead to higher carbon emissions, worsening congestion and greater inequality. It is certainly desirable to bring more residential use into town centres, and this has long been an objective of urban renewal policies. But in areas where residential values often outweigh the value of other uses (such as in the greater Cambridge area) there is a danger that this change would permanently destroy the essential local function of town centres and local high streets. By including local facilities such as nurseries and health facilities in Class E, there is also a danger of these valuable facilities being lost in high value residential areas over time, never to be replaced. Paragraph 5 of your consultation refers to the need to creating 'quality residential development', but your suggested criteria for prior approval omit most recognised quality standards. The omission of design as a matter for prior approval goes against the recommendations of your own 'Building Better Building Beautiful' Commission.

Public Sector Equality Duty Assessment and impact assessment

6.1 Do you think that the proposed right for the change of use from the Commercial, Business and Service use class to residential could impact on businesses, communities, or local planning authorities? If so, please give your reasons.

Yes. It would have a negative impact on business, communities and local planning authorities. A random and unmanaged fragmentation of the high street would have a negative impact on surrounding businesses and lead to a less attractive and viable town centre or local shopping parade. Communities could also suffer through loss of valuable local health, nursery and indoor sports facilities. The local planning authority would lose its ability to plan positively and creatively for facilitating change and adaptation of town centres and high streets to respond to changing shopping and leisure habits. Changes to residential use would be irreversible, so any flexibility offered is only one way, leading to loss of potentially valuable mixed uses. However, it would of course benefit property owners who are seeking the highest value for their property.

Q6.2 Do you think that the proposed right for the change of use from the Commercial, Business and Service use class to residential could give rise to any impacts on people who share a protected characteristic? If so, please give your reasons.

Yes. Loss of local shops and services would have a negative impact on the elderly and people with poor mobility and people on low incomes who are unable to afford to travel to town centres.

2.Supporting public service infrastructure through the planning system.

Q7.1 Do you agree that the right for schools, colleges and universities, and hospitals be amended to allow for development which is not greater than 25% of the footprint, or up to 250 square metres of the current buildings on the site at the time the legislation is brought into force, whichever is the greater? Please give your reasons.

Yes, but only if subject to prior approval of design, especially in conservation areas.

Q7.2 Do you agree that the right be amended to allow the height limit to be raised from 5 metres to 6? Please give your reasons.

Q7.2. Yes. This would allow for a two-storey building with generous floor to ceiling heights.

Q7.3 Is there any evidence to support an increase above 6 metres? Please specify.

Q7.3. No. Any meaningful increase would have to be up to 9 metres to allow for three storey, which would have an impact on the surrounding area and therefore should be subject to the planning process.

Q7.4 Do you agree that prisons should benefit from the same right to expand or add additional buildings? Please give your reasons.

Yes. Any measures that help improve the poor state of the prison estate are to be welcomed.

Q8. Do you have any other comments about the permitted development rights for schools, colleges, universities, hospitals and prisons? Please specify.

Any permitted development should require prior approval of design, particularly in conservation areas.

Q9.1 Do you think that the proposed amendments to the right in relation to schools, colleges and universities, and hospitals could impact on businesses, communities, or local planning authorities? If so, please give your reasons.

No.

Q9.2 Do you think that the proposed amendments to the right in relation to schools, colleges and universities, and hospitals could give rise to any impacts on people who share a protected characteristic? If so, please give your reasons.

No.

Q10.1 Do you think that the proposed amendment to allow prisons to benefit from the right could impact on businesses, communities, or local planning authorities? If so, please give your reasons.

No.

Q10.2 Do you think that the proposed amendment in respect of prisons could give rise to any impacts on people who share a protected characteristic? If so, please give your reasons

No.

A faster planning application process for public service developments

Q11 Do you agree that the new public service application process, as set out in paragraphs 43 and 44 of the consultation document, should only apply to major development (which are not EIA developments)? Please give your reasons.

Yes.

Q12 Do you agree the modified process should apply to hospitals, schools and further education colleges, and prisons, young offenders' institutions, and other criminal justice accommodation? If not, please give your reasons as well as any suggested alternatives.

Yes. But this should be limited to those buildings which genuinely provide public benefit (eg not businesses running private educational institutions).

Q13 Do you agree the determination period for applications falling within the scope of the modified process should be reduced to 10 weeks? Please give your reasons.

No. These are complex applications and the existing 13 week period is more appropriate.

Q14. Do you agree the minimum consultation/publicity period should be reduced to 14 days? Please give your reasons.

No. 14 days is too short for consultation on such major proposals, and the existing 21-day period should be retained. 14 days is the length of the average annual holiday, so people could be denied the opportunity to

provide evidence simply because they are away on holiday. There would also be a risk of unscrupulous people submitting applications that coincide with holiday periods in order to evade scrutiny.

Q15 Do you agree the Secretary of State should be notified when a valid planning application is first submitted to a local planning authority and when the authority it anticipates making a decision? Please give your reasons.

No. This adds unnecessary bureaucracy to already overworked and understaffed local planning authorities.

Other matters

Q16 Do you agree that the policy in paragraph 94 of the NPPF should be extended to require local planning authorities to engage proactively to resolve key planning issues of other public service infrastructure projects before applications are submitted? Please give your reasons.

Yes. However, proactive planning requires resources in people and skills, and this needs to be reflected in enhanced budgets for local planning authorities.

Q17.1 Do you have any comments on the other matters set out in this consultation document, including post-permission matters, guidance and planning fees? Please specify.

The best way of dealing with major development applications is through an agreed Planning Performance Agreement with a fee set to cover the costs to the local planning authority.

We are concerned about the potential broadening of PDR for land/properties within conservation areas. In legislation, this land generally receives exemptions from PDR and, therefore, greater protections, for valid reasons to 'preserve or enhance' the special architectural or historic interest of the conservation area. We do not support a review of the legislation leading to widening of the PDR to include land within conservation areas.

We welcome renewed emphasis on effective pre-app engagement, but such engagement is not just internal discussions between the applicant, statutory consultees and the local authority. For major developments it must involve the local community. We understand the Government's ambitions and expectations that 'many of these developments will have already been subject to extensive prior engagement with the local community' (Para. 63) but genuine engagement does not always happen .

Q17.2 Do you have any other suggestions on how these priority public service infrastructure projects should be prioritised within the planning system? Please specify.

Planning Departments in England have had their budgets cut by 42% over the last ten years, and the best way to prioritise all major development applications would be to restore the cuts and improve investment in skills and technology.

Q18 Do you think that the proposed amendments to the planning applications process for public service infrastructure projects could give rise to any impacts on people who share a protected characteristic? If so, please give your reasons.

No.

Q19.1 Do you agree with the broad approach to be applied to the review and update of existing permitted development rights in respect of categories 1,2 and 3 outlined in paragraph 76 of the consultation document? Please give your reasons.

No comment.

Q19.2 Are there any additional issues that we should consider? Please specify.

No comment.

Q20 Do you agree that uses, such as betting shops and pay day loan shops, that are currently able to change use to a use now within the Commercial, Business and Service use class should be able to change use to any use within that class? Please give your reasons.

Yes.

Q21 Do you agree the broad approach to be applied in respect of category 4 outlined in paragraph 76 of the consultation document? Please give your reasons.

No comment.

Q22 Do you have any other comments about the consolidation and simplification of existing permitted development rights? Please specify.

No.

I trust that you will take our comments into consideration.

Yours sincerely



James Littlewood

Chief Executive