

HIGHBURY GROUP ON HOUSING DELIVERY.

STATEMENT ON DCLG PROPOSAL TO EXTEND PERMITTED DEVELOPMENT RIGHTS

The Highbury Group comprises an independent group of specialists from public, private and independent sectors with a membership drawn from housing, planning and related professions. It offers advice and makes representations to Government and other agencies on a variety of subjects, including responses to the changes in the economic and funding climate, with the aim of maintaining and increasing the output of housing, including high quality affordable housing. (See footnote for membership and objectives).

The group supports measures which contribute to the delivery of the group's objectives, which focus on the provision of good quality affordable housing. While the group welcomes the intention of the Government's proposal to allow conversion of commercial to residential dwellings to be treated as permitted development, we have a number of concerns that the outcome may not meet the government's objectives.

1. It is a key function of Local Planning Authorities within the planning system to determine whether an individual site is appropriate for a specific land use. Such a determination should be based on an assessment of the demand and supply for competing land uses, and an assessment of a site in relation to context, adjacent uses, transport access and related infrastructure. In the case of residential provision there are a range of requirements in terms of access to public transport, social infrastructure such as education, health and leisure facilities and shops. Sites which have been in commercial use may not meet these criteria. Moreover commercial and residential development may have very different impacts on the neighbourhood in which a development is located. These are not just limited to transport, highway, hazard, flood risk and land contamination issues which can be considered by the LPA in the prior approval process.

2. The introduction of permitted development rights for commercial conversions to housing will encourage developers to bring forward not just vacant and underused sites but also sites in effective use, as the values of residential development are likely to exceed the values of commercial development. This creates the risk that areas which are currently mixed use and provide significant employment capacity will shift to becoming dominated by residential development. This has negative consequences for small

businesses and will reduce employment capacity. By removing employment capacity from residential areas, there will be an increased separation of functions which increases travel to work. It is recognised that in some areas there will be a concentration of vacant or underused commercial buildings suitable for conversion to residential use. It is however more sensible for the LPA to plan such changes of use through its plan-making powers and its development management powers rather than this to happen in an unplanned way through a permitted development regime. It is understandable why a number of LPAs have applied for specific areas to be exempted from the extension of the permitted development regime as it allows them to be selective as to the areas of types of provision for which they support conversions.

3. The proposals will not necessarily generate more affordable homes. As conversion schemes within the existing structure of a building will not require planning consent, the LPA will be unable to apply planning conditions or negotiate a s106 agreement in relation to the provision of affordable housing or in relation to an appropriate mix of bedroom sizes or tenures. Moreover as schemes will not be subject to a planning application, minimum standards beyond building control requirements, for example the minimum space standards adopted in the 2011 London plan, will not apply. Whereas conversions may be technically eligible for CIL, the CIL rate will be zero where there is no addition to floorspace. Consequently there will be no funding available to meet the infrastructure requirement, including public transport requirements, of new residents.

4. In conclusion the proposals should be withdrawn. Instead, LPAs should be required to keep under review whether there is a potential for vacant and underutilised commercial premises to be converted for residential use, and where such potential is identified, modify both planning policy, development site briefs and development practice to support appropriate conversions. In cases where a more liberalised regime is considered justified and without negative impacts, an LPA can introduce a selective and targeted permitted development regime through a Local Development Order.

Footnote

The Highbury Group is an independent group of specialists from public, private and independent sectors from housing, planning and related professions which prepares proposals for Government and other agencies on maintaining and expanding the output of housing including affordable housing.

The group was established in 2008. It comprises the following core members: Duncan Bowie - University of Westminster (convener); Stephen Ashworth – SRN Denton ; Julia Atkins - London Metropolitan University; Bob Colenutt - Northampton Institute for Urban Affairs ; Kathleen Dunmore - Three Dragons ; Michael Edwards - Bartlett School of Planning, UCL; Deborah Garvie - SHELTER ; Stephen Hill - C20 Futureplanners ; Roy Hind - Bedfordshire Pilgrims HA ; Angela Housham - consultant ; Andy von Bradsky - PRP ; Seema Manchanda - L B Wandsworth; Tony Manzi - University of Westminster; James Stevens - Home Builders Federation ; Peter Studdert – planning consultant ; Janet Sutherland - JTP Cities; Paul Watt - Birkbeck College ; Nicholas Falk- URBED; Richard Donnell – Hometrack; Pete Redman – Housing Futures; Richard Simmons - consultant; Eric Sorensen- consultant; Pippa Read – National Housing Federation; Roger Jarman- housing consultant; Stephen Battersby – Pro-Housing Alliance..

The views and recommendations of the Highbury Group as set out in this and other papers are ones reached collectively through debate and reflect the balance of member views. They do not necessarily represent those of individual members or of their employer organisations. .

The key purpose of the group is to promote policies and delivery mechanisms, which

- * increase the overall supply of housing in line with need
- * ensure that the supply of both existing and new housing in all tenures is of good quality and affordable by households on middle and lower incomes
- * support the most effective use of both existing stock and new supply
- * ensure that housing is properly supported by accessible infrastructure, facilities and employment opportunities

Contact: Duncan Bowie
Convener, Highbury group on housing delivery
University of Westminster
d.bowie@westminster.ac.uk
Tel 020 7911 5000 x3462