
**GOVERNMENT CONSULTATION REGARDING EXTENSION OF PERMITTED
DEVELOPMENT RIGHTS**

Purpose of the report

1. The purpose of this report is to agree a response to a Government consultation exercise concerning the proposed extension of planning permitted development rights for various categories of land use. Permitted development rights make it possible to build certain types of development without the need for planning permission. The categories of land use that this proposal relates to include householder, industrial, office, shops and telecommunication (broadband) equipment all of which enjoy certain permitted development rights already. The relevant consultation paper has been provided to Members for consideration in advance of the meeting.

Background

2. The Government states that its proposed changes are intended to make it cheaper and easier to create new development, resulting in financial savings, bringing forward proposals that would otherwise be delayed or overlooked and providing a boost to the construction industry and economic growth in general. The change is proposed on a temporary basis and would require changes to be in place within a 3 year period (5 years for broadband related equipment). A summary of the proposed changes to permitted development allowances is provided below:-
 - (a) Household extensions – Doubling the allowance for the depth of single storey rear extensions outside Conservation Areas from 4 to 8 metres for detached houses and from 3 to 6 metres for other houses. Also considering whether it is possible to make it easier to convert garages to habitable rooms.
 - (b) Shops, professional services and offices – doubling the allowance for the size of extension outside Conservation Areas from 50 to 100 square metres (up to non-residential boundaries in the case of shops and professional services) providing no more than 50% of the original gross floor area.
 - (c) Industry – doubling the allowance for the size of new building that could be constructed within the curtilage of existing industrial premises to a maximum of 200square metres in ‘non-protected’ areas providing no more than 50% of the original gross floor area.
 - (d) Broadband Installation - Removing prior approval requirements for the installation of fixed electronic equipment such as cabinets, telegraph poles and overhead lines within ‘protected’ areas e.g. Conservation Areas and National Parks.

Planning Issues

Extension Householder permitted development rights:-

3. The benefits of relaxing planning requirements may not outweigh potential disbenefits. The saved planning fee (£150) is small fraction of the overall project cost. It may still be necessary for applicants to produce drawings and so the cost involved with this would not be saved.
4. It is not always possible to predict which sort of proposals will prove contentious. There is the potential that the increased allowance may lead to more controversial developments going ahead, that would cause harm to the privacy and outlook of neighbouring residents and unwelcome shading of neighbouring property. The proposals would also discriminate against aggrieved neighbours outside Conservation Areas.
5. The planning process rarely results in the refusal of permission but often results in making proposals more acceptable to all parties including neighbours following a degree of negotiation. We have not received any complaints about the planning application process holding up development.
6. The proposed implementation period of 3 years also raises concern that failure to complete within this time may lead to an increase in enforcement related complaints.
7. With regard to garage conversions, this is already possible without the need for planning permission unless a condition was specifically imposed preventing this at the time planning permission was granted for the original dwelling. There are not considered to be any advantages of relaxing this procedure any further.

Commercial/industrial permitted development rights

8. Where the site is not adjacent to a residential property the proposed changes may not be controversial. However it would remain possible to construct up to 2 metres from a residential boundary (5 metres in the case of an industrial development). This could mean that the proposed relaxation of planning control over these uses would still result in adverse effects on the privacy, light and outlook enjoyed by neighbouring residents. In any case with less control over design it raises concerns about undesirable visual and noise impacts.

Broadband equipment

9. At present it is possible to install various broadband related equipment outside protected areas such as Conservation Areas without the need for planning permission. Within these areas it is necessary to screen such development to decide whether its appearance and siting needs prior approval. It is considered that the degree of impact this type of development may have will depend on exactly what is being proposed along with the sensitivity of the Conservation Area in question. What is acceptable in one area may not be in another and it is therefore

considered appropriate to retain the current system of prior approval screening for developments of this nature.

Conclusion

10. Whilst it is understood that the proposed relaxation of planning controls will allow development to proceed sooner and potentially with some cost savings to developers in terms of professional fees and plan preparation, it is considered that this does not outweigh the importance of the Local Planning Authority being able to retain control of the design of the developments in question in the interests of living and working conditions of neighbours. The proposed implementation deadline also raises concerns that this will lead to pressure on the Council's enforcement service.
11. The planning process is not considered to be so costly, onerous and lengthy that it acts as a disincentive to developers bringing forward their proposals especially where local planning authorities such as Darlington are proactive and prepared to work with developers to secure good quality results on the ground.

Recommendation

12. Members agree that the considerations in this report are reflected within a consultation response to the Government.

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