

## Response ID ANON-UT5F-QY78-W

Submitted to **Technical Consultation on the Consequential Changes to the Permitted Development Rights**  
Submitted on **2021-05-26 11:32:22**

### Introduction

**Name:**

**Name:**

Marj Powner

**Email address:**

**Email:**

friendsofcarringtonmoss@gmail.com

**What is the type of organisation that you work for?**

Community group, including residents' associations

**If other please specify::**

**If applicable, what is the name of your organisation?**

**Organisation:**

Friends of Carrington Moss

**What is your position in the organisation?**

**What is your position in the organisation?:**

Chair

### Personal Data

**I confirm that I have read, understand and agree to the above**

Yes

### Privacy notice

**I confirm that I have read, understand and agree to the above**

Yes

### Q1) Minor technical changes

**Q1. Do you have any comments on the proposed minor technical changes?**

Yes

**Please give your comments::**

If these changes go ahead, how can sustainable communities be delivered when individual developers have the ability to make changes that could result in:

- Increased traffic (and, therefore, more air and noise pollution and the resulting health impacts), which is incompatible with the need to reduce carbon emissions
- Overloaded waste systems (which again could impact health) and increased carbon emissions from both the development itself and, possibly, from the change of use, again incompatible with the need to reduce carbon emissions and to build zero-carbon places
- Quality and/or health and safety issues (we already know that some developers cannot be trusted to deliver high quality when they are looking for low cost, we have had so many scandals, cladding, rooms without windows, inappropriate leasing arrangements, to name just a few). Furthermore, there is a high risk in some areas that such development could increase flooding (including surface water flooding)
- An imbalance of uses in an area (too much of one type of development, too few of another) or size issues (huge developments in the wrong place)
- Inequitable access to amenities, such as schools, medical care, and/or public transport
- Contradictions with the local plan, which has been democratically developed. The criteria by which prior approval is granted do not refer to the local plan criteria
- Finally, as these changes may impact the local environment, they are incompatible with the Aarhus Convention.

### Q2) Part 3, Class A

**Q 2(a) Do you agree that there should be single Part 3 right to allow the change of use from:(m) casino (Classes C, K (part), (n) betting office (Classes C, E, F J (part), JA)(o) pay day loan shop (Classes C, E, F, J (part), JA)(r) hot food takeaway (Class A)to the Commercial Business and Service use class?**

No

**Please give your reasons::**

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**Q 2(b) If there is agreed to be a single right, do you agree that this single right should not be subject to any limitations, such as a size limit, or exclusions for listed buildings etc?**

No

**Please give your reasons::**

See response to Q2(a)

**Q 2(c) If there is agreed to be a single right, do you agree that this single right should not be subject to conditions, such as matters for prior approval in respect of restaurants or other uses?**

No

**Please give your reasons::**

See response to Q2(a)

**Q 2(d) Given the flexibility to move within the use Commercial, Business and Service use class, do you agree that any single consolidated right should not provide an exclusion in respect of offices in article 2 (3) land?**

Don't know

**Please give your reasons::**

Terribly worded question! See response to Q2(a)

### **Q3) Part 3, Class G**

**Q3. Do you agree that the existing Class G right of Part 3 should be broadened to allow for up to 2 flats above (mixed use) any premises in the Commercial, Business and Service use class?**

No

**Please give your reasons::**

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### **Q4) Part 3, Class H**

**Q4. Do you agree that the Class H right of Part 3 be amended to allow change of use from 2 flats mixed use with Commercial, Business Service use to Commercial, Business Service use?**

No

**Please give your reasons::**

If these changes go ahead, how can sustainable communities be delivered when individual developers have the ability to make changes that could result in:

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**Q5) Part 3, Class I**

**Q5. Do you agree that the Class I right of Part 3 for the change of use from industrial, or storage and distribution, to light industrial use is withdrawn?**

No

**Please give your reasons::**

If these changes go ahead, how can sustainable communities be delivered when individual developers have the ability to make changes that could result in:

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**Q6) Part 3, Class J**

**Q 6(a) Do you agree that permitted development rights are amended to no longer allow the change of use to uses from the former D2 Assembly and leisure use class?**

Don't know

**Please give your reasons:**

If these changes go ahead, how can sustainable communities be delivered when individual developers have the ability to make changes that could result in:

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**Q 6(b) Do you agree that the Class J Part 3 right that provides for the change of use of retail uses, betting office or pay day loan shop to the former D2 assembly and leisure use class is withdrawn?**

Don't know

**Please give your reasons::**

See response to Q6(a)

### **Q7) Part 3, Class K**

**Q7. Do you agree that the Class K Part 3 right that provides for the change of use of casinos to the former D2 assembly and leisure use class is withdrawn?**

Don't know

**Please give your reasons:**

If these changes go ahead, how can sustainable communities be delivered when individual developers have the ability to make changes that could result in:

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### **Q8) Part 3, Class M**

**Q 8(a) Do you agree that the Class M right of Part 3 be amended to continue to allow the change of use from a hot food takeaway, betting office, pay day loan shop, or launderette to residential C3 use?**

Don't know

**Please give your reasons:**

If these changes go ahead, how can sustainable communities be delivered when individual developers have the ability to make changes that could result in:

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**Q 8(b) Do you agree that the Class M right of Part 3 should allow for prior approval on the adequate provision of local services as a launderette?**

Don't know

**Please give your reasons::**

See response to Q8(a) above

### **Q9) Part 3, Class R**

**Q 9(a) Do you agree that the Class R right of Part 3 should be amended to expand the flexible use of agricultural buildings to include the Commercial Business and service use class?**

No

**Please give your reasons:**

If these changes go ahead, how can sustainable communities be delivered when individual developers have the ability to make changes that could result in:

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**Q 9(b) Do you agree that the Class R right of Part 3 should be amended to no longer allow the flexible use of agricultural buildings for those uses within the former D2 assembly and leisure use class?**

Don't know

**Please give your reasons::**

See response to Q9(a) above

### **Q10) Part 3, Class S**

**Q10. Do you agree that the Class S right of Part 3 is amended to allow only for the change of use of an agricultural building to a state funded school?**

Don't know

**Please give your reasons::**

If these changes go ahead, how can sustainable communities be delivered when individual developers have the ability to make changes that could result in:

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### **Q11) Part 3, Class T**

**Q 11(a) Do you agree that the Class T right of Part 3 is amended to allow the change of use to a state funded school, and no longer allow the change of use to a registered nursery?**

Don't know

**Please give your reasons::**

If these changes go ahead, how can sustainable communities be delivered when individual developers have the ability to make changes that could result in:

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**Q 11(b) Do you agree that the Class T right of Part 3 be amended to additionally allow for the change of use from the Commercial, Business and Service use class to a state funded school?**

Don't know

**Please give your reasons::**

See response to Q11(a) above

**Q 11(c) Do you agree that the Class T right of Part 3 be amended to no longer allow for the change of use from uses in the former D2 assembly and leisure use classes, such as cinemas and live music venues, and from the F2 use class?**

Don't know

**Please give your reasons::**

See response to Q11(a) above

## Q12) Part 4, Class C

**Q 12(a) Do you agree that the Class C right of Part 4 be amended to no longer allow for the change of use from uses now within the Local Community (F2) use class?**

Don't know

**Please give your reasons:**

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**Q 12(b) Do you agree that the permitted development right is amended to no longer allow the change of use from uses within the former D2 Assembly and leisure use class?**

Don't know

**Please give your reasons::**

See response 12(a) above

## Q13) Part 4, Class CA

**Q13(a) Do you agree that the Class CA right of Part 4 be amended to additionally allow for the change of use from vacant land within the Commercial, Business and Service use class?**

No

**Please give your reasons::**

If these changes go ahead, how can sustainable communities be delivered when individual developers have the ability to make changes that could result in:

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**Q 13(b) Do you agree that the Class CA right of Part 4 be amended to no longer allow for the change of use from vacant land uses in the former D2 assembly and leisure use classes, such as cinemas and live music venues, and in the Local Community F2 use class?**

Don't know

**Please give your reasons::**

See response to Q13(a) above

## Q14) Part 4, Class D

**Q14. Do you agree that the Class D right of Part 4 is amended to allow the temporary change of use? From: the Commercial, Business and Service use class (E), and specified article 3 (6) uses: hot food takeaway (r), betting office (n) and pay day loan shop (o) To: Another Commercial, Business and Service use class (E) use, or specified F1 Learning and non-residential institutions uses: display of art (b), museum (c), public library (d), public hall or exhibition hall (e)**

Don't know

**Please give your reasons:**

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#### **Q15) Part 7, Class A**

**Q 15(a) Do you agree that a single Part 7 right, merging Classes A and F, allow for the extension or alteration of buildings in the Commercial Business and Service use class?**

No

**Please give your reasons::**

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**Q 15(b) Where a single right is introduced, do you further agree that the Part 7 right allow for ground floor extensions only: no higher than 4 metres, or within 2 metres of boundary?**

Don't know

**Please give your reasons::**

See response 15(a) above

#### **Q16) Part 7, Class E**

**Q 16(a) Do you agree that a single Part 7 right merges Classes E and G, and which is broadened to allow for hard surfaces for premises in the Commercial Business and Service use class?**

Don't know

**Please give your reasons:**

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**Q 16(b) Do you agree that the single Part 7 right also allow for hard surfaces for a public house, wine bar or other drinking establishments, drinking establishment with expanded food provision, and hot food takeaways listed in article 3 (6)?**

Don't know

**Please give your reasons::**

See response 16(a) above

## **Q17) Further Comments**

### **Q17. Do you have any further comments you wish to make?**

Yes

**If so, please note any comments here::**

We would like to express our deepest concerns regarding the proposed further extension of Permitted Development Rights, which will transfer yet more power to developers, allowing them to redesign our neighbourhoods WITHOUT any democratic input, WITHOUT providing any contribution to infrastructure and WITHOUT delivering any affordable homes (when changing use to dwellings).

We disagree with the approach to the consolidation and simplification of existing permitted development rights and would like this response to be recorded accordingly.

Whilst we do understand the desire to speed up changes of use opportunities, we do not agree that communities and their representatives should be totally removed from the process. There are ways that speed and democracy can be achieved together. As just one example, Citizens' Advocates can be appointed to act on behalf of residents within the process alongside local planning departments. Together, these individuals can fast track simple change of use applications to ensure they fit with local requirements.

This approach would enable infrastructure contributions and affordable homes to be incorporated within planning agreements and ensure that the unintended consequences of PDR are avoided as much as is possible.

## **Qs 18 & 19) Public Sector Equality Duty Assessment and Impact Assessment**

### **Q18. Do you think that any of the proposed changes could impact on:**

a) businesses, b) communities, c) local planning authorities

**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 and which right or rights they particularly relate to.:**

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### **Q19. Do you think that any of the proposed changes 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).**

Yes

**If so, please give details and specify which right/s any comment relates to: :**

In addition to negatively impacting communities in general, as set out in our responses above, we believe this change will also disproportionately impact vulnerable people, including those who share protected characteristics, whose voices are often unheard in the planning ecosystem and whose neighbourhoods may be most at risk of such changes of use being implemented.