

Additional Flexibilities to Support Housing Delivery, The Agricultural Sector, Businesses, High Streets and Open Prisons; And a Call for Evidence on Nature-based Solutions, Farm Efficiency Projects and Diversification

DLUHC Consultation

September 2023

About Us

The Heritage Alliance is England's largest coalition of independent heritage interests. We unite more than 200 organisations which together have over seven million members, volunteers, trustees and staff. Most of England's historic environment is owned, managed, or cared for by Heritage Alliance members. This response has been prepared in collaboration with the Alliance's Spatial Planning Advocacy Group.

General Comments

The Heritage Alliance believes that both nationally designated and local heritage is at potential risk from the impact of works that may be allowed under government proposals to extend permitted development rights (PDR). Our heritage is not only important to people and places, but it is irreplaceable, and this is underlined by the National Planning Policy Framework (NPPF para 184) as well as elsewhere in the NPPF:

"These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations."

PDR can be a useful tool to remove the need to apply for planning permission where applications relate to minor or uncontroversial developments or changes associated with an existing development. PDR can also help to remove unnecessary applications for planning permission from the system, reducing burdens on applicants and planning authorities. Where heritage is at risk, the best-practice solution is usually adaptation to a new use which will ensure its long-term sustainability. We are supportive of this in principle, but conversion needs to be careful and sympathetic to prevent harm outweighing the benefits.

There remains scope for PDRs to bring about loss or damage to nationally important but undesignated heritage and wider damage to the historic environment generally. In cases where there are known heritage assets, it is usually appropriate to protect these through exemptions from PDR, and even where there are currently no known assets, PDR may need to be subject to general conditions. The historic environment should not be seen as a series of point designations of protected sites such as scheduled monuments or listed buildings or protected areas (World Heritage Sites, Conservation Areas, AONBs, National Parks, and Registered Parks and Gardens or Registered Battlefields) – but as a continuum across England. The Alliance is concerned that insufficient consideration has been given to the protection of heritage assets in this consultation and in the Government’s general approach to expanding PDR.

Our members hold differing views on some points related to permitted development, and on prior approval schemes. The extension of any PD right to Article 2(3) land is particularly controversial. Many oppose this on the basis that protected land requires additional oversight, and that (as set out in para 7 and 8 of the NPPF) individual economic interests should not outweigh social and environmental objectives. Other Heritage Alliance members are supportive of the extension of Class Q in particular, on the basis that traditional agricultural buildings are particularly vulnerable to loss through dereliction and are not all eligible for funding from Agri-environment schemes. There is, however, a strong consensus that any PDR requires robust safeguards in place to ensure the historic environment is not inadvertently damaged. Significant heritage assets may lie outside protected areas and not be covered by designations - these assets are at particular risk if PDRs are not managed carefully.

We recognise the pressures on the current planning consents system due to inadequate resourcing in local planning authorities, and the difficulties this can cause owners and managers of historic and traditional buildings, and buildings in protected areas. However, increasing the scope of PDRs is not the best means of enabling the delivery of new homes or flexibility for business diversification, and it can result in damage to assets due to a lack of oversight. It is therefore vital that planning decisions that could harm the historic and natural environment are overseen by local decision makers with appropriate expertise and regard for the local impacts.

We call for Local Planning Authorities to be supported with ring-fenced investment for archaeological and conservation teams which have experienced a devastating decline, and targeted investment in heritage skills and training to build resilience within LPAs. Hypothecating the increased income from recent rises to planning fees to ensure that LPAs are adequately resourced would improve the efficacy of this system without reducing safeguards by introducing new PDRs.

We support the statutory requirement for local authorities to provide historic environment services and Historic Environment Records, and the interim protection of assets under consideration for designation as further practical steps to prevent unintended damage. We also support the use of prior approvals to provide additional safeguards to any new PDRs. This should include an assessment of the local Historic Environment Record (HER) at an early stage, which will give the applicant assurance about historic environment issues that might affect their proposals, de-risk the application and provide more certainty. The sector is now working to develop the Culture and Heritage Capital approach, which the government should continue to champion to ensure future local and national planning decisions are better informed.

In general, the Heritage Alliance supports a full review of Permitted Development Rights in the place of piecemeal amendments to the current system. A full review would ensure the process is delivering quality homes and businesses whilst maintaining vital protections. We welcome the recent announcement of a full public consultation on demolition PDRs and advise that any proposals in this consultation not be acted on before that consultation is complete. Demolition and rebuild over repair are a needless waste of embodied carbon and poses a threat to undesignated heritage assets which have potential for reuse. A full review of PDRs would allow for an assessment of the environmental, social and economic impacts of other PDRs which have not adequately been assessed since their introduction.

Consultation Questions

Design codes

Q.1 Do you agree that prior approvals for design or external appearance in existing permitted development rights should be replaced by consideration of design codes where they are in place locally?

We have a number of questions about how design codes would be implemented in practice. It is unclear how communities will have a say over Design Codes, and what these codes will cover. Community should be at the heart of this, but equally expertise needs to translate these

voices into the technical code itself. The consultation also does not set out how design codes will be enforced and by whom in an already stretched LPA system. Lastly we would seek further detail on how prescriptive design codes would be, and their relative weighting in planning decision making processes.

Design codes can play a valuable role in the appearance of new development, however the level of detail needed to determine whether an alteration to an existing building is appropriate is unlikely to be covered in a one-size-fits-all design code. It is unlikely to consider subtle but important differences in materials or architectural detailing between different styles of building. Design is best judged at a very local level by someone with specialist knowledge in order to avoid detrimental impact on the appearance of existing areas.

Some recent design codes may be consistent with the principles set out in the National Design Guide (NDG) and National Model Design Code and which reflect local character and design preferences. However, Local Plans prepared before the NDG was published are unlikely to have well defined design codes, even if there is an indication of the development types expected in Site Allocations. Design codes are still very much in their infancy, with very few as yet in place, certainly at LPA-wide level. It would be premature to put too much weight on them in decision-making at this stage.

Q.2 Do you think that any of the proposed changes to permitted development rights in relation to design codes could impact on: a) businesses b) local planning authorities c) communities?

Yes, particularly communities as it could impact on the ability for councils to provide community assets and amenities. PDRs can create a disconnect between communities and Local Authorities and weaken local democracy through removing options to participate in the decision-making process. Communities could be adversely affected by permitted developments that suit businesses but do not deliver the type and affordability of additional homes that are required locally. There is also a danger that local character will be eroded through the loss of distinctive details not captured in design codes, running counter to the Government's desire to drive up the visual quality of new building work. Local planning authorities who do not yet have a Local Plan which incorporates the National Design Code could be prevented from conducting effective town centre management, and permitted development does not guarantee any contributions for social infrastructure, transport and other facilities.

Q.3 Do you agree that the permitted development right for the change of use from the Commercial, Business and Service use class (Use Class E) to residential (Class MA of Part 3), should be amended to either:

Double the floorspace that can change use to 3,000 square metres
Remove the limit on the amount of floorspace that can change use

No change

Don't know

This change of use PD right already allows significant change. Raising the limit risks a lack of proper amenity in these areas or reintroduction of residential living into commercial areas that may not be appropriate. Where commercial businesses are successful but not as profitable as residential buildings, this could result in an imbalance between the provision of amenities and homes.

High streets are already in decline and the extension of such a right could further deplete the viability of vibrant and characterful town centres. London has already lost 1.6 million square feet of office space to permitted development, increasing the unaffordability of office space, forcing businesses to move and eroding third spaces in town centres. Several office conversions to residential have resulted in single aspect flats with ventilation problems due to the large floor plans of commercial, business and Service use buildings.

The quantity of additional homes achieved by conversion should not be a priority over the housing standards and quality of life of people living in them. Doubling the eligible floorspace could have a drastic effect on LPAs' ability to plan and regenerate their high streets and town centres by allowing the conversion of large department stores and hotels and have a deadening effect on local economies.

Q.4 Do you agree that the permitted development right (Class MA of Part 3) should be amended to remove the requirement that the premises must be vacant for at least three continuous months immediately prior to the date of the application for prior approval?

No. The vacancy requirement helps ensure that commercial uses prevail where there is demand for them. Further enabling residential uses will not sustain communities as vibrant, varied, sustainable and appealing places to work, live and visit. These changes will further undermine local democracy and LPA decision making based on local need. The role of high streets in placemaking, wellbeing, community-building, tourism, and health would be severely eroded by the reduced footfall and community engagement opportunities that business and service uses can provide. The high street is the historic heart of towns and villages, whose character would be irreparably damaged by conversion to residential use.

Q.5 Do you think that the permitted development right (Class MA of Part 3) should apply in other excluded article 2(3) land?

No. Planning applications in these sensitive protected areas currently allow for more scrutiny which preserves specific characteristics and ensures that local communities have a stronger say in these distinctive places. AONBs and protected landscapes are often tourist hubs which would benefit from a diverse mix of commercial, residential and leisure use. The existing planning system has, however, evolved to balance competing interests and already effectively ensures that different use classes are appropriately located. We support a balanced approach which ensures that careful planning supports economic vitality whilst mediating against intensive development or over-tourism of protected areas. There is a risk that unrestricted change of use in such areas will exacerbate issues with second homes and holiday lets. We would urge caution and question the reasoning of excluding World Heritage Sites from this proposal whilst including Conservation Areas, AONBs and National Parks. On balance there does not appear to be sufficient benefits set out to mitigate the potential risks of this change.

Q.6 Do you think the prior approval that allows for the local consideration of the impacts of the change of use of the ground floor in conservation areas on the character or sustainability of the conservation is working well in practice?

Yes. There are over one million empty and unused homes in England, and it is important to understand how to bring these empty homes back into use without undermining protected areas. The design of buildings in conservation areas is an aspect of their designation and existing ground floor non-residential uses have distinct and appropriate facades. Many would not be suitable for the front of a home and too often there would be inadequate natural light into the dwelling – this prior approval accounts for these types of issues.

Q.7 Do you agree that permitted development rights should support the change of use of hotels, boarding houses or guest houses (Use Class C1) to dwellinghouses?

No. Hotels, boarding houses and guest houses are often heritage assets of local, regional or national value and support local tourism - an important part of many local economies. By allowing hotels to change to residential use without proper planning consideration of the issue would risk turning many settlements into solely residential use - threatening other businesses such as independent shops, pubs and coffee shops that benefit from tourism trade. These changes could bring about significant changes in places that rely on tourism for local jobs and secondary spend.

This proposal also has strong potential to divert pressures into short-term holiday letting which is displacing permanent housing in London and other areas with high demand for tourist accommodation. The issue of short-let housing/tourist accommodation has proved to be highly destabilising within local communities and severely undermines the achievement of

annual housing targets, although these substantial “losses” have not yet been factored into evidence of housing delivery.

Q.8 Are there any safeguards or specific matters that should be considered if the change of use of hotels, boarding houses or guest houses (Use Class C1) to dwellinghouses was supported through permitted development rights?

Yes. If this change was implemented there should be a requirement to demonstrate how the change of use will be delivered in practical terms and on an appropriate scale. There could be a set maximum number of units or floor space converted under this PDR. Larger conversions with greater impacts on other amenities and town planning would require the consideration of the LPA. The cultural and historic significance of the built environment should not be overlooked, and should be appropriately safeguarded in any change, as set out in the NPPF.

Q.9 Do you think that any of the proposed changes in relation to the Class MA permitted development right could impact on: a) businesses b) local planning authorities c) communities?

Yes. It will have an impact on placemaking, social cohesion, and community building. There is: a) a risk of driving out viable small businesses, b) a risk of reducing LPA capacity to deliver a balanced built environment responding to community need, c) a risk of upsetting the balance of small settlements without consideration of the overall impact. Mass change to residential is furthermore likely to increase car use by requiring people to travel further from their homes for local services, so the environmental impact should also be considered.

Q.10 Do you think that changes to Class MA will lead to the delivery of new homes that would not have been brought forward under a planning application?

No. It is unlikely given that LPAs are already capable of approving change of use in areas where tourism is in decline and vacant hotel and guest houses can be converted into residential homes.

Agricultural Buildings to Dwellinghouses

Q.25 Do you agree that the smaller and larger home size limits within the agricultural buildings to dwellinghouses right (Class Q of Part 3) should be replaced with a single maximum floorspace limit of either:

100 square metres per dwellinghouse

150 square metres per dwellinghouse

No change

Don't know

Small dwelling units are in demand in rural areas, so retaining a low floorspace limit will ensure greater affordability in residential developments.

Q.26 Do you agree that an overall limit on the amount of floorspace that can change use, set at 1,000 square metres, should be introduced for the agricultural buildings to dwellinghouses right (Class Q of Part 3)?

We support overall limits on floorspace and making the rights in Class Q of Part 3 and its constraints simpler would be a positive step. However, we have concerns about the scale of a 1000 square metre limit which could lead to inappropriately large developments which could have significant impacts on local character, buried archaeological heritage assets and on the setting of designated heritage buildings. Ensuring that nearby services and infrastructure can cope with additional residents is a careful balancing act. A large increase in the number of conversions undertaken without planning scrutiny could result in a significant loss of traditional character and local amenity in the countryside. In cases where this scale of development is appropriate, LPAs should approve this decision.

Q.27 Do you agree that the 5-home limit within the agricultural buildings to dwellinghouses right (Class Q of Part 3) should be increased to allow up to a total of 10 homes to be delivered within an agricultural unit?

Doubling the limit will double the impact on amenity, visual setting, services, and the environment that these residents will bring. At minimum we would welcome a new prior approval process to ensure that developments are proportional and that services/infrastructure in the surrounding area can cope.

Q.28 Do you agree that the permitted development right for the change of use from agricultural buildings to residential use (Class Q of Part 3) should be amended to allow for an extension to be erected as part of the change of use on previously developed land?

Allowing a small extension as part of change of use could allow for better quality residential properties in some cases but would need multiple safeguards to ensure that this right is not abused, and damage is not caused. Many farm buildings are traditional in character and allowing extensions across a whole elevation could severely affect the traditional character of the building, the farmstead and the wider area. The current system in which the LPA are able

to consider the impact of the proposal and reject inappropriate proposals is an effective means of preventing such damage. At minimum we would welcome a new prior approval process to ensure that alterations are appropriate in scale and character for a traditional building.

Q.29 Do you agree that a prior approval be introduced, allowing for the consideration of the impacts of an extension on the amenity of neighbouring premises, including overlooking, privacy and light?

Prior approval would mitigate some of the harms of the impacts of such an extension. This is an appropriate safeguard which would ensure the PDR had a net positive benefit for all involved. We would additionally recommend prior approval for consideration on impacts on the historic environment.

Q.30 Do you agree that buildings should have an existing floorspace of at least 37 square meters to benefit from the right?

Yes. We are supportive of agricultural buildings being brought back into use to benefit the rural economy and its population, but the quality of any resulting dwellings must be assured. This PDR should have safeguards to ensure that it is used appropriately, and minimum existing floorspace is an important means of restricting developments to an appropriate size.

Q.31 Do you think that the permitted development right for the change of use from agricultural buildings to residential use (Part 3 Class Q) should be amended to apply in other article 2(3) land?

Conversion of agricultural buildings is acceptable in many instances but could cause significant damage to our remaining agricultural heritage particularly in protected areas. Over half of our traditional agricultural buildings have already been lost, and a great number of those surviving are undesignated but nevertheless important historic buildings and remnants of our agricultural heritage. This proposal runs counter to the Government's long-standing commitment to the protection of land and buildings covered by Article 2 (3), and the principle of protected land being subject to additional considerations of environmental, social, and economic impacts.

These existing safeguards do not prevent development in Article 2(3) land, and there are many cases where developments and conversions are appropriate, sensitive, and beneficial to the community and the character of the area – such conversions should still be supported and permitted to ensure the long-term sustainability of the rural built environment. However, LPAs should retain the powers to act in the long-term interests of protected land, and both local

voices and the historic and natural environments should be properly considered as part of that process.

Some Heritage Alliance members are supportive of this extension of Class Q, on the basis that in some cases planning consent is very difficult or lengthy to secure in protected land which can prevent the reuse of traditional agricultural buildings. LPAs should therefore be better equipped to evaluate the merits as well as demerits of re-use on a case-by-case basis and the Alliance encourages local plans, and AONB management plans to consider policies which encourage appropriate changes of use. Above all, however, it is vital that a nuanced approach continues and Class Q is not watered down into a crude permitted development scheme which grants consent automatically.

If Class Q is extended to protected areas, it is vital that the specific safeguards listed in the consultation document remain in place. At minimum we would call for a new prior approval process to ensure that any conversions have minimal impact on settings in protected areas, and that planning officers with conservation and archaeology expertise are consulted in these decisions. On balance a majority of Heritage Alliance members oppose this measure.

Q.32 Do you agree that the right be amended to apply to other buildings on agricultural units that may not have been solely used for agricultural purposes?

As in our answer to Q31, The Heritage Alliance acknowledges that allowing rural buildings to change and adapt for long term sustainable use can support the diversification of rural businesses and unlock the potential of the rural economy. However, such adaptations, if appropriate, would currently be permitted within the oversight of the existing planning regulations.

Q.35 Do you agree that the right be amended to apply to agricultural buildings that are no longer part of an agricultural unit?

Whilst ongoing viable use helps to support the potential of the rural economy, current planning regulations do not prevent sensitive and appropriate developments. As set out above, a great number of traditional agricultural buildings are unlisted and many have already been lost. Buildings which do not form part of an agricultural unit should logically be treated on a level playing field with other countryside buildings. A prior approval process could also provide an appropriate safeguard.

Q.36 Do you agree that any existing building must already have an existing suitable access to a public highway to benefit from the right?

Yes. Highway safety is an important consideration which ensures that local services and infrastructure can cope with new developments. Developments which would require the expansion or creation of new public highways should be subject to further scrutiny as part of the planning process.

Q.37 Do you have a view on whether any changes are required to the scope of the building operations permitted by the right?

Yes. All PDRs should evaluate impacts on heritage and the environment. The scope should be reduced to exclude alterations which can damage the character of traditional buildings such as the addition of inappropriate windows, doors and walling and roofing materials.

Q.38 Do you have a view on whether the current planning practice guidance in respect of the change of use of agricultural buildings to residential use should be amended?

We support the approach to managing change set out in Historic England's 2017 guidance on adapting traditional farm buildings

[\(https://historicengland.org.uk/images-books/publications/adapting-traditional-farm-buildings/heag158-adapting-traditional-farm-buildings/\)](https://historicengland.org.uk/images-books/publications/adapting-traditional-farm-buildings/heag158-adapting-traditional-farm-buildings/)

Q.39 Do you agree that permitted development rights should support the change of use of buildings in other predominantly rural uses to residential?

No. On balance we determine the planning process to be the best way to determine suitability of such changes. The rural economy also needs more than residential buildings to thrive; a focus on residential change of use throughout this consultation overlooks the importance of business and leisure amenities to create communities with real opportunities to live and work..

Q.40 Are there any safeguards or specific matters that should be considered if the right is extended to apply to buildings in other predominantly rural uses?

Yes. All PDRs should evaluate impacts on heritage and the environment. A prior approval process could also provide an appropriate safeguard.

Q.41 Do you think that any of the proposed changes in relation to the Class Q permitted development right could impact on: a) businesses b) local planning authorities c) communities?

Yes. Traditional agricultural buildings are by far the most numerous types of historic structure in the countryside. They are a fundamental and ubiquitous feature in the rural environment

and help to define its character and historic interest and provide an important contribution to a sense of place for rural communities and visitors alike.

As part of the fabric of our finest landscapes, these buildings provide a substantive asset for the tourist industry, which is now a mainstay of many rural economies. Investment in the maintenance and restoration of agricultural buildings has been a mainstay of Agri-environment schemes since their inception, and evaluations of the effectiveness have shown positive social, economic and environmental impacts on the countryside and local economies[2],[1]. This research also showed that uncontrolled conversion of these buildings to residential dwellings can significantly damage the flow of ecosystem services and their benefits to society.

Half of our traditional agricultural buildings have already been lost to dereliction and there are still hundreds of thousands under threat which have been made redundant because of agricultural change and livestock-welfare regulation. The best solution to maintain them is usually via Agri-environment schemes which provide vital capital and maintenance costs. Class Q sets out an appropriate alternative means of bringing these vulnerable buildings back into viable use. Its restrictions ensure that the viability of these conversions is balanced with the protection of the natural and historic environment.

As set out in our opening statement, our members hold differing views on some aspects of permitted development, and some are in favour of the potential benefits it could bring to local businesses and rural prosperity. There is a consensus that major changes to planning regulations could put the historic environment at risk if appropriate safeguards are not in place, and that some existing PDRs – such as those permitting demolition – already do pose an unnecessary threat to undesignated heritage assets.

Q.42 Do you think that changes to Class Q will lead to the delivery of new homes that would not have been brought forward under a planning application?

Yes, but it is unlikely to deliver the right homes in the right places. The location and distribution of farm buildings are not directly related to the need for modern housing, and determination of whether they are suitable for domestic conversion should be taken on a case-by-case basis. New homes delivered under expansion of Class Q will potentially be at the expense of the unique character and environment of rural areas. They are more likely to lack amenity, and not provide affordable options for local residents.

Supporting the agricultural sector through additional flexibilities

Q.43 Do you agree that permitted development rights should support the change of use of other buildings in a predominantly rural land use to a flexible commercial use?

No. Diversified rural businesses can stimulate the rural economy and provide opportunities for business and leisure for local people and visitors. Adapting rural buildings for commercial purposes can help to support this, however large and prominent buildings ought to require planning permission in the interests of protecting the appearance of the rural landscape. A prior approval process could provide an alternative safeguard to mitigate this.

Q.44 Do you agree that the right be amended to allow for buildings and land within its curtilage to be used for outdoor sports, recreation, or fitness?

No. Sporting facilities are likely to be large and/or prominently located. It is appropriate for planning permission to be required to protect rural landscapes. A prior approval process could provide an alternative safeguard to mitigate this.

Q.46 Should the right allow for the change of uses to any other flexible commercial uses?

No. Change of use consents can help to manage change in a way that delivers sustainable development. Hypothecating the increased income from recent rises to planning fees to ensure that LPAs were adequately resourced would improve the efficacy of this system without reducing safeguards by introducing new PDRs.

Q.48 Do you agree that the right be amended to increase the total amount of floorspace that can change to 1,000 square metres?

No. In principle allowing for a mix of permitted uses adds flexibility and supports a diverse and vibrant rural economy. However, 1000sqm is a large area of development and LPAs are best placed to confirm the suitability of such developments. A prior approval process could provide an alternative safeguard to mitigate this.

Q.50 Do you think that any of the proposed changes in relation to the Class R permitted development right could impact on: a) businesses b) local planning authorities c) communities?

Yes. The planning system allows businesses to operate efficiently whilst ensuring residents enjoy a high level of amenity. Removing checks in the planning system risks eroding this balance, as well as the balance of development with the protection of the natural and historic environment. LPAs play an essential part in mediating change sensitively. Enabling further

PDRs could provide a boost to rural business diversification, but they are not the only means of achieving this. We support a well-resourced planning system which is positioned to facilitate the sensitive adaptation and reuse of traditional rural buildings with regard to the impact on the environment, community and economy.

Q.51 Do you agree that the ground area limit of new buildings or extensions erected under the right be increased from 1,000 to 1,500 square metres?

No. The increase in size of new agricultural buildings has only recently been increased and the impact has not yet been evaluated. Modern agricultural buildings are prominent and can have a significant impact on the rural landscape. LPAs are currently able to minimise negative environmental impacts of such developments in undesignated sensitive landscapes. These include Local Landscape designations as defined in Local Plans, Greenbelt designations, and in areas of 'traditional' farming practices which could be severely impacted by large scale extensions.

Q.52 Do you agree that we remove the flexibility for extensions and the erection of new buildings where there is a designated scheduled monument?

Yes. PDRs should not apply to listed buildings or buildings within the site of a scheduled monument due to the unacceptable risk of damage involved. It is essential that developments on scheduled monuments are carefully controlled, as well as their settings, which should ideally be considered for all scheduled heritage assets.

Q.53 Do you agree that the right be amended to allow extensions of up to 25% above the original building cubic content?

No (see q51).

Q.54 Do you agree that the right be amended to allow the ground area of any building extended to reach 1,250 square metres?

No (see q51).

Q.55 Do you agree that we remove the flexibility for extensions where there is a designated scheduled monument?

Yes (see q 52).

Q.56 Do you think that any of the proposed changes in relation to the Part 6 permitted

development rights could impact on: a) businesses b) local planning authorities c) communities?

Yes. Unlike proposals that need full planning permissions, the LPA will have much less opportunity to influence design and reduce environmental and community negative impacts. While these changes will bring some speeding up of consents for some property owners, this comes at the cost of a local community being able to influence their environment. Recognising the value of the historic environment for businesses and communities is essential if we are to address our housing crises in a way that has a positive legacy. PDRs are a quick way to address a long term issue of underfunding and under resourcing of Local Authorities, but they carry greater risks than the planning consent system. Decreasing the ability for Local Authorities to meaningfully plan for their communities and decreasing the voices of communities in decision making will undermine efforts to deliver long term sustainable development.

Supporting businesses and high streets through greater flexibilities

Q.57 Do you agree that the maximum floor space limit for the extension or alteration to a Commercial, Business and Service establishment on non-protected land is increased to either 200 square metres or a 100% increase over the original building, whichever is lesser?

No. This is likely to cause a significant degradation to town centres as the extension could dominate the existing building and significantly alter its character. PDRs need to be subject to prior approval which takes on board design and appearance, and impact on heritage. A 100% increase is substantial and could have a significant impact on the wider environment, so such a decision would benefit from further planning scrutiny. There is also limited scope for community engagement with individuals having few opportunities to comment on the development under this PDR.

Q.58 Do you agree that the maximum floor space of a new industrial and/or warehousing building on non-protected land permitted under the Part 7 Class H permitted development right be amended to 400 square metres?

No. New storage and industrial buildings are often much taller than residential and/or traditional buildings, and this can cause a significant negative impact on development and communities close-by. Doubling the size of new structures is likely to increase damage to the amenity of communities, to the environment and, in some cases, to the settings of nearby protected assets.

Q.59 Do you agree that the maximum floor space of a new industrial and/or warehousing extension on non-protected land be increased to either 1,500 square metres or a 75% increase over the original building, whichever is lesser.

No. The planning system has evolved over the years to balance competing interests, to ensure uses are appropriately co-located, or separated, in the interests of efficiency and amenity. Careful planning prevents towns being dominated by inappropriate industry, overdevelopment or over-tourism.

Q.60 Do you think that any of the proposed changes in relation to the Part 7 permitted development rights could impact on: a) businesses b) local planning authorities c) communities?

Yes. These proposals could have a significant impact on placemaking, communities and places of cultural importance. For communities these large-scale new developments with little control will undermine their sense of having any power in their own area and reduce local democracy.

Nature-based solutions, farm efficiency projects, and diversification

Q.67 What guidance, policy, or legislative changes could help to provide a more supportive framework for planning authorities to determine planning applications within?

Given the steady decline in conservation and archaeological expertise in LPAs in the last decade, Local Authorities should have access to, and training sessions outlining, supplementary planning documents that provides specific guidance in relation to the historic environment. Primary among these are opportunities for climate mitigation and adaptation measures, including retrofit and reuse, and whole life carbon assessments, and how to explore these measures in protected sites. It ought to also include practical guidance setting out considerations for PDR on the local community and ways to mitigate negative impacts, and guidance on placemaking and the role of heritage in local character, design, and identity.

We welcome the Heritage Minister's recent assurance that the links between Historic England's planning guidance and local authorities will be strengthened. We would also strongly support a revision of the previously explored 2008 Heritage Protection Bill which set out a number of measures, such as interim protection, to bolster safeguards for the historic environment.

Q.68 What new permitted development rights, or amendments to existing permitted development rights, would streamline and simplify the process? If referring to an existing permitted development right, please be as specific as possible.

The Heritage Alliance would welcome a full review of permitted development rights to ensure they are delivering effective and sustainable development. Piecemeal reforms and extensions such as those set out in this consultation serve to complicate rather than streamline the planning system. We welcome the review into the removal of PDRs for demolition, and recommend that current PDRs are examined for redundancy and risk as well as opportunity.

Q.74 Do you foresee any unintended negative consequences that may result from more nature-based solutions coming forward (e.g., impacts to other species, flood risk, wildfire risk, risk to public safety, releasing contaminants from contaminated land or hydrology etc.)? How could these be avoided?

Heritage considerations must be considered in balance as part of nature-based solutions. For example, historic landscape assets (such as dry stone walls, veteran trees, field systems, and archaeology) can also be put at risk if nature-based solutions do not take a holistic approach to the environment and consider impacts on the historic landscape. Like the natural environment, the historic environment is a finite resource which will be depleted and lost to future generations without careful land management.

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