

Planning Reform – post NPPF & Localism Act

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General Principles of Reform



- Reduce red tape / de-regulate / reduce burdens on business
- Speeding up the planning process
- Shift focus away from measured performance

Removing the need for PP

Changes to Permitted Development rights – 30 May 2013

House Extensions

Rear extensions only & excludes Conservation Areas

Limits doubled: Detached 8m / Others 6m

Council notified of proposed extension, 21 day neighbour consultation, objection means Prior Approval required & must be decided within 42 days.

Only amenity issues can be considered.

Time limited – developments to be completed by 30 May 2016

Removing the need for PP

Change of Use from Office (B1a) to Residential (C3)

Exemption Zones – not Bristol!

Excludes Listed Buildings

Prior Approval Process (Transport, Contamination & Flooding)

Overall time limit of 56 days

Change of use must take place before 30th May 2016

Removing the need for PP

“High Street” Temporary Changes of Use

Permitted change to A1 Shops, A2 Offices, A3 Restaurants & B1 Offices from A1, A2, A3, A4 Drinking establishments, A5 Takeaways, B1, D1 Non-residential institutions & D2 Assembly & Leisure

For a single continuous period of up to 2 years

Can't relate to more than 150 sq m floorspace

Council has to be notified of start date of temporary use

Has to revert to previous lawful use at the end of the period of flexible use

Removing the need for PP

State Funded Schools aka Free Schools

Permanent change of use of a building and any land within its curtilage to use as a state-funded school , from classes B1, C1 Hotels, C2 Residential Institutions, C2A Secure Residential Institutions & D2

Prior Approval required

Temporary change of use of a building and any land within its curtilage to a state-funded school for a single academic year.

Not listed buildings or those in Sui Generis use.

Government Minister needs to approve school and notify Council of opening date

One opportunity per site

Also minor changes to PD rights for commercial extensions & CoU B1/B2/B8

Streamlining Information Requirements for Planning Applications

Growth & Infrastructure Act – June 2013

Design & Access Statements – reduced circumstances where one of these is needed (now only for Major development or development in a designated area (eg CAs) where proposal is > 1 house / building of 100 sq m

No longer a need to have “Reasons for Approval” but effectively replaced by statement setting out how LPA have worked “positively & proactively” with the applicant.

Information requirements for validation:

- Requirements have to be “reasonable and material to the determination of the application”
- Validation lists to be regularly reviewed
- Right of appeal

Planning Performance and the Planning Guarantee

Growth & Infrastructure Act – June 2013

Designated (ie. Poor performing) Authorities

- Poor appeal record re Majors
- Major application performance <30%

Option to apply directly to Planning Inspectorate

Planning Guarantee

- A “long stop” time limit by which all applications or appeals should be determined
- All applications registered from 1 Oct 2013 to be determined within 26 weeks or fee refunded

Agreed Extensions of Time

Recent Consultations

Further changes to Permitted Development Rights

- Change of use from A1 Shops & A2 offices to C3 dwelling house or max 4 flats (not a small HMO) – subject to Prior Approval
- Change of use from A1 shops to A2 banks & building societies
- Change of use from B1, C1, C2, C2A & D2 to nurseries providing childcare

Housing Standards Review

- Simplify and rationalise local housing standards regarding: accessibility, space, security, water & energy

Review of National Planning Guidance – supporting NPPF

Impact of Reforms

Definite de-regulation but planning applications replaced by Prior Approval process (66 householder extensions & 28 B1 to C3 since 30 May)

Performance still in the spotlight but greater flexibility introduced

Balanced approach to information requirements