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Written statement on Local planning

Thursday, 6 March 2014 11:31



Parliamentary Under Secretary of State for Planning (Nick Boles): The Coalition Government is committed to reforming the planning system to make it simpler, clearer and easier for people to use, allowing local communities to shape where development should and should not go. Planning should not be the exclusive preserve of lawyers, developers or town hall officials.

We are also committed to ensuring that countryside and environmental protections continue to be safeguarded, and devolving power down not just to local councils, but also down to neighbourhoods and local residents.

We have already taken a series of steps to cut unnecessary red tape, such as the streamlined National Planning Policy Framework reducing 1,000 pages of planning guidance to less than 50, revoking the last Administration's bureaucratic Regional Strategies and extending permitted development rights to make it easier to get empty and under-used buildings back into public use. I would like to update the House on progress on this ongoing work.

An accessible planning system

In October 2012, we invited [Lord Taylor of Goss Moor](#) to lead a review into the reams of planning practice guidance that we have inherited from the last Administration.

My Department subsequently held a consultation on the group's proposals, and in August 2013, we launched our proposed streamlined planning practice guidance in draft, consolidating 7,000 pages of complex and often repetitive documents. Today, we are launching the final version of that practice guidance through an accessible website.

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I would particularly note that we are:

- Issuing robust guidance on flood risk, making it crystal clear that councils need to consider the strict tests set out in national policy, and where these are not met, new development on flood risk sites should not be allowed.

- Re-affirming Green Belt protection, noting that unmet housing need is unlikely to outweigh harm to the Green Belt and other harm to constitute very special circumstances justifying inappropriate development.

- Making clear that Local Plans can pass the test of soundness where authorities have not been able to identify land for growth in years 11-15 of their Local Plan, which often can be the most challenging part for a local authority.

- Making clear that windfalls can be counted over the whole Local Plan period.

- Explaining how student housing, housing for older people and the re-use of empty homes can be included when assessing housing need.

- Ensuring that infrastructure is provided to support new development, and noting how infrastructure constraints should be considered when assessing suitability of sites.

- Stressing the importance of bringing brownfield land into use and made clear that authorities do not have to allocate sites on the basis of providing the maximum possible return for landowners and developers.

- Noting that councils should also be able to consider the delivery record (or lack of) of developers or landowners, including a history of unimplemented permissions. This will also serve to encourage developers to deliver on their planning permissions.

- Incorporating the guidance on renewable energy (including heritage and amenity) published during last summer and making it clearer in relation to solar farms, that visual impact is a particular factor for consideration.

- Allowing past over-supply of housing to be taken into account when assessing housing needs.

- On the five year supply of sites, confirming that assessments are not automatically outdated by new household projections.

- Clarifying when councils can consider refusing permission on the grounds of prematurity in relation to draft plans.

- Encouraging joint working between local authorities, but clarifying that the duty to co-operate is not a duty to accept. We have considered and rejected the proposals of HM's Opposition to allow councils to undermine Green Belt protection and dump development on their neighbours' doorstep.

We will today also cancel the previous planning practice guidance documents being replaced by the new guidance; a list has been placed in the Library of the House. The planning practice guidance will be updated as needed and users can sign up for email alerts on any changes, or view these revisions directly on the site. The online resource is at:

<http://planningguidance.planningportal.gov.uk>

Encouraging re-use of empty and under-used buildings

In August 2013, my Department published a consultation paper on a further set of greater flexibilities for change of use. Further reforms will save time and money for applicants and councils, encourage the re-use of empty and under-used buildings and further support brownfield regeneration while ensuring regard to potential flood risk. 3

New homes: retail to residential change of use

Outside key shopping areas, such as town centres, we want under-used shops to be brought back into productive use to help breathe new life into areas that are declining due to changing shopping habits. This will not only provide more homes, but increase the resident population near town centres, thereby increasing footfall and supporting the main high street. Reforms will allow change of use from shops (A1) and financial and professional services (A2) to houses (C3). This change of use will not apply to land protected by Article 1(5) of the General Permitted Development Order (National Parks, the Broads, areas of outstanding natural beauty, conservations areas, World Heritage Sites).

We recognise the importance of retaining adequate provision of services that are essential to the local community such as post offices. Consideration will be given to the impact on local services when considering the potential loss of a particular shop. The onus will be on the local planning authority to establish that the proposal would have a detrimental impact on the sustainability of a key shopping area or on local services should they wish to refuse the conversion. When considering the effect on local services they will have to take into account whether there is reasonable prospect of the premises being occupied by another retailer. Local planning authorities will need to have robust evidence base to justify any decision not to permit change of use using these prior approval tests.

In addition, to increase access to retail banking and to encourage new entrants, shops (A1) will be able to change to banks, building societies, credit unions and friendly societies, within the A2 use class. This does not cover betting shops or payday loan shops.

New homes: agricultural to residential change of use

These reforms will make better use of redundant or under-used agricultural buildings, increasing rural housing without building on the countryside. Up to 450 square metres of agricultural buildings on a farm will be able to change to provide a maximum of three houses.

We recognise the importance to the public of safeguarding environmentally protected areas, so this change of use will not apply in Article 1(5) land, for example National Parks or Areas of Outstanding Natural Beauty. However, we expect national parks and other local planning authorities to take a positive and proactive approach to sustainable development, balancing the protection of the landscape with the social and economic wellbeing of the area. National Parks and other protected areas are living communities whose young people and families need access to housing if their communities are to grow and prosper. I would note that a prior approval process will allow for flooding issues to be addressed.

Change of use: Extending access to education

We also propose to extend the existing permitted development rights for change of use to state-funded schools to additionally

cover registered nurseries. Agricultural buildings up to 500 square metres will also be able to change to state-funded schools and registered nurseries. 4

I believe that these are a practical and reasonable set of changes that will help facilitate locally-led development, promote brownfield regeneration and promote badly-needed new housing at no cost to the taxpayer. The reforms complement both the Coalition Government's decentralisation agenda and our long-term economic plan.
