

# Supporting Housing Delivery & Public Service Infrastructure

## About this Consultation

This consultation document and consultation process have been planned to adhere to the consultation principles issued by the Cabinet Office.

Representative groups are asked to give a summary of the people and organisations they represent, and where relevant who else they have consulted in reaching their conclusions when they respond.

Information provided in response to this consultation, including personal data, may be published or disclosed in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 (FOIA), the Data Protection Act 2018 (DPA), the General Data Protection Regulation 2016, and the Environmental Information Regulations 2004.

If you want the information that you provide to be treated as confidential, please be aware that, as a public authority, the Department is bound by the Freedom of Information Act and may therefore be obliged to disclose all or some of the information you provide. In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Department.

The Ministry of Housing, Communities and Local Government will process your personal data in accordance with the law and in the majority of circumstances this will mean that your personal data will not be disclosed to third parties. A full privacy notice is included on the next page.

Individual responses will not be acknowledged unless specifically requested.

Your opinions are valuable to us. Thank you for taking the time to read this document and respond.

Are you satisfied that this consultation has followed the Consultation Principles? If not or you have any other observations about how we can improve the process please contact us via the [complaints procedure](#).

**Please confirm you have read this page. \***

Yes	<input type="checkbox"/>
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# Privacy Notice

The following is to explain your rights and give you the information you are be entitled to under the data protection legislation.

Note that this section only refers to your personal data (your name address and anything that could be used to identify you personally) not the content of your response to the consultation.

## 1. The identity of the data controller and contact details of our Data Protection Officer

The Ministry of Housing, Communities and Local Government (MHCLG) is the data controller. The Data Protection Officer can be contacted at [dataprotection@communities.gov.uk](mailto:dataprotection@communities.gov.uk).

## 2. Why we are collecting your personal data

Your personal data is being collected as an essential part of the consultation process, so that we can contact you regarding your response and for statistical purposes. We may also use it to contact you about related matters.

## 3. Our legal basis for processing your personal data

Article 6(1)(e) of the General Data Protection Regulation 2016 (GDPR) provides that processing shall be lawful if processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

Section 8(d) of the Data Protection Act 2018 further provides that this shall include processing of personal data that is necessary for the exercise of a function of the Crown, a Minister of the Crown or a government department.

The processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Ministry of Housing, Communities and Local Government. The task is consulting on departmental policies or proposals or obtaining opinion data in order to develop good effective government policies in relation to planning.

## 4. With whom we will be sharing your personal data

We will not share your personal data with organisations outside of MHCLG without contacting you for your permission first.

## 5. For how long we will keep your personal data, or criteria used to determine the retention period.

Your personal data will be held for 2 years from the closure of the consultation

## 6. Your rights, e.g. access, rectification, erasure

The data we are collecting is your personal data, and you have considerable say over what happens to it. You have the right:

- a. to see what data we have about you
- b. to ask us to stop using your data, but keep it on record
- c. to ask to have all or some of your data deleted or corrected
- d. to lodge a complaint with the independent Information Commissioner (ICO) if you think we are not handling your data fairly or in accordance with the law. You can contact the ICO at <https://ico.org.uk/>, or telephone 0303 123 1113.

## 7. Storage of your personal data

We are using SmartSurvey to collect data for this consultation, so your information will be stored on their UK-based servers in the first instance. Your data will not be sent overseas. We have taken all necessary precautions to ensure that your data protection rights are not compromised by our use of third-party software.

If your submit information to this consultation using our third-party survey provider, it will be

moved to our secure government IT systems within six months of the consultation closing date (28 January 2021).

**8. Your personal data will not be used for any automated decision making.**

**Please confirm you have read this page. \***

Yes	<input type="checkbox"/>
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## Respondent Details

This section of the survey asks for information about you and, if applicable, your organisation.

**First name \***

Tim

**Last name \***

Dwelly

**Email address**

C/O [localplan@cornwall.gov.uk](mailto:localplan@cornwall.gov.uk)

**Are you responding on behalf of an organisation or as an individual? \***

Organisation	<input checked="" type="checkbox"/>
Individual	<input type="checkbox"/>

**Organisation (if applicable)**

Cornwall Council

**Position in organisation (if applicable)**

Cornwall Councillor (portfolio holder)

**Please indicate whether you are replying to this consultation as a: \***

Developer	<input type="checkbox"/>
Planning consultant	<input type="checkbox"/>
Construction company or builder	<input type="checkbox"/>
Local authority	<input checked="" type="checkbox"/>
Statutory consultee	<input type="checkbox"/>
Professional organisation	<input type="checkbox"/>
Lawyer	<input type="checkbox"/>
Charity or voluntary organisation	<input type="checkbox"/>
Town Council	<input type="checkbox"/>
Parish Council	<input type="checkbox"/>
Community group, including residents' associations	<input type="checkbox"/>
Private individual	<input type="checkbox"/>
Other (please specify):	<input type="checkbox"/>

**Please indicate which sectors you work in / with (tick all that apply): \***

Education section	
Health sector	
Prison sector	
None of the above	

# Supporting housing delivery through a new national permitted development right for the change of use from the Commercial, Business and Service use class to residential

**Q1 Do you agree that there should be no size limit on the buildings that could benefit from the new permitted development right to change use from Commercial, Business and Service (Class E) to residential (C3)?**

Agree	
Disagree	✓
Don't know	

Please give your reasons:

Cornwall Council fundamentally disagrees with the proposed permitted development right set out in this part of the consultation. The Permitted Development proposed under these changes represents a very significant de-regulation of the planning system which will have unintended consequences such as rendering many local plan and neighbourhood plan policies obsolete; the uncontrolled growth of out of town retail which will further undermine town centres; and lower standards of design and quality which will damage the attractiveness of our centres.

The Council therefore does not agree that there should be no size limit on the buildings that could be subject to these proposed permitted development rights. The Council believes that there should be a size limit applied, and that such limits could be set locally based on location and accessibility, in a document which is able to be updated easily in consultation with local communities, such as an SPD. Many large commercial or business buildings are not of a form conducive to effective and high-quality change of use to residential uses without significant alteration. There is a clear need for this to be controlled through the planning process.

Additionally, larger commercial/business buildings are often in areas where residential development would not be appropriate, for example retail parks. There is also a clear risk that larger commercial properties on out of town business parks could be converted to retail use without any planning control applied. We believe that the proposed permitted development right should not apply to these types of locations at all. It is imperative the local authorities retain the ability to prevent residential uses coming forwards in inappropriate locations, and to examine the retail impact of out-of-town development on the health of the town centre. Indeed, local plans and neighbourhood plans set out allocations for industrial estates and business parks to safeguard important employment sites; whilst most of Cornwall's strategically important employment sites sit within its main towns, there are a number that are located within more rural areas. For example, the Cornwall Site Allocations DPD identified Indian Queens Industrial Estate as a strategic site for employment uses and an allocation which is replicated in the neighbourhood plan for the area. If this proposed permitted development right is implemented, then many of those adopted policies would be undeliverable and could potentially result in a significant loss of employment sites.

The Council is also concerned that the proposed permitted development right raises the prospect of large numbers of new dwellings being created without planning control which will not be liable for CIL or s106 contributions to mitigate the impact of the development on local communities. Along with lack of control over the detailed planning of new homes, including design, availability of green space, transport infrastructure and a host of other considerations that are part of the decision making process on planning applications, the Council is concerned

that this proposal will fail to create the high quality places and spaces that our communities tell us they wish to see. The lack of size thresholds potentially allows for the creation of large numbers of dwellings without any of these considerations able to be applied. The proposal therefore creates a risk of poor-quality, inappropriately sized development coming forwards with inadequate levels of supporting infrastructure, with no mechanism for local authorities to require contributions towards essential infrastructure.

The Council suggests that the following changes to the permitted development proposal may assist in delivering the Government's objectives:

- Restricting the application of the permitted development proposal to town centres, the area of which should be town centre boundaries defined by the local authority and set out in SPD.
- Restricting the permitted development proposals to smaller buildings.
- Including external space standards and design, amenity space, waste storage, cycle parking and loss of ground floor use to residential as a prior approval matter in all cases.
- Allowing local planning authorities to collect CIL contributions from new residential properties created through the permitted development proposals.

**Q2.1 Do you agree that the right should not apply in areas of outstanding natural beauty, the Broads, National Parks, areas specified by the Secretary of State for the purposes of section 41(3) of the Wildlife and Countryside Act 1981, and World Heritage Sites?**

Agree	✓
Disagree	
Don't know	

Please give your reasons:

As stated above the Council does not agree with the proposed permitted development right and has set out suggested alternative ways to address the issues identified in the consultation.

However, should the right be implemented, the Council agrees that it should not apply in Areas of Outstanding Natural Beauty, National Parks, World Heritage Sites or other designated land. Great weight should be given to the protection of designated landscapes.

**Q2.2 Do you agree that the right should apply in conservation areas?**

Agree	
Disagree	✓
Don't know	

Please give your reasons:

As stated above the Council does not agree with the proposed permitted development right and has set out suggested alternative ways to address the issues identified in the consultation.

The Council does not agree that the permitted development right proposed in this consultation should apply to conservation areas. It is correct that many important town centre areas are

within designated conservation areas, with much of the historic character and value of the area derived from the traditional appearance, including retail frontage and the mix of uses found.

The range of functions and services provided by town centres, and which the consultation paper is aiming to encourage, exist in town centres regardless of their status as a conservation area. However, the health and vibrancy of town centres is often a key element of the character of a centre which is designated as a conservation areas. The Council considers that it would be extremely difficult to retain any measure of control over the visual appearance and effectively conserve the character of conservation areas if a permitted development right enabled piecemeal conversion to residential uses without any associated strategy to understand how the changes could be implemented consistently and appropriately. Additionally, residential uses themselves risk harm to the vibrancy and vitality of a town centre if not planned to help concentrate uses and reduce harm to vitality and viability. As set out above, the ability for larger premises to change from traditional town centre uses to residential without control under the proposed permitted development right could significantly undermine these town centre characteristics which form part of the character of designated conservation areas. And finally, the ability for out of town retail to be created without any control or assessment of impact on town centres could completely undermine centres, again changing the character of their conservation areas.

Therefore, the Council would urge Government to look again at these proposals in the light of the suggestions above, and to exempt conservation areas from any changes to permitted development rights.

**Q2.3 Do you agree that, in conservation areas only, the right should allow for prior approval of the impact of the loss of ground floor use to residential?**

Agree	
Disagree	✓
Don't know	

Please give your reasons:

See above comments regarding Cornwall Council's view of the proposed change to permitted development and of the application of the change to conservation areas.

Nevertheless, if the change to the permitted development right is brought forwards, Cornwall Council believes that local Authorities should have the ability to assess the loss of ground floor use to residential, including vitality, viability and visual impact through an appropriate and consistent mechanism, regardless of any designation i.e. whether or not proposals are in conservation areas we believe that these prior approval powers should apply to all town centres, not simply those covered by conservation areas.

**Q3.1 Do you agree that in managing the impact of the proposal, the matters set out in paragraph 21 of the consultation document should be considered in a prior approval?**

Agree	✓
Disagree	
Don't know	

Please give your reasons:

As stated above the Council does not agree with the proposed permitted development right and has set out suggested alternative ways to address the issues identified in the consultation.

Should the permitted development right be implemented, the Council considers that it is imperative that it be able to properly assess the impact of these changes. As a minimum, matters such as flood risk, transport, parking, access, safety, contamination, waste storage, design and amenity are considered as part of the prior approval process. It is vital that changes to town centres in particular are of a high quality that will add to the characteristics of the centre, create great places for people to live, work and visit, and will stand the test of time. Therefore local authorities must be able to have some control over the appearance, internal space and quality of accommodation created, despite the permitted development right.

### Q3.2 Are there any other planning matters that should be considered?

Yes	✓
No	
Don't know	

Please specify:

To repeat our over-arching position set out above, Cornwall Council fundamentally disagrees with the proposed permitted development right set out in this part of the consultation. The Permitted Development proposed under these changes represents a very significant de-regulation of the planning system which will have unintended consequences such as rendering many local plan and neighbourhood plan policies obsolete; the uncontrolled growth of out of town retail which will further undermine town centres; and through lower standards of design and quality which will damage the attractiveness of our centres. Indeed, local plans and neighbourhood plans set out allocations for industrial estates and business parks to safeguard important employment sites; whilst most of Cornwall's strategically important employment sites sit within its main towns, there are a number that are located within more rural areas. For example, the Cornwall Site Allocations DPD identified Indian Queens Industrial Estate as a strategic site for employment uses and an allocation which is replicated in the neighbourhood plan for the area. If this proposed permitted development right is implemented, then many of those adopted policies would be undeliverable and could potentially result in a significant loss of employment sites.

Commercial buildings are common in rural locations, these uses often form an important economic hub for the rural hinterland.

It is also of concern that commercial industrial buildings in out of town location – whether in peripheral business parks or more remote locations as described above – could change to a retail use through the proposed permitted development right. Planning policy has been charged with examining such development extremely closely for many years – in fact since the publication of PPG6 in 1996 out of town retail development has been scrutinised closely both through the development plan process and through planning applications. It is a clear principle that new out of town floorspace should be subject to the sequential approach and to retail impact assessments to fully understand the effect of proposals on the vitality and viability of town centres, and in the event of significant harm to town centres to enable such developments to be refused. The proposed permitted development right would do away with all of these safeguards in the event that an existing business unit was to change to retail – such proposals are not uncommon. Cornwall Council is therefore very concerned about this potential de-regulation of a type of development which it is acknowledged can fundamentally damage town centres.

Therefore, the Council considers that the proposed permitted development right should be restricted to certain locations as set out in our suggestions above. If these suggestions are not

accepted, the Council would wish to see the principles of sequential approach and retail impact assessments retained for changes of use to retail outside of defined town centres.

It is also the Council's belief that matters around external design, provision of amenity space and waste storage should form part of the design considerations, along with other matters such as parking and access. There should also be some mechanism to consider whether the change of use would result in the loss of an existing use which serves a community or social well-being.

**Q4.1 Do you agree that the proposed new permitted development right to change use from Commercial, Business and Service (Class E) to residential (C3) should attract a fee per dwellinghouse?**

Agree	✓
Disagree	
Don't know	

Please give your reasons:

Whilst the Council does not agree with the proposed permitted development right, if it is implemented the right should attract a fee. The administration, consultation and assessment of any prior approval application associated with the proposed right will require resources and therefore the Council suggests that the fee should either be per dwelling or floorspace, in line with current planning application fee structure and reflecting the resources required to determine the application.

**Q4.2 If you agree there should be a fee per dwelling house, should this be set at £96 per dwellinghouse?**

Yes	
No	✓
Don't know	

Please give your reasons:

The Council does not agree that the fee should be set at £96 per dwelling. In our experience of dealing with similar prior approval applications, these can be more resource intensive to consider and process than a full planning application and the fee structure should adequately reflect the resources required and be proportionate to the resources required.

**Q5 Do you have any other comments on the proposed right for the change of use from Commercial, Business and Service use class to residential?**

Yes	✓
No	

Please specify:

Cornwall Council fundamentally disagrees with the proposed permitted development right.

It should be emphasised that the right would not simply enable a change of use from the named uses to residential, but would also enable changes between all Class E uses, including business to retail, and therefore would enable changes of uses with no planning control whatsoever.

To reiterate the concerns, we have raised above:

- The Permitted Development proposed under these changes represents a very significant de-regulation of the planning system which will have unintended consequences such as the uncontrolled growth of out of town retail which will further undermine town centres, and through lower standards of design and quality which will damage the attractiveness of our centres.
- The proposed right will severely limit local authorities' ability to require development to mitigate impacts on local communities by removing CIL and s106 funding mechanisms and removing scrutiny of factors such as provision of greenspace and adequate access arrangements.
- The proposed right will also limit local authorities' ability to require high standards of design in sensitive town centres, and runs the risk of creating poor quality housing in inappropriate locations.
- The proposed right opens up the ability for out of town business premises to be changed to out of town retail use without the need for the sequential approach or a retail impact assessment. This change is likely to lead to retail facilities being located in places which will encourage car use and severely weaken the vitality and viability of town centres. Out of town retail has been subject to these checks and balances since 1996 and this change therefore represents a fundamental change to planning practice which should be subject to much greater debate and consultation, and which goes against retail guidance set out in the NPPF.

Cornwall Council has made the following suggestions as to how the Government's objectives in making these changes to permitted development could be implemented:

- Restricting the application of the permitted development proposal to town centres, the area of which should be town centre boundaries defined by the local authority and set out in SPD.
- Restricting the permitted development proposals to smaller buildings.
- Including external design, amenity space, waste storage, cycle parking and loss of ground floor use to residential as a prior approval matter in all cases.
- Allowing local planning authorities to collect CIL contributions from new residential properties created through the permitted development proposals.
- Ensuring that local planning authorities have powers to enforce high standards of design and building quality when considering changes through the prior notification process.

**Q6.1 Do you think that the proposed right for the change of use from the Commercial, Business and Service use class to residential could impact on businesses, communities, or local planning authorities?**

Yes	✓
No	

Don't know	
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If so, please give your reasons:

Yes, Cornwall Council thinks that the proposed right could impact upon businesses, communities and local planning authorities. Whilst acknowledging and recognising that our towns are changing, it is noted that once a commercial use has been changed to residential these will not be replaced and the impact on communities must be considered. The unplanned loss of retail units within certain areas of towns would potentially exacerbate reduction in footfall and lead to further losses.

In rural areas the ability to change to residential use could seriously impact the supply of employment and commercial space that communities rely on. The change to residential would, in many cases, exceed the value and revenue from other social, commercial or employment uses and lead to their loss without replacement.

It is our experience of dealing with similar prior approval applications that the process is often more resource intensive than determining a full planning application. The Council is concerned that the proposals would not lead to a reduced volume of work but a substantially reduced income to successfully determine those applications.

**Q6.2 Do you think that the proposed right for the change of use from the Commercial, Business and Service use class to residential could give rise to any impacts on people who share a protected characteristic?**

Yes	✓
No	
Don't know	

If so, please give your reasons:

Cornwall has a dispersed settlement pattern and as such many commercial buildings form important economic hubs, particularly in rural areas. Loss of community services such as retail and employment could potentially impact on social well-being and communities and individuals and those impacts need to be considered on a case-by-case basis. As a consequence, the proposals may impact on the Cornish national minority (as protected by the Framework Convention for the Protection of National Minorities).

## Supporting public service infrastructure through the planning system

**Q7.1 Do you agree that the right for schools, colleges and universities, and hospitals be amended to allow for development which is not greater than 25% of the footprint, or up to 250 square metres of the current buildings on the site at the time the legislation is brought into force, whichever is the larger?**

Agree	
Disagree	✓
Don't know	

Please give your reasons:

The Council disagrees with the proposal to enable schools, colleges, universities and hospitals to extend, as the benefits do not seem to outweigh the potential harm. The existing right allows for extensions, extending this right would allow for significant scale extensions which risk harm to material planning matters which would benefit from greater assessment through the planning application process.

**Q7.2 Do you agree that the right be amended to allow the height limit to be raised from 5 metres to 6?**

Agree	
Disagree	
Don't know	✓

Please give your reasons:

The Council does not see any evidence to suggest raising the height limit would have any tangible benefit.

**Q7.3 Is there any evidence to support an increase above 6 metres?**

Yes	
No	
Don't know	✓

Please specify:

A development of more than 6 metres has the potential to cause harm which should be adequately assessed through the planning process.

**Q7.4 Do you agree that prisons should benefit from the same right to expand or add additional buildings?**

Agree	✓
Disagree	
Don't know	

Please give your reasons:

The Council disagrees with the proposal for the reasons set out above, however if implemented it would seem appropriate to extend the right to prisons.

**Q8 Do you have any other comments about the permitted development rights for schools, colleges, universities, hospitals and prisons?**

Yes	✓
No	

Please specify:

The Council disagrees with the proposal as the benefits do not seem to outweigh the potential harm. The existing right allows for extensions, extending this right would allow for significant scale extensions which risk harm to material planning matters and residents which would benefit from greater assessment through the planning application process. Many of these facilities are frequently situated close to or within residential areas, and the impacts of even small-scale extensions can therefore have significant effects on neighbours and the wider community. The planning application process currently provides an appropriate use for the advantages and benefits of schemes to be assessed in an open and transparent way and for local communities to have their say.

In Cornwall Council's experience many applicants require confirmation from the local authority that their development is lawful and this should be given consideration in any amendment to the permitted development rights and fees.

**Q9.1 Do you think that the proposed amendments to the right in relation to schools, colleges and universities, and hospitals could impact on businesses, communities, or local planning authorities?**

Yes	✓
No	
Don't know	

If so, please give your reasons:

The Council considers that the proposed right has the potential to generate harm to material planning matters which would benefit from greater assessment. These proposals are often in proximity to residential areas and therefore it is imperative that planning matters are considered through a planning application process.

**Q9.2 Do you think that the proposed amendments to the right in relation to schools, colleges and universities, and hospitals, could give rise to any impacts on people who share a protected characteristic?**

Yes	
No	

Don't know	<input checked="" type="checkbox"/>
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If so, please give your reasons:

**Q10.1 Do you think that the proposed amendment to allow prisons to benefit from the right could impact on businesses, communities, or local planning authorities?**

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>
Don't know	<input type="checkbox"/>

If so, please give your reasons:

The Council considers that the proposed right has the potential to generate harm to material planning matters which would benefit from greater assessment through the planning application process.

**Q10.2 Do you think that the proposed amendment in respect of prisons could give rise to any impacts on people who share a protected characteristic?**

Yes	<input type="checkbox"/>
No	<input type="checkbox"/>
Don't know	<input checked="" type="checkbox"/>

If so, please give your reasons:

**Q11 Do you agree that the new public service application process, as set out in paragraphs 43 and 44 of the consultation document, should only apply to major development (which are not EIA developments)?**

Yes	<input type="checkbox"/>
No	<input checked="" type="checkbox"/>

Please give your reasons:

The Council disagrees with the proposal, regardless of whether the development is EIA or not. The current statutory timescales allow for thorough consideration of all planning matters. Reducing the determination period may not allow for sufficient consideration of all those matters. Often these developments are located within close proximity to residential areas and therefore the impacts need to be sufficiently considered during the planning process. The Council questions why public service development should be given a quicker decision as opposed to private development, which may provide an equally beneficial service or facility.

**Q12 Do you agree the modified process should apply to hospitals, schools and further education colleges, and prisons, young offenders' institutions, and other criminal justice accommodation?**

Yes	✓
No	

If not, please give your reasons as well as any suggested alternatives:

Whilst the Council does not agree that a modified process is suitable, if such a process is implemented these uses are appropriate.

**Q13 Do you agree the determination period for applications falling within the scope of the modified process should be reduced to 10 weeks?**

Yes	
No	✓

Please give your reasons:

The Council does not agree that the determination period should be reduced to 10 weeks for the following reasons; shorter timescales would not necessarily result in a significant time benefit to the applicant or community that outweighs a lack of time for scrutiny. In our experience pre-application engagement from providers has been slow and occurred fairly late in the process. In any event most of these applications require a legal agreement and these often cause the most delays. The real focus should be on promoting and ensuring a robust and extensive pre-application process is undertaken to provide sufficient focus that ensures key issues are considered prior to an application being submitted and therefore reducing issues encountered during determination that would slow down the process. If the timescales are to be applied, pre-application engagement should be mandated for this reason.

Additionally, we often find that statutory consultees struggle to provide responses to consultations within the current consultation timescales, and this causes delay to the overall determination timescale. If the Government wishes to put in place an accelerated timescale, it also needs to ensure that the statutory consultees are able to respond to complex applications within the prescribed timescales.

**Q14 Do you agree the minimum consultation / publicity period should be reduced to 14 days?**

Yes	
No	✓

Please give your reasons:

The Council considers that it is reasonable to ensure all parties have sufficient opportunity to comment, shortening the consultation period would not allow adequate time for all consultations. These types of development are usually located in close proximity to residential areas and therefore communities should be given adequate time to comment, 14 days is not considered sufficient.

Additionally, we often find that statutory consultees struggle to provide responses to consultations within the current consultation timescales, and this causes delay to the overall determination timescale. If the Government wishes to put in place an accelerated timescale, it

also needs to ensure that the statutory consultees are able to respond to complex applications within the prescribed timescales.

**Q15 Do you agree the Secretary of State should be notified when a valid planning application is first submitted to a local planning authority and when the authority anticipates making a decision? (We propose that this notification should take place no later than 8 weeks after the application is validated by the planning authority.)**

Yes	
No	✓

Please give your reasons:

The Council does not agree with this proposal as it would add an unnecessary additional burden on the local authority, and it is not clear what such a proposal would achieve; the Council would prefer to spend its resources on successful outcomes rather than bureaucracy.

**Q16 Do you agree that the policy in paragraph 94 of the NPPF should be extended to require local planning authorities to engage proactively to resolve key planning issues of other public service infrastructure projects before applications are submitted?**

Yes	✓
No	

Please give your reasons:

The Council believes that a robust and extensive pre-application process ensures that issues are considered prior to an application being submitted. Local authorities, Applicants and statutory consultees should work together during the planning process. The duty must apply to the applicant and statutory consultees as well.

**Q17.1 Do you have any comments on the other matters set out in the consultation document, including post-permission matters, guidance and planning fees?**

Yes	✓
No	

Please specify:

The Council believes that any process should be robust and transparent, with the planning matters and fees reflective of the amount of resources required to deliver a successful outcome.

**Q17.2 Do you have any other suggestions on how these priority public service infrastructure projects should be prioritised within the planning system?**

Yes	
No	✓

Please specify:

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**Q18 Do you think that the proposed amendments to the planning applications process for public service infrastructure projects could give rise to any impacts on people who share a protected characteristic?**

Yes	
No	✓

If so, please give your reasons:

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## Consolidation and simplification of existing permitted development rights

**Q19.1 Do you agree with the broad approach to be applied to the review and update of existing permitted development rights in respect of categories 1, 2 and 3 outlined in paragraph 76 of the consultation document?**

Agree	✓
Disagree	
Don't know	

Please give your reasons:

The Council agrees that the existing permitted development rights should be reviewed and consolidated.

**Q19.2 Are there any additional issues that we should consider?**

Yes	✓
No	

Please specify:

The Council considers that much of the legislation is complex, any changes should be consolidated and published as with the changes highlighted.

**Q20 Do you agree think that uses, such as betting shops and pay day loan shops, that are currently able to change use to a use now within the Commercial, Business and Service use class should be able to change use to any use within that class?**

Agree	
Disagree	✓
Don't know	

Please give your reasons:

The Council does not agree.

**Q21 Do you agree the broad approach to be applied in respect of category 4 outlined in paragraph 76 of the consultation document?**

Agree	
Disagree	
Don't know	✓

Please give your reasons:

**Q22 Do you have any other comments about the consolidation and simplification of existing permitted development rights?**

Yes	✓
No	

Please specify:

The Council is concerned that this is an over-simplification of the permitted development rights and that key planning matters will not be given adequate consideration in development proposals.

## End of survey

You have reached the end of the consultation questions. Thank you for taking the time to complete them and for sharing your views. Please note that you will not receive an automated email to confirm that your response has been submitted.

After the consultation closes on 28 January 2021 we will consider the responses we have received and publish a response, in due course.