

## Will the changes to the planning system make us "Build, build, build"?

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*"Build, build, build" was the Prime Minister's message on 30 June. The speech was one of those rare moments where planning captures the nation's attention.*

This was in no small part down to the Prime Minister's hyperbole in announcing "the most radical reforms to our planning system since the Second World War". Mr. Johnson did not stop there. Drawing his own, somewhat flattering, comparisons with US President, Franklin D Roosevelt's New Deal, The Prime Minister outlined his plan to build our way out of a COVID-19 induced recession. The planning changes included:

- More flexibility for commercial premises to be changed to other commercial use types;
- Extension of permitted development rights for commercial to residential conversions;
- Permitted development rights to demolish and rebuild vacant and redundant residential and commercial buildings if they are rebuilt as homes; and
- Permitted development rights to build additional residential storeys onto the top of tall buildings.

This all provides a very positive soundbite for newspaper headlines, though now we have had time to digest it, what do the announcements actually mean?

The extension of permitted development rights for commercial buildings has been in discussion in planning circles for a long time. Planners have recognised that the inflexible 'A' use classes have struggled to keep pace with the evolving use of our town centres. For example, we have seen uses including nail bars, book shops, hairdressers and tailors all wanting to combine coffee shops with their existing use, and only able to do so on the basis that such activities are 'ancillary'. More blatantly, some coffee shops have insisted that their use is A1 (shop), when the format was much more obviously A3 (café).

The Prime Minister's speech was followed by Housing Secretary Robert Jenrick's announcement of proposals to introduce a new use class to create a broad category of 'commercial, business and service' uses as part of a package of measures to revitalise town centres.

Flexibility for commercial premises and minimising vacant floorspace is certainly welcome, and should help maintain vibrant highstreets, especially at a time when they will be undergoing a great deal of change. However, would it be too much to have a short period of consultation to iron out any wrinkles before such measures are hurried through?

Whilst more flexibility for commercial premises has been met with a positive response, the same cannot be said of the proposed extension of commercial to residential permitted development rights. This planning lawyer is a huge fan of encouraging more residential use in our town centres, something many of our European neighbours do so well. This will also help alleviate the housing crisis, and provide more users for the local businesses. However, this must be done in the right way; through purpose made development and appropriate conversion. Putting up partitions in disused office blocks is not the way to go. RIBA president Alan Jones explained that he was "extremely concerned by the proposal" seeing that the Government's own advisory panel referred to the homes already created via such a route as "slums". Permitted development rights put a degree of trust in the hands of the developer, and whilst there is a housing crisis, the opportunity for developers to abuse this trust is too high. Clearly, there will be instances where the 'dash for residential' is inappropriate, and the first option should be to allow other employment generating uses, and only when that isn't possible, should residential use be considered.

Once the Prime Minister's statement is boiled down, and after the commitments that have already been made in previous statements and manifesto pledges are removed, it is perhaps a little light on practical changes and specific commitments. At present, it most certainly does not constitute the most radical reforms to our planning system since the Second World War. However, hot on the heels of Mr. Johnson's speech, the Government announced that a planning Policy Paper is to be released any day now, detailing a comprehensive vision for reform of the planning system. We await this with great interest.

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