



Department for  
Communities and  
Local Government

## Response Form

### Extending permitted development rights for homeowners and businesses: Technical consultation

We are seeking your views to the following questions on the proposals to increase the permitted development rights for homeowners, businesses and installers of broadband infrastructure.

### How to respond:

**The closing date for responses is 5pm, 24 December 2012.**

This response form is saved separately on the DCLG website.

Responses should be sent to: [PlanningImprovements@communities.gsi.gov.uk](mailto:PlanningImprovements@communities.gsi.gov.uk)

Written responses may be sent to:

Helen Marks

Permitted Development Rights – Consultation

Department for Communities and Local Government

1/J3, Eland House

Bressenden Place

London SW1E 5DU

## About you

i) Your details:

Name:	Councillor Neil Walshaw
Position:	Chair of Inner North West Area Committee Planning Sub Group
Name of organisation (if applicable):	Inner North West Area Committee Planning Sub Group, Leeds City Council
Address:	Labour Group Office, Civic Hall, Leeds, LS1 1UR
Email:	Neil.walshaw@leeds.gov.uk
Telephone number:	0113 247 6922

**ii) Are the views expressed on this consultation an official response from the organisation you represent or your own personal views?**

Organisational response ☒

Personal views ☐

**iii) Please tick the box which best describes you or your organisation:**

District Council ☐

Metropolitan district council ☐

London borough council ☐

Unitary authority ☐

County council/county borough council ☐

Parish/community council ☐

Non-Departmental Public Body ☐

Planner ☐

Professional trade association ☐

Land owner ☐

Private developer/house builder ☐

Developer association ☐

Residents association ☐

Voluntary sector/charity

☐

Other

☒

(please comment):

**A group consisting of ward members, community representatives and Council Officers in inner north west Leeds**

**iv) What is your main area of expertise or interest in this work?  
(please tick one box)**

Chief Executive

☐

Planner

☐

Developer

☐

Surveyor

☐

Member of professional or trade association

☐

Councillor

☒

Planning policy/implementation

☐

Environmental protection

☐

Other

☐

(please comment):

**Would you be happy for us to contact you again in relation to this questionnaire?**

Yes ☒ No ☐

## **ii) Questions**

Please refer to the relevant parts of the consultation document for narrative relating to each question.

**Question 1: Do you agree that in non-protected areas the maximum depth for single-storey rear extensions should be increased to 8m for detached houses, and 6m for any other type of house?**

Yes ☐ No ☒

## Comments

The Inner North West Area Committee Planning Sub Group ('the group') does not agree that in non-protected areas the maximum depth for single-storey rear extensions should be increased to 8m for detached houses, and 6m for any other type of house.

The group would like to outline a number of areas of serious concern in relation to these proposals:

**1. The group considers that in the overwhelming majority of circumstances a 8m single storey rear extension to a detached property or a 6m extension to any other type of house would lead to significant harm to neighbours and/or the local community.**

The group would strongly disagree with the government assumption that extensions of this nature are unlikely to be controversial or would be unlikely to cause harm to neighbours or the wider community.

The government states in the technical consultation document that "*the large majority of homeowner applications are uncontroversial: around 200,000 are submitted each year, and almost 90 percent are approved, in almost all cases at officer level. The application process adds costs and delays, and in many cases adds little value.*" The group would argue that this statement is largely irrelevant to this particular proposal. In Leeds, and in the majority of other Local Authority areas across the country, an 8m or 6m single storey rear extension is much more likely to be refused than approved in line with existing national and local planning policy. Proposals for this type of extension are also much more likely to be controversial rather than uncontroversial. The group would also argue that the application process in these instances adds significant value to the process (this point is expanded upon below) with minimal delay to the wider building process.

The group would note that the Council has produced detailed design guidance for householder extensions and alterations in the form of the Householder Design Guide Supplementary Planning Document (Adopted in April 2012). As part of the adoption process of the Householder Design Guide a total of 99 ward councillors, 31 Town and Parish Councils, 61 community groups and other interested parties were consulted for their views. Two public meetings were held by the Council which were well attended and the design guide consultation was also advertised extensively in the local press, on the Council's website and at public libraries across the city. The design guide has been produced in accordance with the guidance contained within the governments National Planning Policy Framework (NPPF) introduced in March 2012.

The Group would note that not one response was received during the consultation period which advocated a relaxing of the Council's design guidance relating to single storey rear extensions or which advocated a relaxing of any householder permitted development rights. Indeed, in the Groups experience

the vast majority of local residents in inner north west Leeds have significant concerns relating to the current extent of householder permitted development rights and the harm that is already being caused by extensions, additions and alterations being built out under the current rules.

The Group notes that the Council's Householder Design Guide, which is a similar document to many other supplementary planning documents produced by Local Authorities across the country, includes specific and detailed design guidance relating to single storey rear extensions. The Householder Design Guide states:

*Single storey rear extensions are a common way of extending living rooms and/or kitchens. As these extensions are sited to the rear they can have big impact upon neighbouring gardens. Care needs to be taken when designing an extension to ensure that the height is not excessive and that windows do not harm the privacy of neighbours.*

***In cases where the extension is to be located on the boundary with a neighbour (such as terraced or semi-detached houses) a projection of 3.0m is normally acceptable. A smaller projection may be required where neighbouring gardens are short or where neighbouring windows are close to the extension. If the extension is stepped away from the boundary a greater projection may be permissible.***

*Although extensions to the rear of a property rarely have a significant impact upon the streetscene, design is still an important consideration. Extensions which are poorly designed or are to be built of inappropriate materials will not normally be acceptable.*

*As a general rule extensions to the rear will be acceptable where:*

- *the size and scale of the extension respects the dimensions of the original property and garden space;*
- *appropriate materials are proposed;*
- *the extension will not have a significantly negative impact on neighbouring gardens*
- *the extension will not have a significantly negative impact on neighbouring windows in terms of overshadowing and loss of outlook (See 45 degree code).*

With regards to the 45 degree code the Householder Design Guide States:

*The 45° code usually applies to two storey extensions although it can inform the decision making process for single storey extensions. This code takes account of the position of neighbouring windows. It relates to main living areas such as living rooms, bedrooms, dining rooms and kitchens; it does not usually apply to utility rooms, toilets, staircases or landings.*

*In order to apply the code you should first locate the nearest edge of the closest window on your neighbour's property (fig 1). A line which bisects*

*the wall of the house at an angle of 45° should then be drawn from this point (fig 2). Extensions should then be set within the green area (fig 3). Extensions set within the red area may well be considered to have too great an impact upon your neighbours and could be refused.*

The relevant diagrams are included below for illustrative purposes in relation to the 45 degree code:

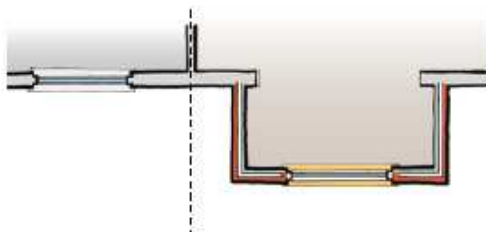


Fig. 1

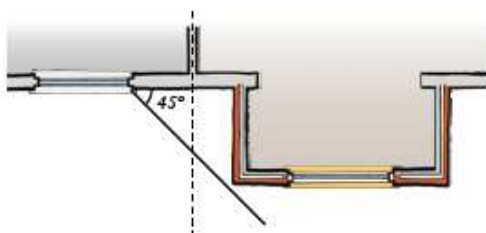


Fig. 2

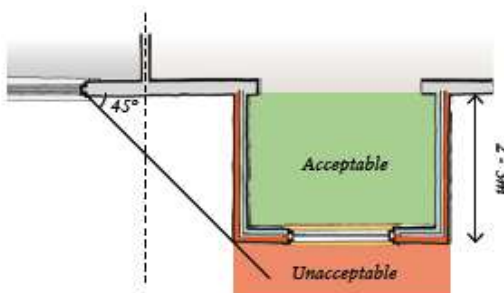


Fig. 3

It is clear from reading the above guidance that, as stated above, an 8m or 6m single storey rear extension is much more likely to be refused, on the basis of the harm being created, than approved by the Council. Harm to neighbours that would be likely to result from such extensions for example, could include that caused by overshadowing, a loss of privacy or a loss of outlook. Although not specifically addressed by the Householder Design Guide it is also clear to the Group that a proliferation of large single storey rear extensions could significantly harm the character and appearance of an area and also have significant implications for a reduction in well used private garden space which provides not only opportunities for exercise and the enjoyment of occupiers of

properties but also a wider benefit in encouraging and sustaining garden wildlife.

**2. The group considers that the proposal is a significant step away from the spirit of Localism that the government has endorsed and would harm local confidence in neighbourhood planning.**

Greg Clark MP, writing in the Plain English Guide to the Localism Bill Update (June 2011) states:

*The Localism Bill was published in December 2010. It sets out a series of proposals with the potential to achieve a substantial and lasting shift in power away from central government and towards local people. They include: new freedoms and flexibilities for local government; new rights and powers for communities and individuals; reform to make the planning system more democratic and more effective, and reform to ensure that decisions about housing are taken locally.*

The group considers that this proposal takes away powers from Local Authorities and local communities in a way which is directly contradictory to the governments stated aims of localism. The group notes that Local Authorities already have powers to relax permitted development rules where it is appropriate to do so through Local Development Orders. The group is strongly in favour of local determinism in this respect. In addition to this, the group notes that even in a hypothetical scenario where a Local Authority may be at odds with a community in relation to relaxing permitted development rules, a local community would have powers, through Neighbourhood Development Orders, to introduce a relaxation of permitted development rules if there was a desire to do so.

The group would note that in inner north west Leeds there has been extensive involvement in the planning process from the local community. This is demonstrated through the production of a number of planning related documents by local community groups, in conjunction and with the support of the Council, in inner north west Leeds. These documents include:

- Far Headingley, Weetwood and West Park Neighbourhood Design Statement (Adopted by the Council February 2005)
- Headingley and Hyde Park Neighbourhood Design Statement (Adopted by the Council September 2010)
- Headingley Renaissance Strategy and Action Plan (Nov 2005)
- Little Woodhouse Neighbourhood Design Statement (Adopted by the Council March 2011)
- Vision for Kirkstall Ward (Nov 2010)

There is also a healthy interest in neighbourhood planning in inner north west Leeds, which is reflected across the city as a whole. To date one of the main concerns raised by community groups in inner north west Leeds in relation to

neighbourhood planning is that the government is giving lip service to neighbourhood planning whilst taking powers away from Local Authorities and local communities. The group considers that the proposed changes to permitted development are likely to further strengthen this view.

Further to this point the Group has a great deal of concern about the statement made in the technical consultation document that “it is of course important to ensure that any impact on neighbours and communities is acceptable” but that this only applies to neighbours and communities in ‘protected areas’. Given the time and effort which has been put into the production of the planning related documents listed above by the local community, all of which have gone through a robust and extensive public consultation, the Group would have significant concerns that the government only considers that those communities in ‘protected areas’ are worthy of protection from the harm which would undoubtedly be caused if this proposal was introduced. This is particularly concerning where a community has already established that there would be no community support for a Neighbourhood Development Order in an area to remove permitted development rights.

**3. The group has significant concerns that there would be no local consultation, particularly for directly affected neighbours, in the development process for harmful 8m or 6m extensions.**

By introducing the proposed changes to the Town and Country (General Permitted Development) Order 1995 (as amended) this would remove the right for neighbours, community groups and other affected parties to comment on proposed extensions through the planning process.

**4. The group has significant concerns that the considerable value added through the planning process will be lost.**

The group is concerned by the government assumption, which is outlined in the technical consultation document, that the planning application process adds little value in many cases. Whilst there is an argument that the process may add little value for straightforward planning approvals, the group has already established above that the majority of 8m and 6m extensions would not fall into this category.

The group concludes, on the basis of considerable evidence in Leeds, that a proposal for an 8m or 6m single storey rear extensions would be highly likely to be both controversial and cause harm to neighbours and the wider community. Where this is the case the group considers that the planning application process adds considerable value by looking to resolve detailed planning considerations and mediate between neighbour disputes. It is incorrect for the government to suggest that the planning application process in ‘many cases’ would add little value.

The group would note that the NPPF indicates that there is a clear role for the planning application process in adding value to the process by being “*a creative exercise in finding ways to enhance and improve the places in which we live our*



*lives*". The NPPF goes on to state that this "*should be a collective exercise*" and that "*in recent years planning has tended to exclude, rather than to include, people and communities*". The group finds it particularly difficult to understand, in relation to the latter point in particular, why the government would choose to exclude people and communities from this process, seemingly contrary to its own general approach.

Given that the National Planning Policy Framework places a significant emphasis on good quality design the group also find it particularly concerning that where detailed local design guidance from both the Local Authority and the local community is present, and has the support of that community, that an individual would be able to disregard this completely.

**5. The group would have fundamental disagreements with the government regarding the potential wider economic benefits of the proposed changes.**

The group notes that the ability of individual households to access capital for building or extension projects has been vastly diminished due to the current financial crisis whether this be in the form of reduced household budgets or a lack of access to lending from financial institutions. The group believes it is naïve to think that the boost to the economy would be anything more than negligible. In this context, and given the significant harm that could be created for generations to come, the group considers that the argument that the proposal would provide a significant boost to the local or national economy can not be given any serious weight.

**6. The group has significant concerns regarding the potential impact on Council resources from this proposal.**

The group would note that if the governments figures were to be borne out in practice (the indication being that 40,000 out of the 200,000 householder planning applications could be removed from the system) that this would lead to significant resource implications for Local Authority planning departments. The Group considers it unclear whether removing these proposals from the planning system will lead to a reduction in workload for planning departments.

Following changes to the Town and Country (General Permitted Development) Order 1995 (as amended) in 2008 the Council saw a noteworthy increase in planning enforcement enquiries in relation to extensions which fell under the new permitted development rules. This had significant resource implications for the Council as no additional funding was made available to respond to these enquiries by the government. If these proposals had continued to require planning permission the Council would have received a planning fee to consider these proposals through the planning application process. The group is concerned, that in a time of severe budget constraints, the current proposal could have a similar impact on Council resources as in 2008. The Group considers that this would also have significant implications for the Council's planning department at a time when the main focus for the department should be encouraging sustainable economic development.

**7. The group considers, in areas of housing imbalance where high concentrations of shared housing exist, that the proposal is likely to exacerbate the problems associated with this imbalance.**

The group notes that the consensus of opinion amongst Local Authorities is that some houses in multiple occupation (HMOs) benefit from householder permitted development rights. The group would question whether the government has considered the impact of allowing 8m and 6m single storey rear extensions to houses in multiple occupation in existing areas of high concentration.

Government published the report 'Evidence Gathering – Housing in Multiple Occupation and possible planning response' in September 2008 which sets out how to respond to the challenges of high concentrations of HMOs. The report identifies the following impacts that occur as a result of high concentrations of HMOs:

- Anti-social behaviour, noise and nuisance
- Imbalanced and unsustainable communities
- Negative impacts on the physical environment and streetscape
- Pressures upon parking provision
- Increased crime
- Growth in private sector at the expenses of owner-occupation
- Pressure upon local community facilities and
- Restructuring of retail, commercial services and recreational facilities to suit the lifestyles of the predominant population

The group considers that the current proposal could lead to a significant cumulative impact in terms of additional bedrooms created in existing areas of high concentration of HMOs. This could lead to further harmful housing imbalance and further exacerbate the above impacts outlined in the 2008 government report. This would be contrary to the aims of those Local Authorities, such as Leeds City Council, which have introduced Article 4 Directions and accompanying local planning policy, often with significant public and community support, in response to this issue.

**Question 2: Are there any changes which should be made to householder permitted development rights to make it easier to convert garages for the use of family members?**

Yes ☐ No ☒

Comments

The group considers that in many instances the current permitted development rules in relation to garages lead to significant adverse impacts and therefore would not support making it easier for households to convert garages.

The group would note that existing permitted development rights allow the conversion of garages for the ancillary use of family members in any case and would question what further changes could be made. If the government is suggesting the relaxation of permitted development rules in relation to garages and outbuildings under Part 1 Class E of current Householder permitted development rights the group would not support this.

As is noted in relation to question 1 above, the group has particular concerns about the implications this could have for shared housing where garage conversions can lead to an intensification of a sites use, which can in turn have significant impacts for both immediate neighbours and the wider community.

**Question 3: Do you agree that in non-protected areas, shops and professional/financial services establishments should be able to extend their premises by up to 100m<sup>2</sup>, provided that this does not increase the gross floor space of the original building by more than 50%?**

Yes ☐ No ☒

Comments

Although there may be a limited number of instances where these proposals may not lead to harm, the group are of the view that these would be very much in the minority in Leeds. The group would therefore like to outline a number of areas of serious concern in relation to these proposals:

**The group have concerns that the proposed changes would significantly impact on the character and visual amenity value of many town and local centres.** The group would note that a significant proportion of town and local centres in Leeds are struggling with an increase in the number of empty units becoming more evident. The group would therefore suggest that there is often ample opportunity for the few successful retailers or businesses which are bucking the trend, to look to expand into larger available units or extend into neighbouring units if additional floorspace is required.

The group considers that the vitality and viability of town and local centres not only hinges on the diversity and quality of businesses present, but also on the attractiveness of those centres and how they are perceived by potential users. The group considered that these proposals have significant potential to lead to unsightly and unsympathetic additions which could create harm in this way.

**The group is concerned about the potential for a significant loss of car parking and service areas associated with businesses that would be likely to occur.** This could have potentially significant implications for highway safety

for pedestrians and road users and is likely to lead to an increase in congestion in existing centres, which is already a significant problem in inner north west Leeds.

**The group considers that the planning application process adds considerable value by looking to resolve detailed planning considerations.**

The Group would note that the NPPF indicates that there is a clear role for the planning application process in adding value to the process by being “*a creative exercise in finding ways to enhance and improve the places in which we live our lives*”. The NPPF goes on to state that this “*should be a collective exercise*” and that “*in recent years planning has tended to exclude, rather than to include, people and communities*”. The group finds it particularly difficult to understand, in relation to the latter point, why the government would choose to exclude people and communities from this process, seemingly contrary to its own policy.

**The group notes that the ability of businesses, particularly small local business, to access capital for building or extension projects has been vastly diminished due to the current financial crisis whether this be in the form of reduced income or a lack of access to lending from financial institutions.** The group believes it is naïve to think that the boost to the economy would be anything more than negligible. In this context, and given the significant harm that could be created for generations to come, the Group considers that the argument that the proposal would provide a significant boost to the local or national economy should not be given any serious weight.

**The group considers it unclear whether removing these proposals from the planning system will lead to a reduction in workload for Local Authority planning departments.** The group is concerned, that in a time of severe budget constraints, the current proposal could lead to a significant increase in complaints and queries from members of the public and neighbour disputes. This would place considerable pressure on Local Authority resources in responding to these matters without any additional funding being provided to resource this.

**Question 4: Do you agree that in non-protected areas, shops and professional/financial services establishments should be able to build up to the boundary of the premises, except where the boundary is with a residential property, where a 2m gap should be left?**

Yes ☐ No ☒

Comments

Further to the points made in response to question 3 the group would have significant concerns in relation to the potential impact that this proposal would be likely to have on the character and visual amenity of town and local centres. Gaps between properties in town and local centres are often considered to be positive features which contribute to the wider townscape and in many instances

are worthy of protection.

The group would also like to express concern that extensions up to the boundary when near to highway junctions could lead to highway safety issues, and that extensions to boundaries near public footpaths could lead to a significant impacts on perceptions of the safety of these spaces.

**Question 5: Do you agree that in non-protected areas, offices should be able to extend their premises by up to 100m<sup>2</sup>, provided that this does not increase the gross floor space of the original building by more than 50%?**

Yes ☐ No ☒

Comments

The group considers that in some scenarios, for example out of town office parks, these proposals may lead to very little, if any, harm. However the group is of the view that in inner city areas extensions of this nature could lead to several adverse impacts which would be harmful to local communities.

**The group consider that the size, scale and inappropriate nature of these extensions in a densely built up urban environment could be likely to lead to significant harm to the character and visual amenity of an area.**

**The group is concerned about the potential for a significant loss of car parking and service areas associated with offices that would be likely to occur.** This could have potentially significant implications for highway safety for pedestrians and road users and is likely to lead to an increase in congestion in centres, already a significant problem in inner north west Leeds.

**The group considers that the planning application process adds considerable value by looking to resolve detailed planning considerations.** The Group would note that the NPPF indicates that there is a clear role for the planning application process in adding value to the process by being “*a creative exercise in finding ways to enhance and improve the places in which we live our lives*”. The NPPF goes on to state that this “*should be a collective exercise*” and that “*in recent years planning has tended to exclude, rather than to include, people and communities*”. The Group finds it particularly difficult to understand, in relation to the latter point, why the government would choose to exclude people and communities from this process, seemingly contrary to its own policy.

**The group notes that the ability of businesses, particularly small local business, to access capital for building or extension projects has been vastly diminished due to the current financial crisis whether this be in the form of reduced income or a lack of access to lending from financial institutions.** The Group believes it is naïve to think that the boost to the economy would be anything more than negligible. In this context, and given the significant harm that could be created for generations to come, the Group considers that the argument that the proposal would provide a significant boost

to the local or national economy should not be given any serious weight.

**The group considers it unclear whether removing these proposals from the planning system will lead to a reduction in workload for Local Authority planning departments.** The group is concerned, that in a time of severe budget constraints, the current proposal could lead to a significant increase in complaints and queries from members of the public and neighbour disputes. This would place consider pressure on Local Authority resources in responding to these matters without any additional funding being provided to resource this.

**Question 6: Do you agree that in non-protected areas, new industrial buildings of up to 200m<sup>2</sup> should be permitted within the curtilage of existing industrial buildings and warehouses, provided that this does not increase the gross floor space of the original building by more than 50%?**

Yes ☒ No ☐

Comments

The group is broadly supportive of this proposal in order to encourage industry to expand and grow in existing industrial areas.

**Question 7: Do you agree these permitted development rights should be in place for a period of three years?**

Yes ☐ No ☒

Comments

The group does not support even a temporary relaxation of the following parts of the Town and Country Planning (General Permitted Development) Order 1995 (as amended):

Part 1 (Development within the curtilage of a dwellinghouse)  
Part 24 (Development by electronic communications code operators)  
Part 41 (Office buildings)  
Part 42 (Shops or catering, financial or professional services establishments)

The group considers that the proposed changes to Part 8 (Industrial and Warehouse Development) could be supported for a period of 3 years.

**Question 8: Do you agree that there should be a requirement to complete the development by the end of the three-year period, and notify the local planning authority on completion?**

Yes ☐ No ☒

Comments

As is noted in response to question 8 the group does not support the proposed changes to Parts 1, 24, 41 and 42 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended). The group is of the view that a three year period would allow a significant amount of harmful development to take place.

The group considers that the proposed changes to Part 8 (Industrial and Warehouse Development) could be supported in line with this suggestion.

**Question 9: Do you agree that article 1(5) land and Sites of Special Scientific Interest should be excluded from the changes to permitted development rights for homeowners, offices, shops, professional/financial services establishments and industrial premises?**

Yes ☒ No ☐

Comments

The group would also like to note that in areas where local communities have participated in the planning process by producing local community-led planning documents, such as Neighbourhood Design Statements, considerable thought has been given as to what would constitute appropriate development in an area. The group would ask government to consider whether such areas should also be 'protected'. The group would argue that a potential positive knock-on effect of this would be to encourage communities to seek greater involvement in the plan making system, which would in turn encourage the application of local solutions to local problems.

**Question 10: Do you agree that the prior approval requirement for the installation, alteration or replacement of any fixed electronic communications equipment should be removed in relation to article 1(5) land for a period of five years?**

Yes ☐ No ☒

Comments

Although the group notes that such equipment is a necessary paraphernalia of modern urban living the group does have particular concerns in relation to the design of this equipment in conservation areas. The group would advocate a statutory requirement for telecommunications operators to agree local design guidelines with Local Authorities rather than the current 'encouragement' to do so. The group, whilst broadly supportive of the need for additional broadband infrastructure, also has concerns in relation to potential impacts for increased street clutter, pedestrian access and highway safety.

**Do you have any comments on the assumptions and analysis set out in the consultation stage Impact Assessment? (See Annex 1)**

Yes ☐ No ☐

**Comments**

The group believes that the governments assessment impact is flawed for a number of reasons, many of which have been alluded to in the above consultation response. These are noted below.

**The group believes that the potential economic benefits cited have been vastly over exaggerated.** The group notes that the ability of individual households to access capital for building or extension projects has been vastly diminished due to the current financial crisis whether this be in the form of reduced household budgets or a lack of access to lending from financial institutions. The group notes that the ability of businesses, particularly small local business, to access capital for building or extension projects has been vastly diminished due to the current financial crisis whether this be in the form of reduced income or a lack of access to lending from financial institutions.

The group therefore believes it is naïve to think that the boost to the economy would be anything more than negligible. In this context, and given the significant harm that could be created for generations to come, the Group considers that the argument that the proposal would provide a significant boost to the local or national economy should not be given any serious weight.

**The group believes that the preparation of planning applications is not particularly complex or time consuming in relation to the types of development which the government is looking at. The planning fee for these types of development is minimal and is likely to be only a fraction of the overall cost of a scheme.**

The group would note that professional fees relating to plan drawing which would be likely to make up the majority of the cost in these instances would be required even where planning permission is not required. It is therefore misleading for the government to state that this would represent a significant saving for homeowners and businesses.



**The group considers that the planning application process adds considerable value by looking to resolve detailed planning considerations.**

The group would note that the NPPF indicates that there is a clear role for the planning application process in adding value to the process by being “*a creative exercise in finding ways to enhance and improve the places in which we live our lives*”. The NPPF goes on to state that this “*should be a collective exercise*” and that “*in recent years planning has tended to exclude, rather than to include, people and communities*”. The Group finds it particularly difficult to understand, in relation to the latter point, why the government would choose to exclude people and communities from this process, seemingly contrary to its own policy.

**The group has significant concerns regarding the potential impact on Council resources from this proposal.** The Group would note that if the government's figures were to be borne out in practice (the indication being that 40,000 out of the 200,000 householder planning applications could be removed from the system) that this would lead to significant resource implications for Local Authority planning departments. The Group considers it unclear whether removing these proposals from the planning system will lead to a reduction in workload for planning departments.

Following changes to the Town and Country (General Permitted Development) Order 1995 (as amended) in 2008 the Council noted a significant increase in planning enforcement enquiries in relation to extensions which fell under the new permitted development rules. This had significant resource implications for the Council as no additional funding was made available to respond to these enquiries by the government. If these proposals had continued to require planning permission the Council would have received a planning fee to consider these proposals through the planning application process. The group is concerned, that in a time of severe budget constraints, the current proposal could have a similar impact on Council resources as in 2008. The Group considers that this would also have significant implications for the Council's planning department at a time when the main focus for the department should be encouraging sustainable economic development.

**The group considers that the use of Article 4 Directions to restrict the changes to permitted development rights, even where government agrees with a Local Authority that there were exceptional circumstances, would prove ineffective in preventing significant harm being created due to the need to observe a 12 month notice period to prevent potential compensation claims from affected parties.** The potential harm which could result from a 12 month period would be significant for those local communities. The group considers that if the government is serious about the use of this tool in ‘exceptional circumstances’ then the requirement to observe a 12 month observation period to avoid compensation claims should be removed.

**Thank you for your comments.**