

## **CLG Round Table Discussion – Possible Review of the Way that Changes of Use are Handled in the Planning System**

On behalf of the CPA Committee Paul Singleton attended a round table discussion at CLG on the 24<sup>th</sup> June. This was one of a number of such sessions to take soundings from various sectors of the property industry and interested groups as to whether there is a consensus as to the need for review and possible reform of the way that change of use is managed and controlled through the planning system. This initiative has come out of the Government's Plan for Growth and is jointly sponsored – by CLG and Vince Cable as Business and Industry Secretary.

CLG is taking soundings on a number of questions including whether a change of use should continue to be classed as “development”; whether the Use Classes Order (UCO) continues to be a valid and useful tool; whether the UCO is in need of radical reform; whether a wider range of changes of use should be made “permitted development” under the General Permitted Development Order (GPDO); and whether it would be better, as part of the localism agenda, for such matters to be determined at the local level by the use of the Local Development Order (LDO) or Neighbourhood Development Order (NDO) process.

This first round of engagement has involved 5 round table meetings and a wide range of interested parties. CLG did not ask that the meeting should come to any clear conclusions but there appeared to be some degree of consensus on some areas including the following:

- Changes of use should be continued to be classed as development and be controlled through the planning system.
- The UCO is a useful and generally well understood and accessible tool and should not be jettisoned.
- There is a case for review and updating of the UCO given that it is 25 years old and that there have been very many new uses created and other uses that have effectively disappeared over this period. However this needs to be balanced with a need for some stability given all the other changes being made to the planning system.
- Some participants expressed concern that some of the changes subsequently made to the UCO since 1987 have been made for moral or other reasons rather than for a land use planning purpose and these issues should be controlled through licensing regulation rather than planning.
- Changes in the food and drink industry means that the distinction between A3 and A4 Classes is now much less clear and this needs to be looked at again
- Greater flexibility within the use classes (as exists within Class E) could greatly assist scheme viability and could help developers and landlords to support business start ups.
- There is a good degree of support for the use of LDOs to provide local flexibility but there still needs to be a national UCO and GPDO to provide the “default” position and indicate the “middle ground” as to what should be allowed for.
- The recent situation with regard to Class C4 changes is of concern as more and more authorities are introducing local restrictions via the use of Article 4 Directions.
- There is a good degree of support for encouraging and facilitating the temporary use of vacant buildings (for example to address the number of voids in a shopping centre or a vacant PH in a village) and this could be achieved by putting in place tools to allow for “fixed term” permanent use under PD rights.
- There was some discussion, but no consensus, as to how the system could be used to give better protection to community assets.
- There was a recognition that while the property industry might generally be in favour of further deregulation the CLG and many MPs are regularly being lobbied to increase rather than reduce controls over changes of use and that ministers will be concerned to strike the right balance.

### **Next Steps**

The CLG team will collate the various feedback from the Round Table sessions in a briefing for ministers for their consideration and this could result in a number of possible outcomes, ranging from a no change scenario to a decision to undertake an extensive review. If any review or reform is to be undertaken the CLG team would not expect this to progress to a publication and consultation stage until much later in the year.