

High Street		09/01/2019
<p>Question 1.1 Do you agree that there should be a new PD to allow A1 A2 A5, betting shops, pay day loan and launderettes to change to B1a</p>	<p>No. Reasons:</p> <ul style="list-style-type: none"> • Thame’s High Street provides essential services for not only our residents but those of neighbouring villages, and neighbouring parishes. Retail studies have shown the immediate retail reach of our Town is some 37,500 people, with a further reach of some 284,000 (Thame Retail Capacity & Impact Study, November 2015). Our High Street is thriving, with no vacant unlet floorspace. Even outlying shops are let without difficulties. On the High Street, tenancies are seamless, with only refits causing any break in service. • The delivery of alternative uses has been successfully managed through flexible retail policy identified through our Neighbourhood Plan. • It is planned that as part of the ongoing and future review of our NP our retail evidence will be kept fully refreshed, with policy reappraised at each NP review. In this way our policy will remain relevant and reflective of needs and opportunity. • Thame has already suffered disproportionately from the loss of employment floorspace through permitted development and the Government has been extremely cavalier in its attitudes to the difficulties this brings to our small market town. Any attempt by Government to impose further top-down “solutions” to problems that do not exist at our local level will be met with every legal mechanism at our disposal. • If the Government is intent on bringing these unnecessary options a matching simplification of the use of Article 4 directions within town and parish councils must be granted. The current mechanism is slow and cumbersome. The LPA must first be convinced of the necessity and this brings a burden of administration to them, too. The need for regular review of Article 4 directions is wholly unwarranted, when viewed against the requirement for NPs to be reviewed every two years. • In Thame, the lack of space to accommodate all businesses who want to be based in our town centre, promotes inflated rents. This in turn means shops based in our town centre have to charge higher prices, making it less accessible to residents who have lived in the area for generations. We are seeing the gentrification of our town yet suffer pockets of severe deprivation, with those who are least able to travel out of town forced to do so in order to find shops they can afford. Any policy that reduces our retail space in any way will exacerbate this problem. • A one-size-fits-all approach is not appropriate in this situation, as where it may enable regeneration in a dying high street, it is likely to cause death in a 	

	<p>thriving town centre. In Thame a reduction in retail space, increasing demand, will mean that rents will only continue to increase. This will mean we face the threat of the loss of independent businesses (a large part of our high street) many of whom are already facing inflated rents and rates. There is considerable concern our healthy high street could as a result of the proposed changes, become yet another struggling town centre.</p>	
<p>Question 1.2 Do you agree there should be a new permitted development right to allow A5 to change to residential use</p>	<p>No. Reasons:</p> <ul style="list-style-type: none"> • Retail evidence established for Local Plan and Neighbourhood Plan review purposes has not indicated any superfluity of hot food takeaways within Thame or the surrounding area. • With over 1,000 homes built in just 5 years there is no shortfall of housing that would necessitate turning a good shop into a poor dwelling. • It is for the local community through the neighbourhood plan process to develop a strong vision for the future of its high street. Thame's high street is currently thriving, with no vacant floorspace. Even at the height of economic depression the vacancy rate was extremely low (just 3 high street units out of 202). • Without any identified weakness that is not being addressed through a neighbourhood plan review, Thame would resist top-down change that threatens to hinder, rather than help vitality. 	
<p>Question 1.3 Are there any specific matters that should be considered for prior approval to change to office use?</p>	<p>Yes.</p> <ul style="list-style-type: none"> • With no vacant retail units across the whole town of Thame, and seamless exchange between the occupiers of the few units that become available in any year, permitted development would be a solution for a problem that does not locally exist. • The Government should not seek to introduce such a regime, without any thought for town, parish and local authorities who continually review both the support they give to businesses and their retail evidence base and policy. A widened permitted development regime risks harming the vitality of the Town. • Thame Town Council holds a Town Centre working group, Visitor Economy working group and a Business Forum for businesses not on the high street, all of which meet every 6 weeks. Mutual support and advice and new initiatives are discussed. The Town Council has employed a full-time Market Town Coordinator to work with high street businesses in order to raise the profile of shops and services to residents and visitors. The Coordinator also works 	

	<p>with volunteers and business owners to promote themed retail and social events, markets and our increasingly popular Midsomer Murders tours. Furthermore the Coordinator seeks regular feedback from residents and visitors about what they like about our Town, and what else is needed. A regular theme that unanimously and consistently emerges through each of these avenues of communication is the lack of opportunity for new businesses to come into or expand within the town, despite evidence of demand. We are acutely aware of what is happening on the ground in our Parish. Conversely, our District Council has recently actively decided not to attend any of our local meetings, and are therefore unaware of the demands and frustrations at local level. Therefore it is essential that Parish Councils must gain or retain oversight of any application placed for consideration at a District Council level.</p>	
<p>Question 1.4 Do you agree that the permitted development right for the temporary change of use of the premises listed in paragraph 1.9 should allow change to a public library, exhibition hall, museum, clinic or health centre?</p>	<p>No.</p> <ul style="list-style-type: none"> • Thame Town Centre provides an essential retail service for some 37,500 residents and those living nearby, with a retail reach across some 284,000 people. With no history of significant vacancies, or any vacancy other than for single units across the last 30 months within the town centre no evidence for reinvention of the high street exists. • If any broadening of permitted development rights is introduced it must include a veto of permission to be granted at a Parish/Town Council level where high street vacancy rates remain below a figure set at an appropriate level for the size of the town centre. For major town centres or district centres 10% would not be inappropriate; for smaller, local centres, 20% would be appropriate. Below this figure, there can be no argument for a nationally-led intervention. 	
<p>Question 1.5 Are there other community uses to which temporary change of use should be allowed?</p>	<p>No.</p> <ul style="list-style-type: none"> • Every high street is unique. Units on the high street will only be attractive if the rent and rates are preferable when compared to alternative locations. If a proposed site is sufficiently attractive then occupants will not hesitate to pay for a planning permission; similarly, if vacancy levels are such a concern, local authorities have existing rights to allow temporary permissions or permit schemes against local policy. • Thame requires a new health centre, as identified in its Neighbourhood Plan. No retail unit or town centre site exists within Thame that would be capable of hosting it. The proposed centre is supported by the local public health bodies in association with local GP surgeries. It is part of the business model for the 	

	<p>public facility that private health care specialists (e.g., physiotherapists) would be able to co-locate into the proposed new facility, thus providing a core of self-supporting health services. Any permitted development on the high street could serve to undermine the proposed facility, the plans for which have been over 3 years in the making.</p>	
<p>Question 1.6 Do you agree that the temporary change of use should be extended from 2 years to 3 years?</p>	<p>No.</p> <ul style="list-style-type: none"> • It is incredulous that the Government should extend the life of temporary permissions above that of the 2-year lifespan of a neighbourhood plan, as introduced through the revised NPPF. Against the current uptake levels of the temporary change the use regime he proposed extensions to include a wider range of uses and greater length of time smacks rather of desperation. The limiting factor in the High Street with regards to alternative uses is the cost of conversion and the associated town centre rent and rates. Very few individuals or companies will risk an investment totalling 10s or hundreds of thousands of pounds on any temporary permission. • The rights around the temporary reuse of high street units should not be extended beyond the current 2 years. The further proposed flexibility regarding the temporary use should be extended, but not without caution. There is no justification to bring planning freedoms into high streets that are thriving and performing a valued local service. 	
<p>Question 1.7 Would changes to certain of the A use classes be helpful in supporting high streets?</p>	<p>No.</p> <ul style="list-style-type: none"> • Responsible individuals or businesses looking to invest in high street properties always seek to ensure that their proposed use is lawful. This provides certainties for financial sponsors, liability and property insurance, etc. It is, therefore, not unknown for companies or individuals to actively seek lawful development certificates to provide this certainty and this would not change following any amendment to the permitted development regime. • Planning is not a barrier to investment on the high street. The existing UCO is simple, and offers sufficient flexibility to cater for any emerging business models. Alternative uses can be catered for on a site-by-site basis, to allow for local circumstances. The Government should concentrate on responding to emerging trends and providing certainty over where new business models sit within the structure of the existing UCO. 	
<p>Question 1.8 If so, which would be the most suitable approach:</p>	<p>No. Question 1.8 a)</p> <ul style="list-style-type: none"> • You are trying to cater for a future that you cannot foresee. In removing named classes it is likely to lead 	

<p>a) That the A1 use class should be simplified to ensure it captures current and future retail models; or</p> <p>b) That the A1, A2 and A3 use classes should be merged to create a single use class?</p>	<p>to problems in establishing future control, where it is required. Without specific definition local authorities might interpret some uses differently.</p> <p>Question 1.8 b)</p> <ul style="list-style-type: none"> You are trying to cater for a future that you cannot foresee. The Government has had to act, for example, to move betting shops and pay day loan companies from “professional services” into Sui Generis. Betting shops had existed for decades on our high streets but there came a point when nationwide intervention was required in order to control their proliferation. The effect of merging three classes would be sufficient to blight high streets before any control could be introduced. In merging classes A1-A3 it is likely to lead to problems in establishing future control of uses, when it becomes necessary to do so. 	
<p>Question 1.9 Do you think there is a role for a permitted development right to provide additional self-contained homes by extending certain premises upwards?</p>	<p>No.</p> <ul style="list-style-type: none"> This is tantamount to a top-down nationally allocation of housing numbers across every local planning authority area. The effects would be unknown. It would be a radical experiment, the harm from which is not wholly predictable. At a certain point in time existing communities, upon realising the impact in terms of access to local services such as schools, health, transport, or the impact on available green space and air quality may seek compensation. The expected benefits may be inefficient in terms of resource and skilled labour availability. Much is made of the housing crisis and how we must react by building better, faster. Even if difficulties in catering for local vernacular building styles can be overcome, existing such sites tend to be constrained in terms of access. Scaffolding and cranes are needed from day one to enable safe working and relatively efficient materials handling. Legal difficulties around party walls and access for works is required prior to starting. Due to working at heights more specialists are required. This is, therefore, a much more resource-hungry way of developing homes than by working from greenfield or cleared brownfield sites. An alternative would be to place a duty on LPAs to ensure that they have covered through housing land assessments the opportunities that exist within their areas to extend upwards. Following local consultation undertaken as part of plan reviews, it should be made clear that areas should be designated through, for example, the Simplified Planning Zone process. This would allow for local constraints on school provision, health facilities, etc. to be identified and where appropriate, mitigated. 	

<p>Question 1.10 Do you think there is a role for local design codes to improve outcomes for the application of the proposed right?</p>	<p>No.</p> <ul style="list-style-type: none"> Given the country's varying vernacular styles it is likely that local design codes will be demanded. If local design codes are required it is indicative the idea of permitted development is inappropriate for what will become highly visible development. 	
<p>Question 1.11 Which is the more suitable approach to a new PD right: a) That it allows premises to extend up to the roofline of the highest building in a terrace; or b) That it allows building up to the prevailing roof height in the locality?</p>	<p>1.11 a)</p> <ul style="list-style-type: none"> No. This may provide a right to extend to the height of what has been acknowledged by the LPA to be problematic developments. The idea that the highest is always appropriate is simplistic in the extreme. For example, a terrace of houses could be constrained from upward growth along much of its length to avoid impact on the setting of historic assets, to provide views across historic or valued landscapes or townscapes or to provide a qualitative environment in an otherwise cramped street scene. <p>1.11 b)</p> <ul style="list-style-type: none"> Permitted development is supposed to allow for light-touch regimes. The suggestion that a planning department has to start considering for each and every prior approval what is appropriate in terms of prevailing roof or ridge height is to completely misunderstand the impact of prior approval applications. It is widely acknowledged across the planning and building sector that planning authorities are under resourced; they do not need burdening further with yet more ill-considered resource-hungry "simplified" planning regimes. Every prior-approval application brings much of the same work as a full or outline planning application but without reasonable cover in terms of costs. 	
<p>Question 1.12 Do you agree that there should be an overall limit of no more than 5 storeys above ground level once extended?</p>	<p>No.</p> <ul style="list-style-type: none"> This entire proposal risks harming the local amenity of any geographic area. The suggestion of a limiting the upwards extension of homes to 5 storeys from ground level is clear recognition that harm will be caused. A permitted regime for the upwards extension of buildings is not appropriate. 	
<p>Question 1.13 How do you think a permitted development right should address the impact where the ground is not level?</p>		
<p>Question 1.14 Do you agree that, separately, there</p>	<p>No.</p> <ul style="list-style-type: none"> It is clear that there has been confusion over building regulations in recent years. There is no duty to ensure 	

<p>should be a right for additional storeys on purpose built free standing blocks of flats? If so, how many storeys should be allowed?</p>	<p>a record is kept among private sector building control inspectors of how a building has been constructed; just that it was deemed appropriate.</p>	
<p>Question 1.15 Do you agree that the premises in paragraph 1.21 would be suitable to include in a permitted development right to extend upwards to create additional new homes?</p>	<p>No. It is naive to suggest that all buildings of a certain type could host upwards extensions for residential uses. Such a principle would likely lead to even poorer developments than those permitted under the permitted development rights around office to residential conversions. If the concern is that the "sky" is being underutilised within England, simply ensure that all opportunities for upward growth is examined by local planning authorities as part of their housing land assessment process. The result would be as, if not more effective as ensuing allocations would provide developer confidence, and may help prevent a downward spiral in terms of the quality of development, place and space.</p>	
<p>Question 1.16 Are there other types of premises, such as those in paragraph 1.22 that would be suitable to include in a permitted development right to extend upwards to create additional new homes?</p>	<p>No.</p>	
<p>Question 1.17 Do you agree that a permitted development right should allow the local authority to consider the extent of the works proposed?</p>	<p>Yes. This would be absolutely essential to avoid neighbour conflict, etc. The extra scrutiny would however require extra costs to be borne by the local planning authority. The need to adequately fund this scrutiny should not be overlooked.</p>	
<p>Question 1.18 Do you agree that in managing the impact of the proposal, the matters set out in paragraphs 1.25 – 1.27 should be considered in prior approval?</p>	<p>Yes. This is now, however, 95% of the work of a full planning application. The local authorities will require adequate funding in order to properly assess all the impacts. You might as well operate through an alternative process (see answer to 1.19).</p>	

<p>Question 1.19 Are there any other planning matters that should be considered?</p>	<p>Yes. You might as well demand that local planning authorities scrutinise the potential for increasing the density of their existing areas, evidence through their housing land assessments. Developers can then pay to cover the full planning costs associated with such decision making with the benefit that some of the identified areas may be allocated within local or neighbourhood plans.</p>	
<p>Question 1.20 Should a permitted development right also allow for the upward extension of a dwelling for the enlargement of an existing home? If so, what considerations should apply?</p>	<p>No. There is no need; the existing regime is sufficient. The harm to the amenity of local areas could be substantial if individual properties are permitted to be developed upwards.</p>	