

## Relaxation of the planning rules for change of use from business to residential: Consultation Questionnaire

The Government welcomes your views on the proposals set out in the consultation document, *Relaxation of planning rules for change of use from commercial to residential*, which is available on our website at: [www.communities.gov.uk/consultations](http://www.communities.gov.uk/consultations).

Our preference is to receive responses electronically and we would be grateful if you could return the completed questionnaire to the following e-mail address:

[C3consultation@communities.gsi.gov.uk](mailto:C3consultation@communities.gsi.gov.uk)

If you wish to post your response, however, please send the completed questionnaire to:

Theresa Donohue  
Consultation Team (Commercial to residential use)  
Planning Development Management Division  
Department for Communities and Local Government  
1/J3, Eland House  
Bressenden Place  
London SW1E 5DU

This consultation will run for 12 weeks from 8 April 2011. **The deadline for submissions is 30 June 2011.**

## Data Protection

This is to inform you that we may, with your consent, quote from your response in a published summary of the response to this consultation. If you are content for your views to be made public in this way, please tick the box.

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Otherwise, your views may be set out in the response, but without attribution to you as an individual or organisation.

We shall treat the contact details you provide us with carefully and in accordance with the data protection principles in the Data Protection Act 1998. We shall not make them available to other organisations, apart from any contractor (“data processor”) who may be appointed on our behalf to analyse the results of this questionnaire, or for any other purpose than the present survey without your prior consent. We shall inform you in advance if we need to alter this position for any reason.

## About you

### i) Your details

<b>Name:</b>	<b>Lindsay Pearson</b>
<b>Position:</b>	<b>Chief Planning Officer</b>
<b>Name of organisation (if applicable):</b>	<b>Tonbridge and Malling Borough Council</b>
<b>Address:</b>	<b>Gibson Building, Gibson Drive, Kings Hill, West Malling, Kent, ME19 4LZ</b>
<b>E-mail:</b>	<b>lindsay.pearson@tmbc.gov.uk</b>
<b>Telephone number:</b>	<b>01732 876237</b>

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

<b>Organisational response</b>	<input checked="" type="checkbox"/>
<b>Personal views</b>	<input type="checkbox"/>

### iii) What category do you consider your organisation falls into?

<b>Local planning authority</b>	<input checked="" type="checkbox"/>
<b>Housing developer</b>	<input type="checkbox"/>
<b>Community group/representative</b>	<input type="checkbox"/>
<b>Parish council</b>	<input type="checkbox"/>
<b>Business</b>	<input type="checkbox"/>
<b>Planning professional</b>	<input type="checkbox"/>
<b>Landowner</b>	<input type="checkbox"/>
<b>Voluntary sector or charitable organisation</b>	<input type="checkbox"/>
<b>Other (please state)</b> _____	<input type="checkbox"/>

## The consultation questions

Question A:

**Do you support the principle of the Government's proposal to grant permitted development rights to change use from B1 (business) to C3 (dwelling houses) subject to effective measures being put in place to mitigate the risk of homes being built in unsuitable locations?**

Yes  No

**Please give your reasons:**

The LPA is concerned that there is potential for the creation of either an unacceptable residential environment in the conversion and/or unacceptable impact on the operation of nearby businesses.

Question B:

**Do you support the principle of granting permitted development rights to change use from B2 (general industrial) and B8 (storage & distribution) to C3 (dwelling houses) subject to effective measures being put in place to mitigate the risk of homes being built in unsuitable locations?**

Yes  No

**Please give your reasons:**

See question A

Question C:

**Do you agree that these proposals should also include a provision which allows land to revert to its previous use within five years of a change?**

Yes  No

**Comments:**

Question D:

**Do you think it would be appropriate to extend the current permitted development rights outlined here to allow for more than one flat?**

Yes  No

**If so, should there be an upper limit?**

Yes  No

**Comments:**

Question E:

**Do you agree that we have identified the full range of possible issues which might emerge as a result of these proposals?**

Yes  No

**Are you aware of any further impacts that may need to be taken into account?**

Yes  No

**Please give details:**

Insufficient attention is given to the potential adverse residential conditions in the new dwellings or the adverse impact on nearby businesses.

Question F:

**Do you think that there is a requirement for mitigation of potential adverse impacts arising from these proposals and for which potential mitigations do you think the potential benefits are likely to exceed the potential costs?**

Yes  No

**Comments:**

No comment

Question G:

**Can you identify any further mitigation options that could be used?**

None appropriate for reasons set out above

Question H:

**How, if at all, do you think any of the mitigation options could best be deployed?**

No comment

Question I:

**What is your view on whether the reduced compensation provisions associated with the use of article 4 directions contained within section 189 of the Planning Act 2008 should or should not be applied? Please give your reasons:**

No comment

Question J:

**Do you consider there is any justification for considering a national policy to allow change of use from C to certain B use classes?**

Yes  No

**Please give your reasons:**

The potential for adverse amenity impacts is too great to be allowed to happen without a proper planning assessment.

Question K:

**Are there any further comments or suggestions you wish to make?**