



Public Service and Permitted Development
Consultation,
Ministry of Housing, Communities and Local
Government,
Planning Directorate,
3rd Floor North East, Fry Building
2 Marsham Street
London
SW1P 4DF

XX January 2021

Dear Secretary of State,

'Supporting housing delivery and public service infrastructure' consultation response

I write on behalf of Watford Borough Council in response to the government's recent consultation on supporting housing delivery and public service infrastructure, published on 3 December 2020. Our response is focussed on the first part of the consultation which relates to proposals to introduce new permitted development rights to allow change of use from commercial, business and service uses to residential.

Watford Borough Council is located at the heart of South-west Hertfordshire, bound by Three Rivers District Council, Dacorum Borough Council, St Albans District Council and Hertsmere Borough Council. Unusually for Hertfordshire, Watford is predominantly brownfield. Our town centre is by far the largest in the sub-region, hosting the Watford Intu Centre. The town centre provides an important retail and leisure destination for both local residents and visitors from across South-west Hertfordshire and beyond. The economic importance of Watford to the sub-region is also underpinned by its employment offer and we have several large employment areas, particularly around Watford Junction. We are proud to host headquarter office buildings for a number of successful multi-national businesses alongside local SME's. These businesses provide significant local employment opportunities for residents within Watford and the sub-region.

The global pandemic has placed a significant strain on the local economy in Watford. The town centre has suffered in particular, where shops, bars, restaurants and other service uses have been forced to close or restrict their activities. The need to work from home has reduced the number of workers coming in to Watford's employment areas and the town centre, reducing footfall and placing a further strain on local businesses. However, despite the current challenges the Council have been working hard to support local businesses to ensure that the town centre is well placed to recover when the pressures created by the pandemic begin to ease.

With that in mind we are raising significant concern regarding the nature and timing of the proposal to introduce wide ranging permitted development rights to allow the change of use of important town centre and employment uses to residential. The council support the introduction of new homes within the town centre, and consider that the additional footfall that it would bring to be a key component of ensuring the long term future of the town. Watford's emerging Local Plan sets out a clear growth strategy which will introduce significantly more homes into the town centre alongside mixed-use development to create sustainable communities. We believe this needs to be achieved through the planning system, in a planned and co-ordinated manner, to achieve the right balance which will deliver both a successful destination for retail and leisure alongside a great place for future residents to live. It is considered that these proposals could result in less and more limited choice of homes being provided by conversion compared to that of more comprehensive redevelopment at a higher density delivering high quality homes alongside other uses. In addition, no developer contributions, including much needed affordable housing, will be secured through residential conversions. The proposals risk creating dormitory towns, lacking in local shops, facilities and services, which would result in an increased need for longer journeys which would be contrary to the objectives of sustainable development.

In our view, the proposed permitted development rights would only serve to place additional pressure on local businesses as they look to recover from the impact of the pandemic as businesses are moved on by landlords seeking to profit from higher residential values. This would also create a reduction in the availability of suitable and attractive commercial premises, particularly in places such as Watford where vacancies are low, and will inevitably result in rent rises for local businesses. Watford needs more childcare and healthcare facilities to support the new homes planned within the emerging Local Plan, and again, given the high land values generated by residential development it is likely that existing childcare and health facilities could be lost to residential conversions exacerbating this issue. We would strongly encourage the Government to rethink these proposals and consider more appropriate ways to sensitively introduce residential uses into our town centre, perhaps through national policy and guidance.

However, should the Government decide to proceed with these proposals, we feel that any prior approval regime should be more in line with the current permitted development rights that already exist for specific uses before they were amalgamated into Class E. Appropriate size limits should be introduced to allow local authorities and local people to have a proper say, through a planning application, for any proposals affecting our most important anchor retail, business and service uses. These will be substantial proposals, with long term impacts, and it would not be democratic to allow these to proceed without proper consideration and scrutiny at the local level.

Similarly, we believe that the proposed matters for prior approval at paragraph 21 of the consultation should be expanded to better reflect the potential impact of the proposed permitted development right on town centres and employment areas by allowing the local authority to consider the specific impact of proposals on the vitality and viability of any designated shopping or employment areas. It is considered that should these proposals proceed they should be more proportionate in their reach and not applicable to major or sub-regional centres.

Prior approval matters must also be sufficient to ensure good quality homes and whilst we note, and welcome, the reference to natural light to habitable rooms, we note that paragraph 21 does not refer to compliance to Nationally Described Space Standards. In line with the recent change to other permitted development rights we believe this is an important matter for consideration in order to ensure high quality homes for our residents.

We would also ask the Government to introduce appropriate transitional arrangements into any regulations to enable existing Article 4 Directions, relating to permitted development rights affecting those uses now amalgamated into Class E, to continue to have effect. Given the sub-regional importance of Watford's employment areas the council have a small number of confirmed Article 4 Directions in place which ensure that planning permission is required for any proposed change of use from employment to residential use. The council do not feel it would be fair to have to repeat this process having only received confirmation from the Secretary of State that they have no objection to the latest of those Directions on 7 May 2020.

Finally, if these permitted development rights are to be implemented then there must be a fee attached to the prior approval and this should be more in line with current fees for new dwellings created through planning permission. In practice, processing a prior approval application of the nature proposed will take up similar resources to that required to process a full planning application. By introducing a significantly reduced fee of £96 per dwelling, especially if this is capped at 50 units with no size limit to the application proposed, then local authorities will in effect end up subsidising developers by processing applications at a significant loss. This goes against the intent of proposal 23 within the Planning for the Future White paper, where the Government set their intention to reduce the impact of the planning system on the public purse.

I do hope our response to the consultation is of use and please do not hesitate to contact me should you require any further information.

Yours sincerely,

Watford Borough Council