

Overview of Permitted Development Rights

Office Permitted Development Rights

On May 30th 2013 the Government introduced permitted development rights to convert offices into residential use. These rights last for 3 years.

In the first 9 months the Council has been notified of 33 proposals under these rights. 16 of these are in the city centre and total a loss of 20,000 sq m of offices.

The key city centre sites (loss greater than 1,000 sq m) are:

	No. dwellings	Offices lost (Sq M)
Richmond House Terminus Terrace	74	6,140
Orchard House, 51 – 56 Commercial Rd	25	1,982
Capella House Cook St	27	1,623
Queens Gate 15 – 19 Queens Terrace	64 student	1,600
Portcullis House Platform Rd	36	1,770
114 – 122 Above Bar St	11	1,398
70 – 72 London Rd	21	1,500

These premises are general older lower quality properties. It is likely the conversion of many of these sites would have been supported had planning permission been required. (They are either outside or in the intermediate office safeguarding area. The 3 sites in the prime area are generally older properties).

In addition Brunswick House has received planning permission for conversion to student accommodation.

There is some evidence that there was an initial 'spike' of major applications in response to this temporary measure. Of the 20,000 sq m loss, 90% relates to applications received within the first 3 months of the new pd rights. This will need ongoing monitoring. The loss of 20,000 sq m can be seen in the following context. They are:

- 43% of the city centre office losses assumed by the Core Strategy Partial Review (2013 – 2026).
- 7% of the total city centre office stock.
- 49% of current city centre vacancies. Jones Lang LaSalle's Southampton office have been analysing the effect and comment:

"Whilst it seems that so far it is only the poorer quality buildings that are being put forward for residential, such an unprecedented and dramatic decrease in

supply could have serious implications for the long term health of the local economy.” (Jason Webb, Director. Press release in Sept 2014).

Background

Core Strategy Partial Review

The target for offices (2006 – 2026) is:

New build:	165,000 sq m
Loss:	55,000 sq m (47,000 sq m post 2013)
Net Gain:	110,000 sq m.

The 47,000 sq m future loss is equivalent to converting all the current city centre office vacancies (40,600 sq m) and more. It also broadly equates to the CCAP policy which assumes 0% loss in prime areas and 50% loss in intermediate areas.

The rate of loss (2013 – 2026) is 3,600 sq m per annum. This is towards the high end of past losses:

1996 – 2013: 3,900 sq m p.a. (with high losses 1996 – 2001).

2001 – 2013: 1,830 sq m p.a.

PUSH DTZ assumption: 1,725 sq m p.a.
(National average. Southampton has more older stock).

City Centre Vacancies

Current office vacancies = 40,600 sq m or 15% of total city centre stock.

This is a decline from 17% last year, with a slightly greater decline in the prime areas.

The Dukes Keep area and Charlotte Place block have vacancies significantly above the average.

In the 2000s period of economic growth city wide office vacancies were in the region of 5% - 10%.

Permitted development rights for residential properties

The Government introduced additional permitted development rights for residential properties, subject to a neighbour consultations scheme. This is currently in force between 30th May 2013 and 30th May 2016 and allows for extensions of between 4m and 8m for detached houses and between 3m and 6m for all other houses. There are other limitations on these, such as, a single story rear extension cannot exceed 4m in height, no more than half of the garden can be covered, etc. The process is set out below:

1. A homeowner wishing to build a larger single-storey rear extension must notify the local planning authority and provide:
 - a. a written description of the proposal which includes the length that the extension extends beyond the rear wall of the original house, the height at the eaves and the height at the highest point of the extension;
 - b. a plan of the site, showing the proposed development
 - c. the addresses of any adjoining properties, including at the rear
 - d. a contact address for the developer and an email address if the developer is happy to receive correspondence by email.

There is no fee in connection with this process.

2. The local authority may ask for further information if it needs it to make a decision about the impact of the development on the amenity of adjoining properties.
3. The local authority will serve a notice on adjoining owners or occupiers, i.e. those who share a boundary, including to the rear. This will give the address of the proposed development and describe it, including the information in 1(a) above. It will also set out
 - a. when the application was received, and when the 42-day determination period ends
 - b. how long neighbours have to make objections (which must be a minimum of 21 days), and the date by which these must be received

A copy of this notice must also be sent to the developer.

4. If any adjoining neighbour raises an objection within the 21-day period, the local authority will take this into account and make a decision about whether the impact on the amenity of all adjoining properties is acceptable. No other issues will be considered.
5. The development can go ahead if the local authority notifies the developer in writing either:
 - a. that as no objections were received from adjoining neighbours it has not been necessary to consider the impact on amenity, or
 - b. that following consideration, it has decided that the effect on the amenity of adjoining properties is acceptable.
6. If the local authority does not notify the developer of its decision within the 42-day determination period, the development may go ahead.
7. If approval is refused, the developer may appeal.

8. The extension must be built in accordance with the details approved by the local authority (or, if no objections were raised or the local authority has not notified the developer of its decision, the details submitted), unless the local authority agrees any changes in writing.
9. The development must accord with all other relevant limitations and conditions which apply to other rear extensions allowed under permitted development. These are set out in Class A, and include for example, the requirement that the extension (apart from a conservatory) must be constructed using materials of a similar appearance to those used in the construction of the rest of the house.
10. To benefit from these permitted development rights, the extension must be completed on or before 30 May 2016. The developer must notify the local authority in writing of the date of completion.

Since the scheme came into force, Southampton has received 44 applications under the consultation scheme. Only 3 received objections (4 are still under consideration)