

# **MINUTES OF CABINET MEMBER SIGNING MEETING HELD ON WEDNESDAY, 12TH MAY, 2021, 11.00 - 11.05 AM**

**PRESENT:** Councillor Matthew White, Cabinet Member for Planning and Corporate Services.

**In attendance:** Rob Krzyszowski, Assistant Director for Planning, Building Standards, and Sustainability; Bryce Tudball, Planning Policy Team Manager; and Fiona Rae, Principal Committee Co-ordinator.

## **1. APOLOGIES FOR ABSENCE**

There were no apologies for absence.

## **2. DECLARATIONS OF INTEREST**

There were no declarations of interest.

## **3. CONFIRMATION OF ARTICLE 4 DIRECTION TO REMOVE PERMITTED DEVELOPMENT RIGHTS FOR CHANGES OF USE FROM OFFICE (CLASS B1(A)) TO RESIDENTIAL (CLASS C3) USES IN PRESCRIBED AREAS UNTIL 31 JULY 2022**

The Cabinet Member for Planning and Corporate Services considered the report which sought confirmation of an Article 4 Direction to remove permitted development rights in certain parts of the Borough which allow change of use from office (Use Class B1a) to residential (Use Class C3) to take effect from 26 June 2021 until 31 July 2022.

It was noted that, on 10 March 2020, Cabinet agreed to the making of a non-immediate Article 4 Direction to remove permitted development rights in certain parts of the Borough which allowed change of use from office (Use Class B1a) to residential (Use Class C3). Under permitted development rights, only a narrow 'Prior Approval' process was followed rather than the usual planning permission requirements.

The relevant direction was made on 16 April 2020 in respect of land within defined Growth Areas, Metropolitan and District Centres. The Direction was non-immediate and the specified that it would come into force, subject to confirmation by the council, in June 2021 to give a year's grace period so that compensation was not payable. A consultation on the Article 4 Direction ran for 6 weeks from 26 June 2020 to 7 August 2020 and a total of 9 responses were received.

Having regard to the consultation responses, it was recommended that the Article 4 Direction made on 16 April 2020 was confirmed. Confirmation would mean that the Direction would take effect from 26 June 2021 and planning permission was required for such changes of use. As set out in the report, the Direction would only have effect

until 31 July 2022. This is due to changes which the Government has made to the Use Classes Order since the direction was made, and transitional arrangements that it has legislated for in relation to existing Article 4 Directions in place as at 31 July 2021.

It was also noted in the Cabinet Member introduction that the introduction of the Prior Approval mechanism in an attempt to bolster housing delivery by the Government has led to the loss of valued office space and jobs, undermined a Plan Led approach to managing development, and resulted in many poorly designed, unsuitable residential homes being created in Haringey. These developments made no contribution to affordable housing provision, and frequently did not meet basic space and amenity standards. It was therefore evident that this council needed to remove these permitted development rights through this Article 4 Direction.

### **The Cabinet Member RESOLVED**

1. To note the regulatory requirements for the confirming of a new Article 4 Direction, as prescribed by The Town and Country Planning (General Permitted Development) (England) Order 2015.
2. To agree to confirm the Article 4 Direction removing permitted development rights for office (B1a) to residential (C3) changes of use within Growth Areas, and Metropolitan and District Centres as identified on the Haringey adopted Policies Map made on 16 April 2020 (as set out at Appendix 1 to the report) and due to come into effect on 26 June 2021.
3. To note that the Article 4 Direction will only have effect from 26 June 2021 to 31 July 2022 due to recent changes to The Town and Country Planning (General Permitted Development) (England) Order 2015.

### **Reasons for decision**

The council's employment planning policies are based on robust evidence which establishes a need to protect employment uses to ensure vitality and viability of the borough's economy. The permitted development rights undermine the operation of these policies and impact negatively on the provision of employment space and jobs.

The confirming of a new Article 4 Direction to restrict offices being converted to homes without Planning Permission in key areas of the Borough will result in some significant benefits. This includes the ability to properly assess any proposals against the council's Development Plan with regards to employment and town centre priorities, the quantum and demand for office floorspace, and any impact on key business sectors to ensure any proposal doesn't harm the local economy. It will also enable the council to utilise a Plan Led approach underpinned by robust evidence to come to decisions on such proposals.

### **Alternative options considered**

The alternative options available to the council are:

- To not confirm the Article 4 Direction; or
- To make a new Article 4 Direction of differing geographical scope.

The option not to confirm the Direction has been discounted due to the harm the permitted development right is having as outlined in this report.

The option of making a new Article 4 Direction of differing scope has been discounted. There is no procedure in the legislation for modifying made Directions therefore the council could not amend the boundaries of the proposed areas or introduce further use classes without making a new Article 4 Direction, consulting on it, and then confirming the Direction. It is considered that the current geographical scope of the Direction is robustly evidenced and justified.

The recommended option of confirming the Direction will remove permitted development rights for changes of use from office (class B1(a)) to residential (class C3) uses in prescribed areas until 31 July 2022 thereby protecting the borough from the harms this permitted development right could potentially cause over this period.

CABINET MEMBER: Cllr Matthew White

Signed by Cabinet Member .....

Date ...12 May 2021.....

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