

LATE BUSINESS SHEET

Report Title: MAKING NON-IMMEDIATE ARTICLE 4 DIRECTION FOR OFFICE (B1A) TO RESIDENTIAL (C3) CHANGES OF USE

Item 20 – Cabinet 10th of March 2020

Comments of the Regulatory Committee

Reason for lateness and reason for urgent consideration

This addendum is considered urgent pursuant to section 100B (4) (b) of the Local Government Act 1972. That provision states *“An item of business may not be considered at a meeting of a principal council unless ... by reason of special circumstances, which shall be specified in the minutes, the chairman of the meeting is of the opinion that the item should be considered at the meeting as a matter of urgency”*.

This report was considered by the Regulatory Committee on 2 March 2020, after publication of the Cabinet agenda for 10 March 2020. The Regulatory Committee considered the information contained in the report and resolved to recommend the report to the Cabinet for approval.

The terms of reference for Regulatory Committee set out in Part three section B - of the Council Constitution requires the cabinet to consider informal recommendations on local development documents, development plan documents, the local development framework and any other planning policy matter.

Concurrence of the Acting Democratic and Scrutiny Services Manager to the submission of this late item of business in accordance with Part 5 Section D – Protocol for Decision-Making - Paragraph 1.4.

EXCERPT - MINUTES OF THE MEETING OF THE REGULATORY COMMITTEE HELD ON MONDAY, 2 MARCH 2020, 7.00 - 8.10 pm

PRESENT:

Councillors: Vincent Carroll (Chair), Gina Adamou (Vice-Chair), Dhiren Basu, Peter Mitchell, Reg Rice, Viv Ross and Yvonne Say

98. MAKING NON-IMMEDIATE ARTICLE 4 DIRECTION FOR OFFICE (B1A) TO RESIDENTIAL (C3) CHANGES OF USE

Rob Krzyszowski, Head of Planning Policy, Transport and Infrastructure, introduced the report as set out. Existing national legislation allowed for permitted development rights for the change of use from office to residential use without a full planning application. However, Local Authorities had the power to invoke Article 4 powers which would required full planning applications to be submitted for a change of use. The plan was for the powers to take full effect following a one-year grace period. It was important to note that these powers would not cover the whole borough, but key growth and defined centre areas.

It was not envisaged that a large number of applications would be received in the intervening year although it is not possible to know for sure, and the implementation of these powers would not mean that applications would be refused in the future – applicants would just be required to submit a planning application. The year long grace period and consultation would begin after approval by Cabinet.

RESOLVED that

- i. The regulatory requirements for the making of a new Article 4 Direction, as prescribed by The Town and Country Planning (General Permitted Development) (England) Order 2015 be noted;**
- ii. Cabinet be recommended to adopt the justification herein provided to support the making of an Article 4 Direction to remove Office (B1a) to Residential (C3) Permitted Development Rights within Growth Areas, and Metropolitan and district Centres; and**
- iii. Cabinet be recommended to approve the making of a non-immediate 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 as set out in Appendices A and B.**