

CLG consultation - Greater flexibility for planning permissions: a RIBA response

Introduction

The Royal Institute of British Architects is one of the most influential institutions in the world, and has been promoting architecture and architects since being awarded its Royal Charter in 1837. The 40,000-strong professional institute is committed to serving the public interest through good design. It represents 85% of registered architects in the UK as well as a significant number of international members. Our mission statement is simple – to advance architecture by demonstrating benefit to society and promoting excellence in the profession.

Summary

The RIBA are supportive of the measures proposed in this consultation.

Question 1 – Do you agree that extensions of the time limits for implementing existing planning permissions for major schemes should be permitted for a temporary period?

Yes in the current economic climate we agree that lapsed permissions could contribute to delaying an economic recovery.

We would encourage Local Authorities, particularly for complex or socially important schemes to use their powers to grant new permissions for longer than the default period of three years.

Question 2 – Do you think it would be desirable to introduce a similar procedure which could be used to extend the time limits for implementation of a listed building consent or conservation area consent?

Yes. We agree that extensions should not be seen as a mechanism to avoid proper thorough consideration of environmental issues. And that Local planning authorities may refuse applications for permissions where changes in the development plan or other relevant material considerations indicate the proposal should no longer be treated favourably.

Question 3 – Do you agree with the proposed approach to information requirements associated with an application to extend, and that applications for extension should be exempted from the requirement to provide design and access statements?

Yes we agree that for an extension it is not necessary to provide another design and access statement given there will have been one provided at the time of the original application.

Question 4 – Do you agree that the fee associated with an application to extend should be in line with the fee chargeable for a s.73 application, i.e. a flat fee of £170?

Yes in order to prevent variations in fees associated with extensions a flat rate of £170 appears to be reasonable.

Question 5 – Do you agree that extensions should only be possible for major development schemes?

No it should be possible for smaller schemes also.

Question 6 – Do you agree that, except where the application for extension is an EIA application, local planning authorities should have discretion to decide which statutory consultees should be consulted?

Yes

Question 7 – What are your views on the White Young Green Options 1-3? Do you have any other suggestions for feasible options?

We prefer a de minimis approach which in this case could simply involve correspondence between Local Planning Authority and applicant to agree non material and minor material changes rather than adding a new layer of permissions.

However the options 1-3 as proposed by White Young Green would be implementable.

Question 8 – Do you agree that, except where the application under s.73 is an EIA application, local planning authorities should have discretion to decide which statutory consultees should be consulted?

Yes.

Question 9 – Do you agree with the proposed approach on notification and representations for non-material amendments?

Yes

Question 10 – Do you agree with the proposed approach on information requirements for an application for a non-material amendment?

Yes

Question 11 – Do you agree that, for non-material amendments, a decision should be made within 28 days of receipt of the application?

Yes, although to prevent unintended consequences of timeliness targets there should be flexibility in performance targets to enable local planning authorities to agree with applicants, in appropriate circumstances, limited extensions to the time allowed for the decision.

Question 12 – Do you agree that the fee associated with an application for a non-material amendment should a flat fee of £170, with the exception of non-material amendments to householder applications, where it should be a flat fee of £25?

For non-material amendments we would recommend that a fee is not applied.

Question 13 – Do you have any comments on the guidance which has been included in this consultation paper? Is there anything else that you would like to see covered by guidance?

We need to ensure that we do not create more bureaucracy as a solution. A set of policies for small scale schemes to make straightforward decisions would be the best outcome.