Planningconsultation2018@communities.gov.uk

14 January 2019

Dear Sir/Madam

Planning reform: supporting the high street and increasing the delivery of new homes

New West End Company is the Business Improvement District (BID) for the major shopping streets of London’s West End. Comprising an Occupier BID and a Property Owner BID, we represent over 600 retail, hotel and property companies in and around Bond Street, Oxford Street and Regent Street.

New West End Company welcomes the Government’s commitment to supporting high streets as they respond to evolving trends in retailing. The growth in online retailing is creating more competition, adding to the earlier impact of a shift to out of town retailing.

This inevitably means that there is an overcapacity of retail space and that town centres and their businesses need to offer a wider experience to attract and retain visitors. A more flexible planning system is a key element in encouraging and enabling the necessary changes to take place and we give below, our thoughts on the two key issues in the consultation paper of extending permitted development rights and re-defining use classes.

We support the submission made by Four Communications on behalf of all City of Westminster BIDs, which responds to all the issues raised in the consultation paper.

We would also like to express our disappointment that, in considering measures to secure the future of the high street, the Government has not listened to retailers and other high street businesses, about the damage caused by the business rates system. Business rates disproportionally hits high street businesses (retail produces 6% of GDP but pays 26% of business rates) and makes it more difficult to compete with online businesses. Failure to review the entire business taxation system will undermine efforts to create vibrant high streets.

Our key responses

Q1.1,1.2,1.3 We suggest that any permitted development rights to change from A1, A2 and A5 to change to B1 and from A5 to C3, should be restricted to upper storeys and exclude ground floor elements.

Q1.7 We suggest a use class which allows a wider interpretation of uses within the A1 use class, to incorporate the various activities (some of which may yet be unknown) that are needed to attract visitors beyond core retailing, for example allowing display and experiential uses within a retail unit.
Q1.8 We do not believe that uses A1, A2 and A3 should be merged into a single use class. However, a broader A1 use class should allow a defined proportion of a retail premise to be eligible for A3 use, this proportion being greater on floors above ground level. For example, A1 may allow up to 25% of ground floor and 50% of higher floors to be used for A3 uses.

Q1.9 We note the proposed list of exemptions to the proposed permitted development rights to provide additional self-contained homes by extending certain premises upwards and suggest that the Central Activity Zone and, within that, the International Centres should be added to that list.

Q1.21 and 1.22 We fully support the removal of these rights regarding call boxes and advertising. In an age of mobile communications these boxes are increasingly unnecessary, add to street clutter and are often used merely as lucrative advertising hoardings.

Permitted Development Rights (Questions 1.1, 1.2 and 1.3)

Within the West End International Centre, we have seen the damaging impact of previous permitted development rights that allow change of use from office to residential.

The West End is a major driver of the UK economy, producing a GVA of £50 billion, more than The City (£43.9 billion) and almost as much as the whole of Wales (£52 billion).

The Mayor and Westminster City Council are planning to create an additional 77,000 jobs by 2036, half of which will be in the West End with the huge investment in the Elizabeth line providing a commuter service to enable this growth.

To do this, will require 1.9 million square metres of additional commercial space.

But the permitted change of use from commercial to residential, has resulted in a loss of 300,000 square metres of office space between 2013 and 2017. This undermines the West End’s commercial growth ability.

Against this background, we are concerned to minimise any negative impact of creating further new permitted development rights. We believe that consideration must be given into how to prevent any negative outcomes of allowing change from retail uses A1, A2 and A5 to office B1 and also from A5 to housing C3.

While we agree with more flexibility, and we agree that there will inevitably be a reduction of retail space, we believe that for high streets to be attractive to visitors the ground floor uses need to be active and appealing. We do not believe that office uses on ground floor will help high streets. We therefore suggest that any permitted development rights should be restricted to upper storeys and exclude ground floor elements.
Use Classes Order (Questions 1.7 and 1.8)
We support changes to use classes which will allow businesses to amend their formats to become more attractive to visitors.

We prefer a use class, which allows a wider interpretation of uses within the A1 use class, to incorporate the various activities (some of which may yet be unknown), that are needed to attract visitors beyond core retailing, for example allowing display and experiential uses within a retail unit.

We do not believe that uses A1, A2 and A3 should be merged into a single use class. However, a broader A1 use class should allow a defined proportion of a retail premise to be eligible for A3 use, this proportion being greater on floors above ground level. For example, A1 may allow up to 25% of ground floor and 50% of higher floors to be used for A3 uses.

A new permitted development right to support housing delivery by extending buildings upwards to create additional new homes (Question 1.9)

We appreciate the need for new housing and the potential benefits that creating new homes in many high streets. However, within the International Centre of the West End, we do not support new housing on streets such as Bond Street, Oxford Street and Regent Street.

The management issues that arise if housing is introduced into these high density shopping streets, for example the noise created by night time deliveries, cause difficulties for the operation of this vital part of the UK economy.

Moreover, incorporating residential uses into commercial building, will effectively prevent future wholesale development of these important retail sites. It will not be possible to demolish and rebuild in the future, because of the mix of tenures.

We note the proposed list of exemptions to these proposed permitted development rights and suggest that the Central Activity Zone and, within that, the International Centres should be added to that list.

Permitted development rights to install call boxes and associated advertising consent (Questions 1.21 and 1.22)

We fully support the removal of these rights. In an age of mobile communications these boxes are increasingly unnecessary, add to street clutter and are often used merely as lucrative advertising hoardings.
I am happy to discuss these issues in more detail if you wish. It would be helpful to show the Department the types of globally emerging retail formats which the planning system will need to respond to in the future, if high streets are to evolve in ways that continue to attract people to visit, spend time and return.

Yours sincerely

Jace Tyrrell
CHIEF EXECUTIVE