



**Notice of a public**

**Decision Session - Executive Member for Economy and Strategic Planning**

**To:** Councillor Waller (Executive Member)

**Date:** Tuesday, 26 January 2021

**Time:** 10.00 am

**Venue:** Remote Meeting

**AGENDA**

**Notice to Members – Post Decision Calling In:**

Members are reminded that, should they wish to call in any item\* on this agenda, notice must be given to Democracy Support Group by:

**4:00pm on Thursday 28 January 2021** if an item is called in *after* a decision has been taken.

\*With the exception of matters that have been subject of a previous call in, require Full Council approval or are urgent which are not subject to the call-in provisions. Any called in items will be considered by the Customer and Corporate Services Scrutiny Management Committee.

Written representations in respect of item on this agenda should be submitted to Democratic Services by **5.00pm** on **Friday 22 January 2021**.

## 1. **Declarations of Interest**

At this point in the meeting, the Executive Member is asked to declare:

- any personal interests not included on the Register of Interests
- any prejudicial interests or
- any disclosable pecuniary interests

which he may have in respect of business on this agenda.

## 2. **Minutes** (Pages 1 - 4)

To approve and sign the minutes of the meeting held on 22 December 2020.

## 3. **Public Participation**

At this point in the meeting members of the public who have registered to speak can do so. Members of the public may speak on agenda items or on matters within the remit of the committee.

Please note that our registration deadlines have changed to 2 working days before the meeting, in order to facilitate the management of public participation at remote meetings. The deadline for registering at this meeting is **5:00pm on Friday 22 January 2021**.

To register to speak please visit [www.york.gov.uk/AttendCouncilMeetings](http://www.york.gov.uk/AttendCouncilMeetings) to fill out an online registration form. If you have any questions about the registration form or the meeting, please contact the relevant Democracy Officer, on the details at the foot of the agenda.

### **Webcasting of Remote Public Meetings**

Please note that, subject to available resources, this remote public meeting will be webcast including any registered public speakers who have given their permission. The remote public meeting can be viewed live and on demand at [www.york.gov.uk/webcasts](http://www.york.gov.uk/webcasts).

During coronavirus, we've made some changes to how we're running council meetings. See our coronavirus updates ([www.york.gov.uk/COVIDDemocracy](http://www.york.gov.uk/COVIDDemocracy)) for more information on meetings and decisions.

**4. Economic Strategy Update** (Pages 5 - 42)

This report provides a progress update on City of York Council's work to develop a new Economic Strategy for York.

**5. MHCLG Consultation: Supporting Housing Delivery and Public Service Infrastructure** (Pages 43 - 78)

This report provides an update on the consultation published by the Ministry of Housing, Communities and Local Government (MHCLG) on 3 December 2020 entitled 'Supporting housing delivery and public service infrastructure'. The consultation runs until the 28 January 2021.

**6. Urgent Business**

Any other business which the Executive Member considers urgent under the Local Government Act 1972.

Democracy Officer

Louise Cook

Contact details:

- Telephone – (01904) 551031
- Email [louise.cook@york.gov.uk](mailto:louise.cook@york.gov.uk)

**This information can be provided in your own language.**

我們也用您們的語言提供這個信息 (Cantonese)

এই তথ্য আপনার নিজের ভাষায় দেয়া যেতে পারে। (Bengali)

Ta informacja może być dostarczona w twoim własnym języku. (Polish)

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

یہ معلومات آپ کی اپنی زبان (بولی) میں بھی میا کی جاسکتی ہیں۔ (Urdu)

 (01904) 551550

For more information about any of the following please contact the Democracy Officer responsible for servicing this meeting

- Registering to speak
- Written Representations
- Business of the meeting
- Any special arrangements
- Copies of reports

Contact details are set out above

City of York Council

Committee Minutes

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Meeting	Decision Session - Executive Member for Economy And Strategic Planning
Date	22 December 2020
Present	Councillor Waller (Executive Member)

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**7. DECLARATIONS OF INTEREST**

The Executive Member was asked to declare, at this point in the meeting, any personal interests not included on the Register of Interests or any prejudicial or discloseable pecuniary interest that he might have in respect of the business on the agenda. None were declared.

**8. MINUTES**

Resolved: That the minutes of the previous meeting held on 24 November 2020 be approved and then signed by the Executive Member at a later date.

**9. PUBLIC PARTICIPATION**

It was reported that there had been one registrations to speak at the meeting under the Council's Public Participation Scheme.

Cllr Douglas, Ward Member for Heworth, spoke regarding the discussions and decisions in relation to a financial package to save Make It York (MIY) from insolvency and its future. She expressed disappointment that the discussions at Executive had involved little consideration of what the Council will do about the function of MIY and considered that between now and March would be an ideal opportunity to assess, consider and modify aspects of MIY's service level agreement with the Council - to review its contract, structure and oversight and consider if some aspects of its work should be undertaken by the Council.

Regarding Agenda item 5, *Skills and Employment Update*, she advised that CYC put emphasise on how it's using its apprenticeship levy own within its own workforce.

The Executive Member thanked Cllr Douglas for her comments and confirmed that he would be attending the Economy and Place Policy & Scrutiny Forum meeting on 11 January 2021

which would be discussing MIY's future and making recommendations to Executive. Regarding her comments on CYC apprenticeship levy, this had been considered in depth at the September Decision Session meeting and he assured her that work was in progress to address this concern.

**10. QUARTERLY ECONOMIC UPDATE**

The Executive Member considered a report which provided a quarterly economic update for the period October 2020 to December 2020.

The Head of Economic Growth and Economy and Place was in attendance to provide a presentation, to present his report and to respond to questions.

Key points arising from consideration of this item included:

- Economic recovery in terms of business activity and footfall in York to return to pre-covid could take anything between one to four years.
- A lot of work had been undertaken to support start-up businesses, which had seen a significant increase. This had included business support and access to various funding streams and grants.
- The Executive Member considered this report to be a beneficial data source and requested a more in-depth focus on data in relation to start-up businesses when this report is received in the next quarter.

Resolved: That the Executive Member:

- (i) Thanked officers and partners for their work to ensure that businesses in the City of York Council were supported throughout the COVID emergency.
- (ii) noted the contents of the Report.

Reason: To support York's economic response to the COVID -19 pandemic.

**11. SKILLS AND EMPLOYMENT UPDATE**

The Executive Member considered a report which provided an update on the skills and employment support available to people and businesses within York and how the Council is working with partners.

The Skills Team Manager, Education and Skills was in attendance to present the report and to respond to questions.

Key points arising from consideration of this item included:

- The Executive Member was pleased to note the long apprenticeships within the construction industry and acknowledged the work undertaken in round table meetings and recent business leaders meetings in support of this.
- The Executive Member recognised the impact that covid lockdowns were having on the careers of recent graduates who were placed in a difficult position in terms of establishing contacts and beginning their careers, as well as those having to re-train due to unemployment.
- Where there are hurdles, such as the unintended consequences discussed at his Decision session last month regarding Apprenticeship Levy Transfer Strategy, it is vital that this evidence is collated and he would take that up in writing to the relevant government minister.

Resolved: The Executive Member:

- (i) Reviewed and supported the activity detailed in the skills and employment update report including, the formation of the Skills and Employment Board and the progress made by the Task and Finish Group towards building a robust evidence base.
- (ii) Approved the approach taken to develop the one-year skills plan, which is to prioritise activity that will help support people and businesses through change. The approach will continue to maximise the impact of current support available and that to be implemented in 2021.
- (iii) Supported and approved the updated timeline for completion and sign off of the one-year plan, which allows for the latest Government skills and employment support to be reflected in the plan.
- (iv) Thanked the Skills Team Manager, Education and Skills and her team for all of their hard work.

Reason: To continue to help support people and businesses through change over the next 12 months and highlight the role of skills in supporting York's economic recovery from Covid-19 in the longer term.

Cllr Waller (Executive Member)

[The meeting started at 10.00 am and finished at 10.42 am].





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**Decision Session – Executive  
Member for Economy and Strategic  
Planning**

**26 January 2021**

**Economic Strategy Update**

**Summary**

1. This report provides a progress update on City of York Council's work to develop a new Economic Strategy for York.
2. A comprehensive report on work towards a new Economic Strategy and Partnership for the city was taken to the Executive Member for Economy and Strategic Planning's October 2020 Decision Session. This report outlined a twin track approach to our new Economic Strategy – to continue the long established focus on developing higher paid jobs in key sectors across the economy, while developing a clearer approach to inclusive growth across our economy. These two priorities will be underpinned by two cross cutting themes: the notion of 21<sup>st</sup> century jobs, built flexibly around the needs of employees, and supported by continuous learning to improve individual mobility, and a focus on a green economic recovery, addressing the Council's low-carbon commitments and the city's world-leading bio-economy and agri-tech innovation assets.
3. The approach to developing a new Economic Strategy was reviewed by the Council's Economy and Place Policy and Scrutiny Committee in November. Activity since October's Executive Member Decision Session has focused on reviewing and refreshing our economic evidence base, which will underpin the development of the strategy. Gap analysis work has also been undertaken to ensure that the impacts of Covid-19 are incorporated into this economic evidence base, as well as identifying additional themes requiring further research and analysis work and/or engagement. Work has also taken place to reflect on the data and trends emerging from the Council's resident engagement survey, 'Our Big Conversation', as well as the intelligence from the Council's Sector Roundtables initiative, the latter presented at the Executive Member's November Decision Session.

4. Finally, work is underway to plan the Council's engagement activity with business, residents and partner organisations which will inform and shape the content of our Economic Strategy for York. Internal collaboration is also taking place to ensure that this engagement activity dovetails with, and informs, separate planned engagement activity taking place across the Council's Economy and Place Directorate during 2021, including My City Centre, Local Transport Plan 4, Climate Change and the Council's Skills Plan.
5. Whilst our timetable for developing the Council's new Economic Strategy saw engagement activity planned for February and March 2021, with a strategy going to Executive for sign-off in May, subsequent national lockdowns (November 2020 and January 2021) and rapidly changing Tier restrictions has had a significant impact of the workload of the Council's Economic Growth team. In addition to the above, businesses cannot be expected to meaningfully engage with the Council on medium to longer-term economic matters at a time when business survival is paramount. We therefore propose to undertake business engagement on the Council's new Economic Strategy in late spring/early summer, with a new strategy brought to Executive in the autumn for sign-off.

## **Recommendations**

6. The Executive Member is asked to:
  - 1) Note the contents of the report;
  - 2) Provide comments on the draft economic evidence base and plans for engagement activity;
  - 3) Agree to undertake business engagement activity on the Council's Economic Strategy in late spring/early summer 2021.

Reason: To support York's economic recovery from Covid-19.

## **Report**

7. City of York Council's current Economic Strategy was launched in 2016 and covers the period 2016-20. The Executive has committed to renewing and adapting the strategy, with a new focus on inclusive growth, and to launch a new York Economic Partnership, which will include a diverse range of voices and perspectives.

## **Our Approach**

8. A comprehensive report on work towards a new Economic Strategy and Partnership for York was taken to the Executive Member for Economy and Strategic Planning's October 2020 Decision Session. This outlined a twin track approach to the Council's new Economic Strategy – to continue the long established focus on developing higher paid jobs in key sectors across the economy, while developing a clearer approach to inclusive growth across our economy. These two priorities will be underpinned by two cross-cutting themes: the notion of 21<sup>st</sup> century jobs, built flexibly around the needs of employees, and supported by continuous learning to improve individual mobility, and a focus on a green economic recovery, addressing the Council's low-carbon commitments and York's world-leading bio-economy and agri-tech innovation assets.
9. Activity since October's Executive Member Decision Session has focused on reviewing and refreshing our economic evidence base, which will underpin the development of the strategy. This evidence base can be found in Annex A. Gap analysis work has also been undertaken to ensure that the impacts of Covid-19 are incorporated into this economic evidence base, as well as identifying additional themes requiring further research and analysis work and/or engagement. Work has also taken place to reflect on the data and trends emerging from the Council's resident engagement survey, 'Our Big Conversation, as well as the intelligence from the Council's Sector Roundtables initiative, the latter presented at the Executive Member's November Decision Session.

### **Economic Evidence Base**

10. Our economic evidence base explores York's levels of productivity (pre-pandemic) and wage levels, employment mix (sectors, skills, and types of roles), numbers of business start-ups, skills levels, housing affordability and the economic impacts of Covid-19, current and forecasted.
11. Economic data shows that pre-pandemic, York's economy was performing strongly with higher levels of productivity than the rest of the region, and consistent growth in GVA per hour worked over the last five years. It also shows that our prevailing economic strategy since the 2007 financial crash – to focus on growing high-paid jobs, has borne fruit:
  - We have a strong knowledge economy which has grown, with more than 14,000 high skilled jobs created in York since 2008;

- Pre-pandemic, pay in York was close to the national average (higher for part-time roles), and higher than much of the Yorkshire region;
  - We also have the highest level of skills of any northern city.
12. With significant new developments coming forward in the city, York Central, Hudson Quarter and the Guildhall, we can expect further growth in well-paid jobs. We have also seen strong growth in hospitality, retail and social care employment. These lower-paid sectors provide much of York's part-time work, contributing to household incomes, but also providing some challenges. Data on York property price to earnings ratio shows that York's housing affordability is at UK average levels, but compares poorly with much of the north. In terms of property rents, rental prices in York are equivalent to those in the south of England, outstripping the national average when looking at homes with two bedrooms or more. Those dependent on part-time work have few options beyond lower-paid roles in retail, hospitality and social care.
  13. The economic impact of Covid-19 has been disproportionately felt by industries relying on visitors and consumers. Whilst York's economy has fared better than many other cities, national lockdowns and the current Tier system have disrupted trade in retail, hospitality and leisure sectors, with restrictions expected to continue through winter and spring. National forecasts suggests that economic recovery from the pandemic will take at least a couple of years.<sup>1</sup> Forecast modelling undertaken by Oxford Economics predict that the hit to York's GVA will not be regained for three years, with local employment returning to pre-pandemic levels in 2022.<sup>2</sup>
  14. During Covid-19, we have seen the total number of people furloughed by York employers reach 15,900 in July 2020, before reducing to 6,800 at the end of October. A further 5,400 people were claiming self-employed income support. This has been accompanied by a significant rise in unemployment, as shown by claimant count data which so far has peaked at just over 5,000 residents unemployed in August. Given current extensions to the Job Retention Scheme and the reality that those on furlough remain at high risk of losing their jobs in the coming months, we can expect further job losses in the city.

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<sup>1</sup> [Office for Budget Responsibility's Economic and Fiscal Outlook – November 2020](#)

<sup>2</sup> Forecasts by Oxford Economics undertaken in September 2020, before the second and third national lockdowns.

15. How the city responds to job losses and supports residents into new employment is critical, and an emphasis on inclusive growth in our new Economic Strategy is paramount. Pre-pandemic data shows that while full-time work in York had remained stable, the number of employees working part-time had increased to 40% of all employment – contrasting with a national average of 32%. Focus needs to be placed on growing the amount of part-time work available in high-paid sectors and encouraging continuous learning to improve individual mobility.
16. Additional growth has also been seen in self-employment, with this standing at 11.4% at June 2020 – greater than regional and national averages. Supporting residents in setting up and growing their own business will be an important component of our economic recovery response. Indeed, looking at business start-up data across individual York wards, those with the highest claimant counts (Westfield, Clifton, Heworth and Holgate) are also showing higher levels of business start-ups.

## **Engagement**

17. Wide-scale engagement with businesses, residents and partners is planned to inform and help shape the development of the Council's new Economic Strategy for York. The themes and nature of questions asked will vary according to their target audience. In terms of engagement with businesses, we want to better understand the impact of the pandemic on their turnover, workforce, skills needs (both now, and in the future) and workspace requirements. We also want to know what businesses perceive to be the advantages and disadvantages to doing business in York. Engagement here will include questions on York's connectivity (physical and digital), availability/access to skilled labour, the availability of land/workspace, and the city's overall quality of place, amongst other things. Finally, we would also like to engage businesses on what support they need for business recovery and medium to longer-term growth.
18. With regards to resident engagement, we want to better understand how residents feel about the security of their job and/or business, career prospects and the job prospects for their family in light of the pandemic. We also want to get an understanding of attitudes towards adult learning, and what skills residents would like to learn and develop to help them adapt, upskill, and potentially access new careers opportunities. Also important is understanding residents' experiences of employment in York. This will include exploring the reasons behind residents undertaking part-time work, as well as residents' interest in self-employment, and the barriers to them setting up their own business. For

those residents who are self-employed, we want to understand what additional support they need to develop and grow their business. In addition to the above, understanding what residents perceive to be the advantages and disadvantages to living and working in York will be important in informing the development of our Economic Strategy.

19. In terms of engagement with partners, we will take a slightly different approach to the one outlined for businesses and residents. Here, we want to understand from partners where they think the Council should prioritise infrastructure improvements (transport; housing; employment space; digital; energy and low carbon), what is required to support businesses to recover, grow and become more productive in our city, and what skills interventions would have the biggest impact in the city. Focusing in on our two cross-cutting themes of 21<sup>st</sup> century jobs and a green economic recovery, we would also like to understand what partners think is required to ensure that residents and businesses are able to contribute to and benefit from economic growth in a sustainable way.
20. Work is underway to ensure that this engagement activity dovetails with, and informs, other planned engagement taking place across the Council's Economy and Place Directorate during 2021, including My City Centre, Local Transport Plan 4, Climate Change and the Council's Skills Plan. Budget is available from the Council's Inclusive Growth Fund to support the development of the Council's new Economic Strategy, and could therefore be used to enable effective engagement.

### **Revised Timetable**

21. Whilst our timetable for developing the Council's new Economic Strategy saw engagement activity planned for February and March 2021, with a strategy going to Executive for sign-off in May, subsequent national lockdowns (November 2020 and January 2021) and rapidly changing Tier restrictions has had a significant impact of the workload of the Council's Economic Growth team. A great deal of resource is currently being utilised responding to business queries in relation to the economic impacts of the current lockdown, and signposting businesses to available sources of grant funding.
22. In addition to the above, businesses cannot be expected to meaningfully engage with the Council on medium to longer-term economic matters at a time when business survival is paramount. We therefore propose to push business engagement on the Council's new Economic Strategy back to late spring/early summer, with a new strategy brought to

Executive in the autumn for sign-off. This will allow for a better understanding of the impact of the pandemic, as well as more meaningful engagement with businesses, residents and partners.

23. Work continues on the development of York's one-year skills plan and 10-year skills strategy, as outlined in the skills and employment update report provided to the Executive Member's December 2020 Decision Session.

### **Consultation**

24. Engagement with businesses, residents and partners on the development of the Council's new Economic Strategy is currently planned to be carried out through existing communication mechanisms such as the Council's Big Conversation, sector roundtables, business bulletin and the various channels and networks operated by York's business support and membership groups. This activity is planned for late spring/early summer 2021.
25. Work is also taking place to ensure that this engagement activity dovetails with, and informs, other planned engagement taking place across the Council's Economy and Place Directorate during 2021, including My City Centre, Local Transport Plan 4, Climate Change and the Council's Skills Plan.

### **Council Plan**

26. Our work addresses the following outcomes from the Council Plan:
  - Good health and wellbeing;
  - Well-paid and an inclusive economy;
  - A better start for children and young people;
  - A greener and cleaner city;
  - Safe communities and culture for all; and,
  - An open and effective council.

### **Implications**

27.
  - **Financial** – no new financial commitments.
  - **Human Resources (HR)** – no implications;
  - **One Planet Council / Equalities** – our work positively supports the Council's equalities objectives;
  - **Legal** – no implications;
  - **Crime and Disorder** – no implications;

- **Information Technology (IT)** – no implications;
- **Property** – no direct implications.

## Risk Management

28. There are no specific risks identified in respect of the recommendations.

## Contact Details

### Author:

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Economic Growth Manager  
Economy & Place

[alex.dochery@york.gov.uk](mailto:alex.dochery@york.gov.uk)

### Chief Officer Responsible for the report:

Tracey Carter  
Director of Place

Report  Approved  Date 18/1/21

**Wards Affected:** List wards or tick box to indicate all

All

**For further information please contact the author of the report**

**Background Papers:** None

## Annexes

Annex 1: York Economic Strategy Evidence Base (draft)



# York Economic Strategy 2020-25: Draft Economic Evidence Base

Simon Brereton  
Head of Economic Growth

## We will cover:

- Economic strategy – what is it & why now?
- Beyond productivity – a new basis for strategy
- How are we going to build our new strategy?
- How you can help!

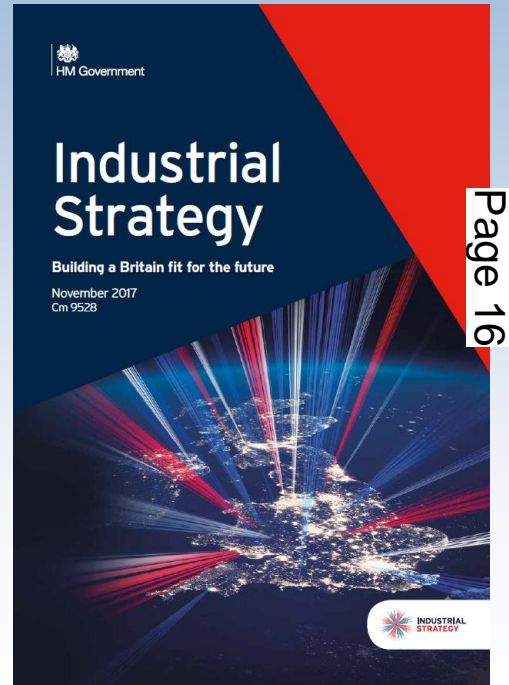


# Why do we need a new Economic Strategy?

- Economic strategy – statement of city priorities, allowing all stakeholders to push together
- Current strategy runs 2016-2020
- Continued sense across the city that not all are benefitting
- New Council Plan setting new city priorities, while MyCastleGateway and MyYorkCentral have raised the bar for consultation!

## National Industrial Strategy

- “A long-term plan to boost the productivity and earning power of people throughout the UK”
- Priorities for Government & LEPs
- Headline: Increase productivity
- 5 foundations: ideas, people, infrastructure, business environment, places
- 4 grand challenges: AI & data, ageing society, clean growth, future of mobility



# ANNEX 1

## The economic strategy landscape



- National and regional strategies guide funding
- Local strategy interprets and adds a local layer
- Enables CYC, Universities, businesses & LEPs to collaborate

# Build Back Better: Government <sup>ANNEX 1</sup> Priorities

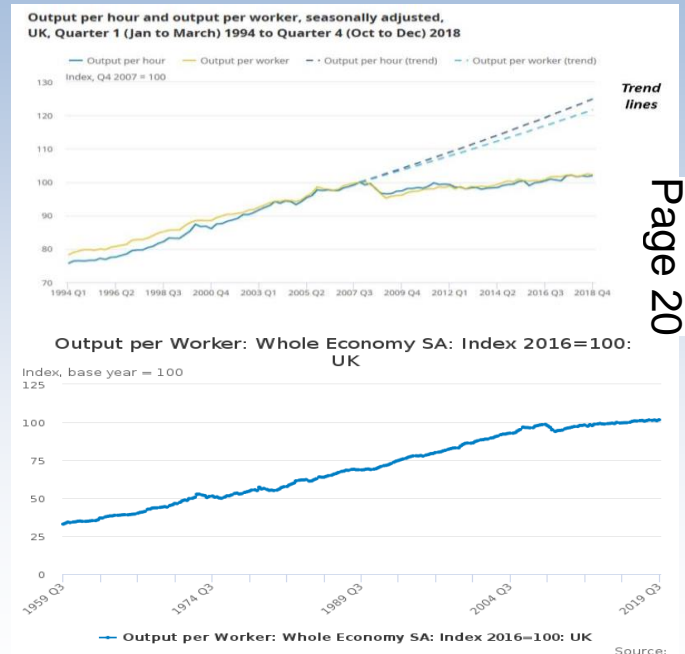
- “Levelling up” agenda – addressing inequality and investing in underperforming places
- UK as a science powerhouse – investing in R&D, developing and attracting top talent and scaling up innovation
- A green industrial revolution – achieving net zero by 2050 whilst creating and supporting <250,000 jobs

# Covid-19 – Economic Impacts

- Full economic impact of Covid-19 still unknown
- Nationally, OBR forecasting a 11% drop in GDP for 2020 – we've since had another lockdown!
- Oxford Economics forecasts for York predict a 11% decrease in GVA for 2020, with GVA returning to pre-pandemic levels in 2022
- Full impact on jobs difficult to tell due to Government support (furlough, business grants, loans etc.)

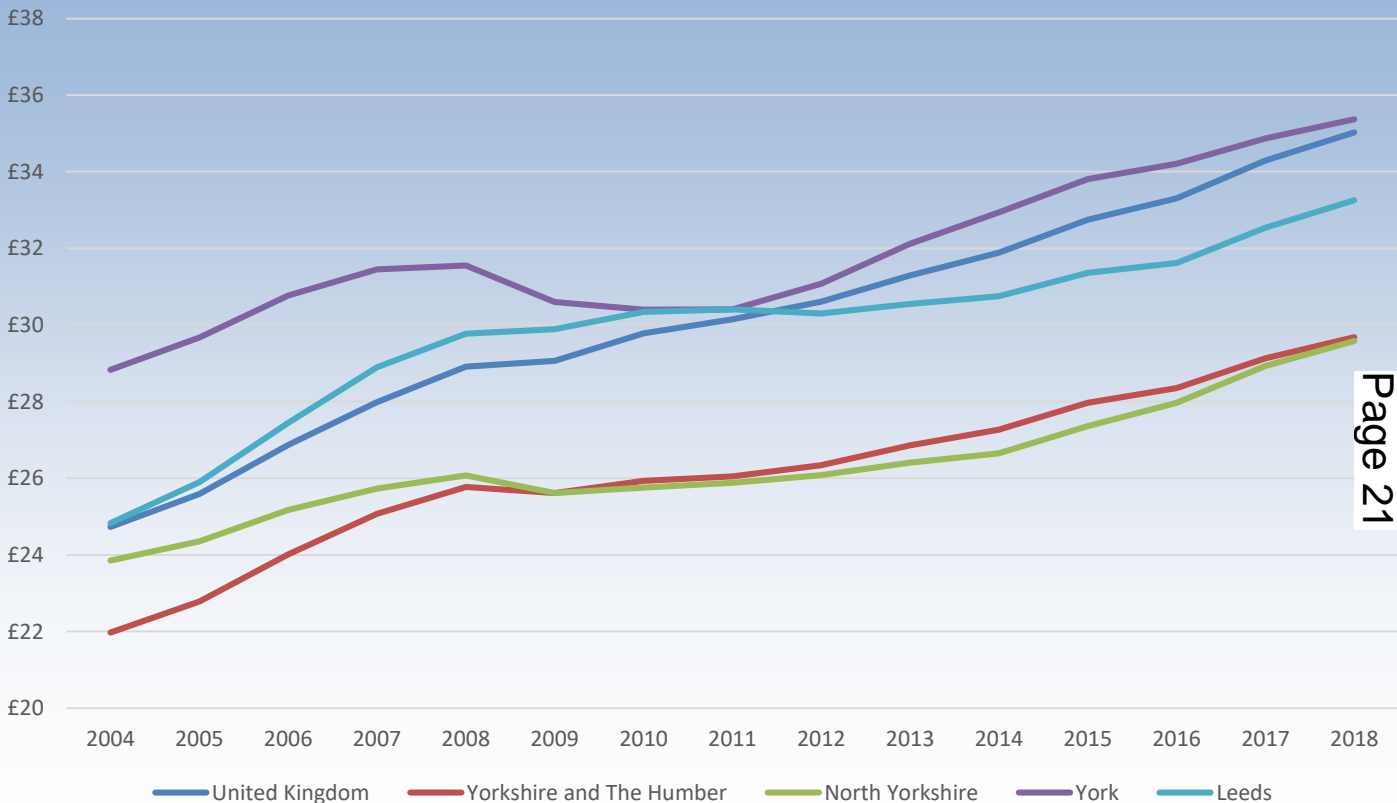
# The productivity challenge(s)

- UK productivity stalled in 2008
- Productivity growth underpins wage growth
- For low-wage cities, growing jobs, skills and productivity is vital – “more jobs, better jobs”





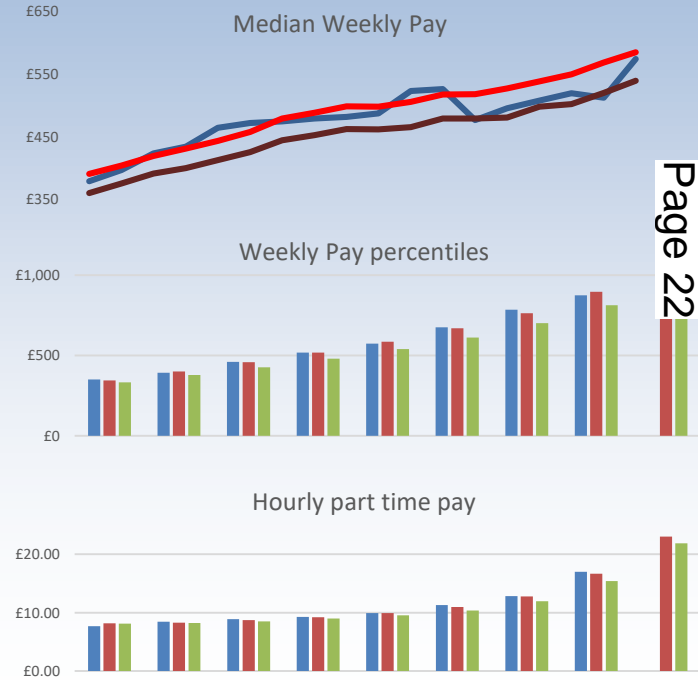
# York is a highly productive city ANNEX 1



ONS: Nominal smoothed GVA (B) per hour worked (£) 2004-2018

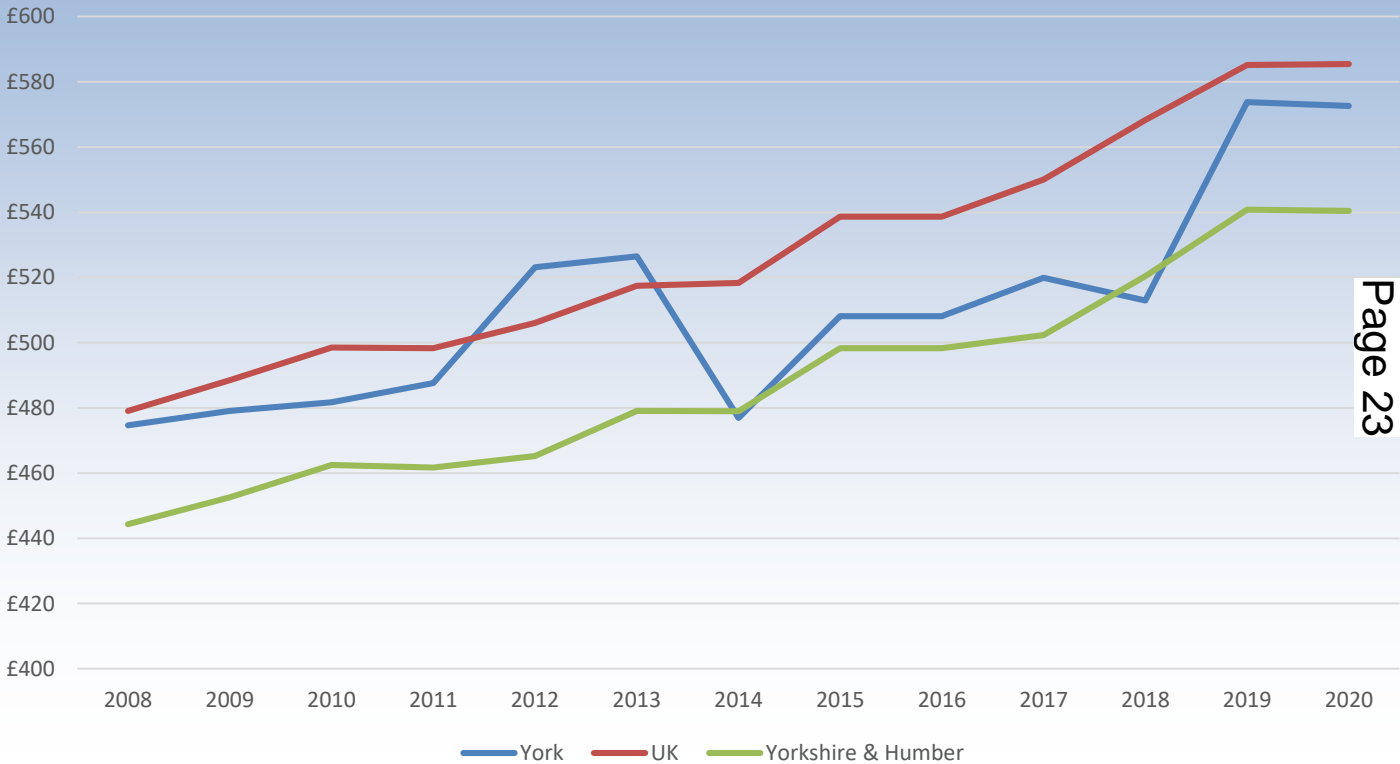
# York is not a low wage city

- Median full time pay close to national levels
- At all percentiles, York is above our neighbours
- Also true for hourly rates of part time staff
- See following charts for more information



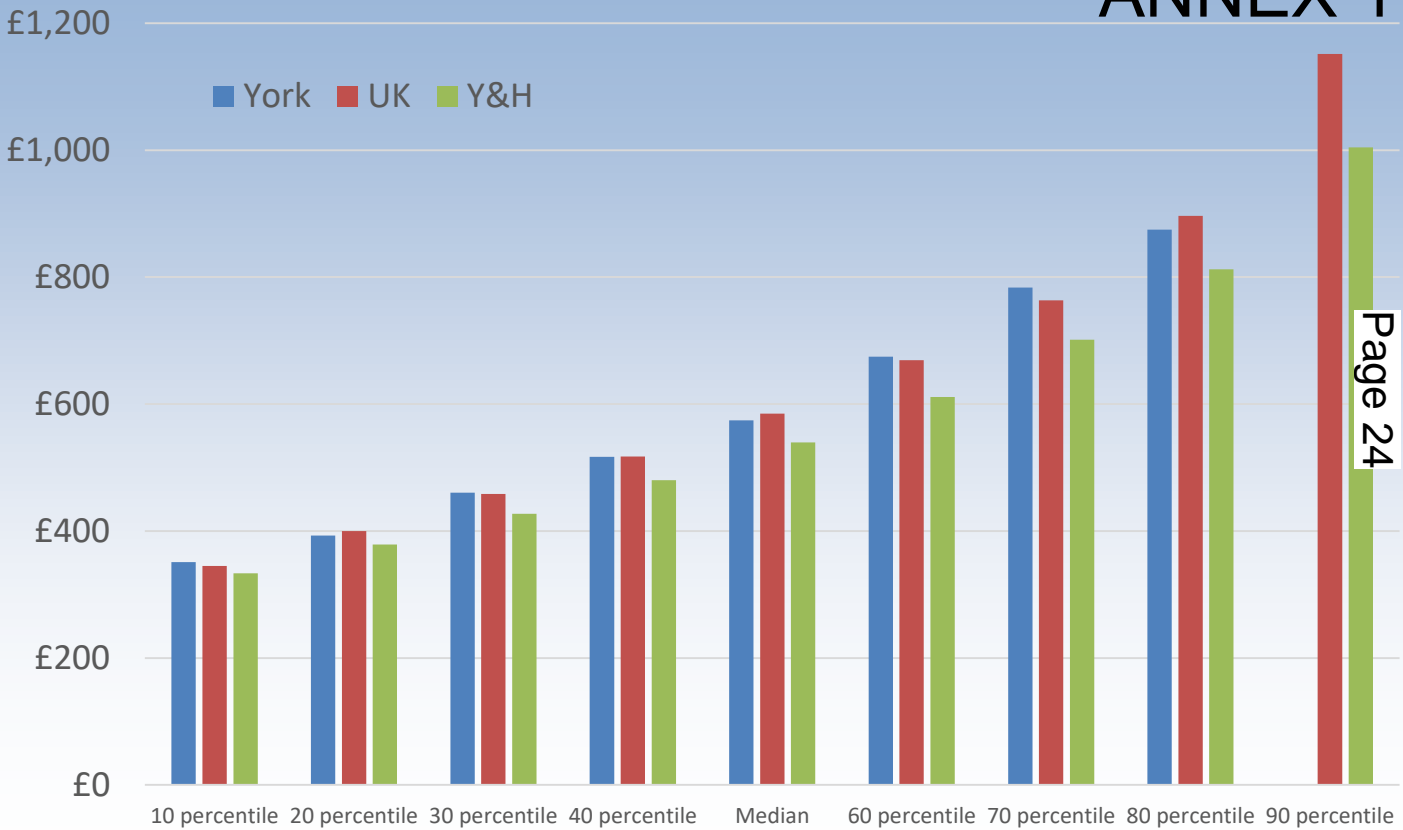
# Median full time weekly pay in York is close to the national average

ANNEX 1



# York's full time jobs pay UK rates!

# ANNEX 1



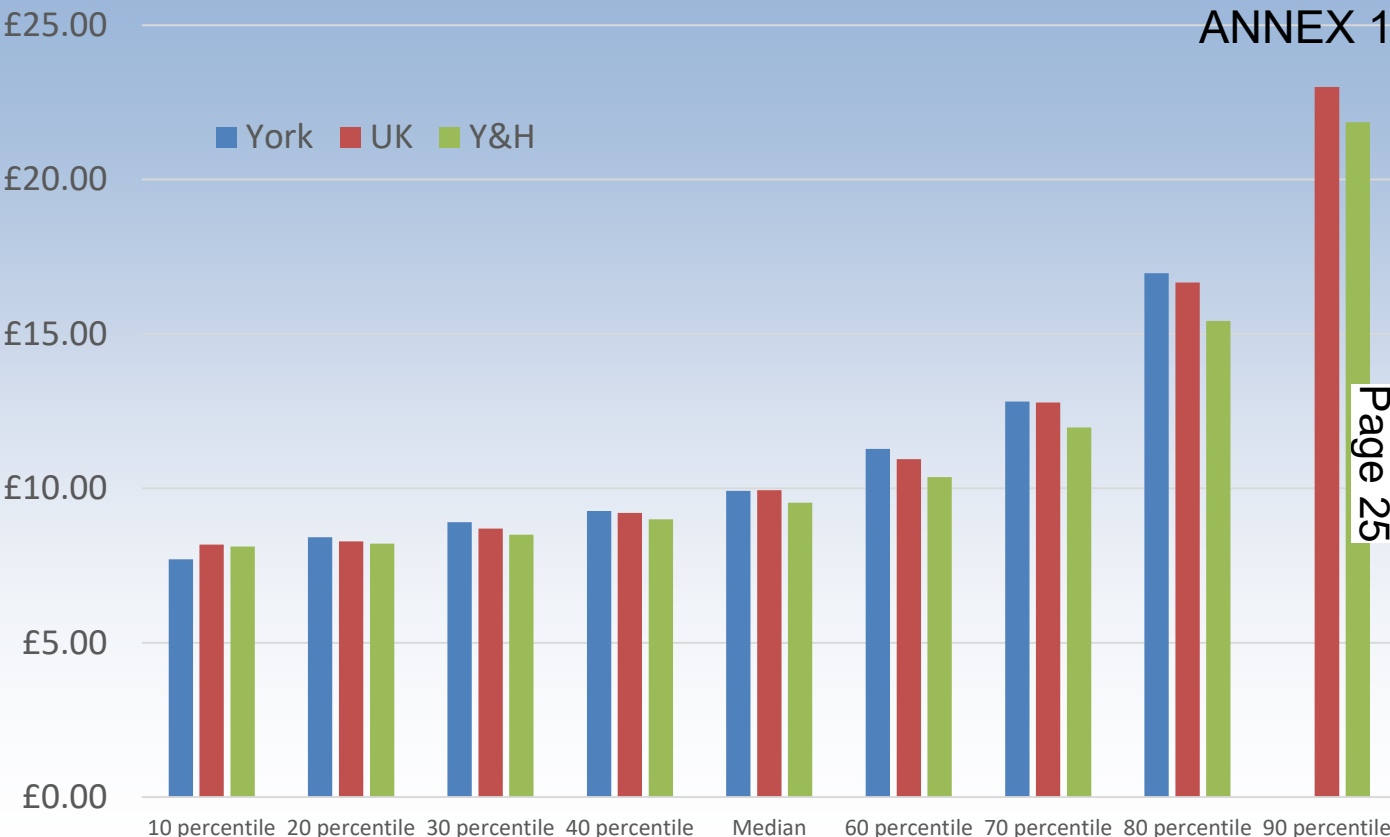
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Annual Survey of Hours and Earnings (ASHE): Office for National Statistics 2019 figures - York residents

# York's part time jobs pay above UK average

ANNEX 1

■ York ■ UK ■ Y&H

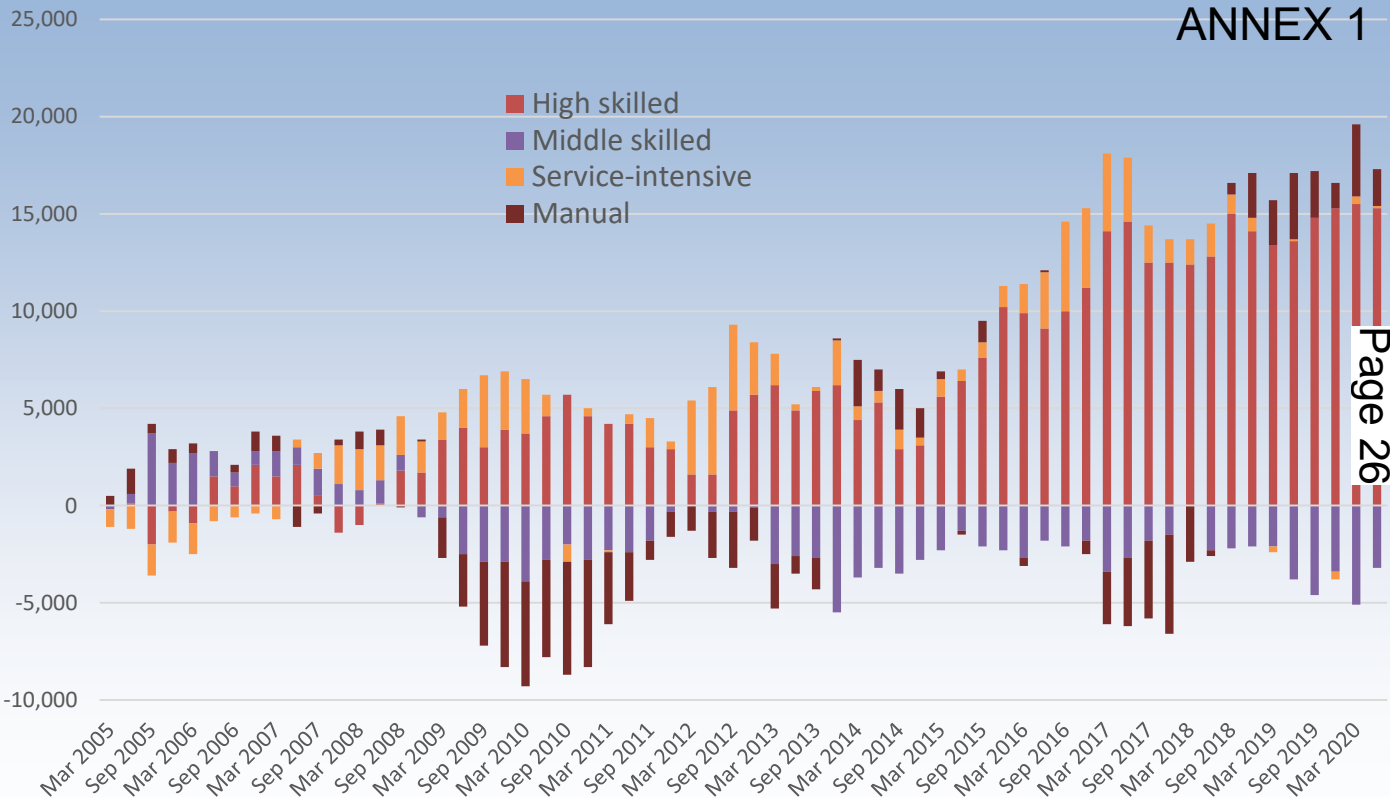


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Annual Survey of Hours and Earnings (ASHE): Office for National Statistics: 2019 figures – York residents

# 15,000 high skilled jobs created since 2005

ANNEX 1

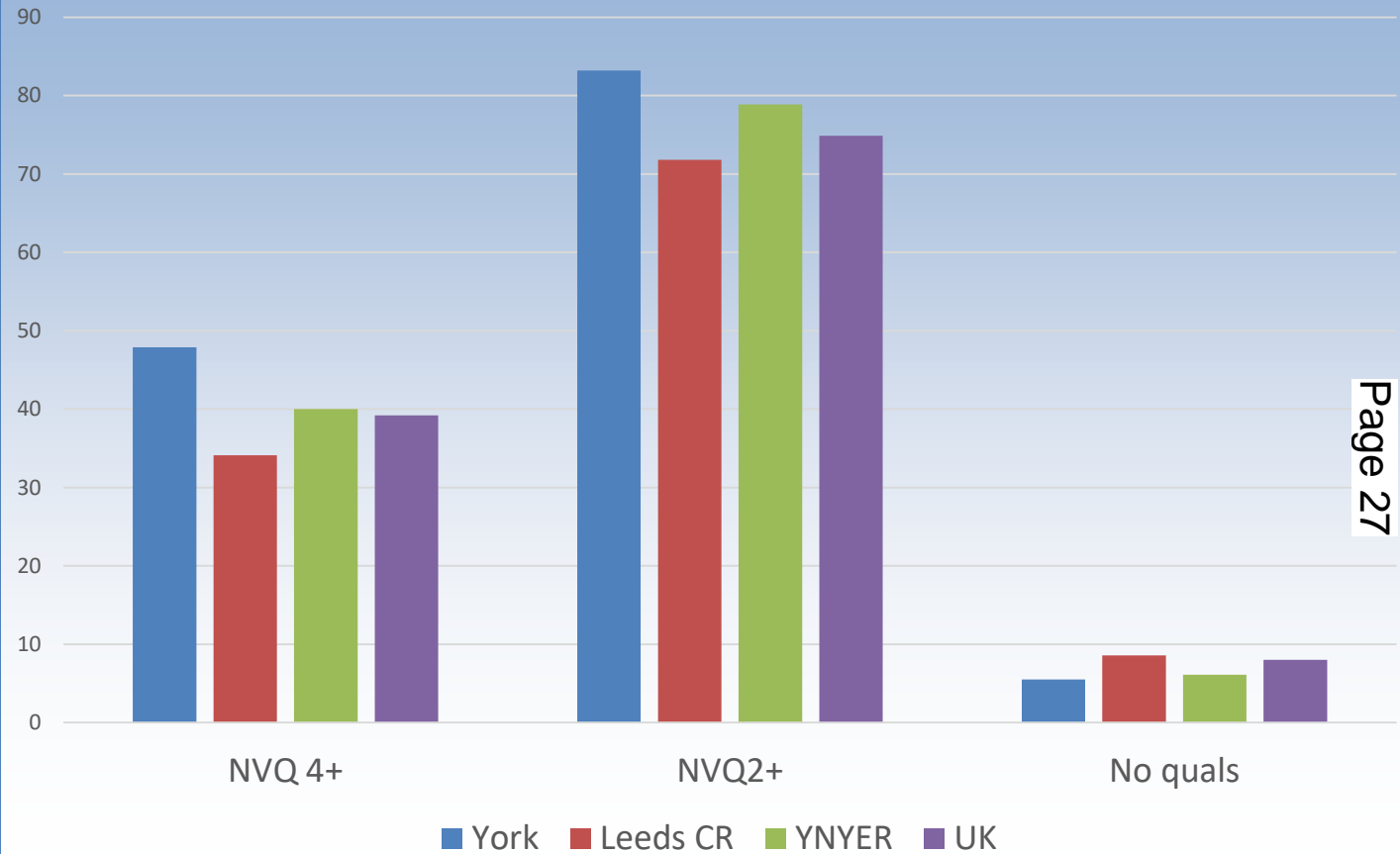


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NOMIS: Annual Population Survey employment by SOC Code

# York is a highly skilled city

ANNEX 1

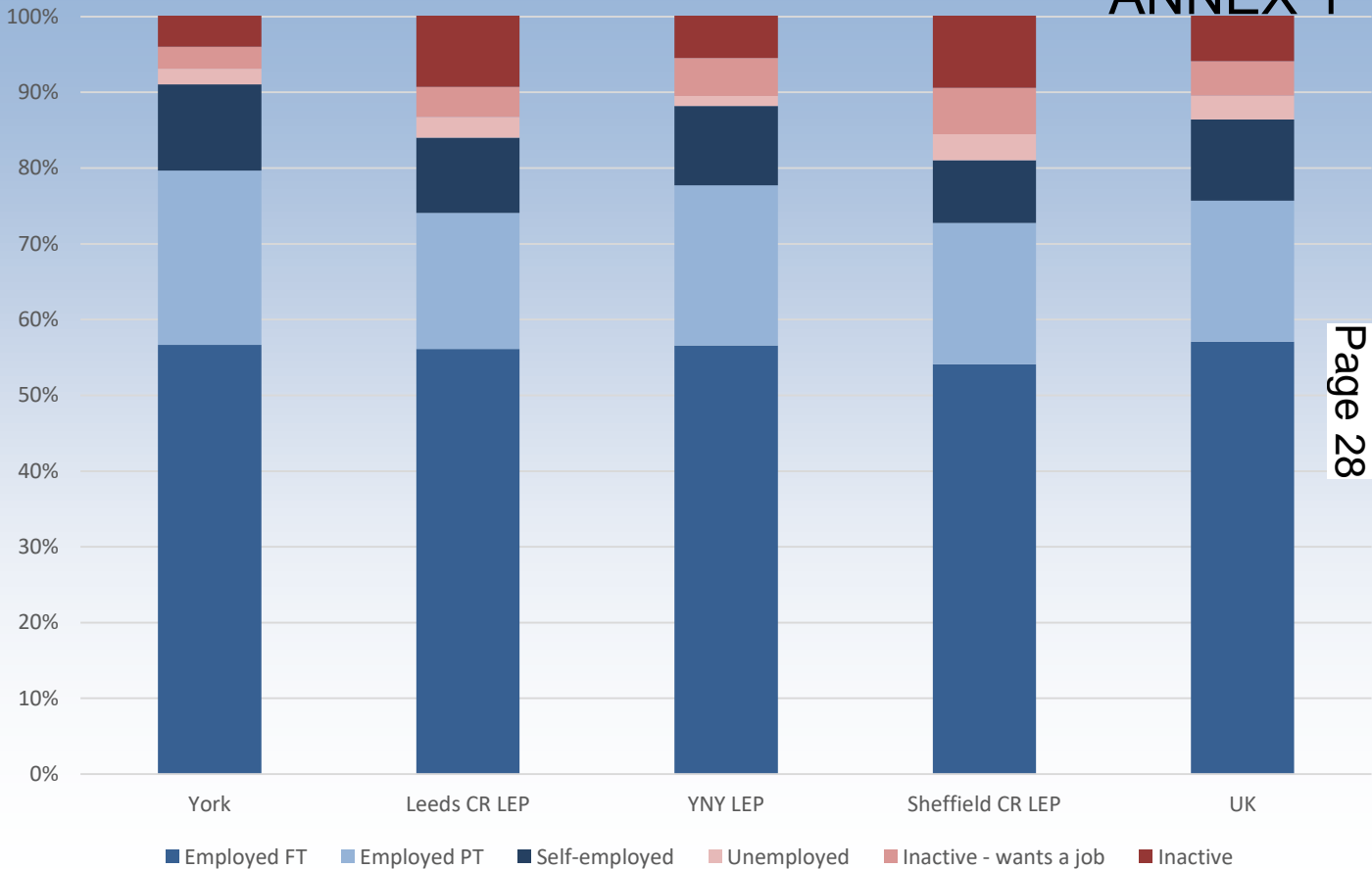


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# York has high employment, unlike much of Yorkshire

ANNEX 1

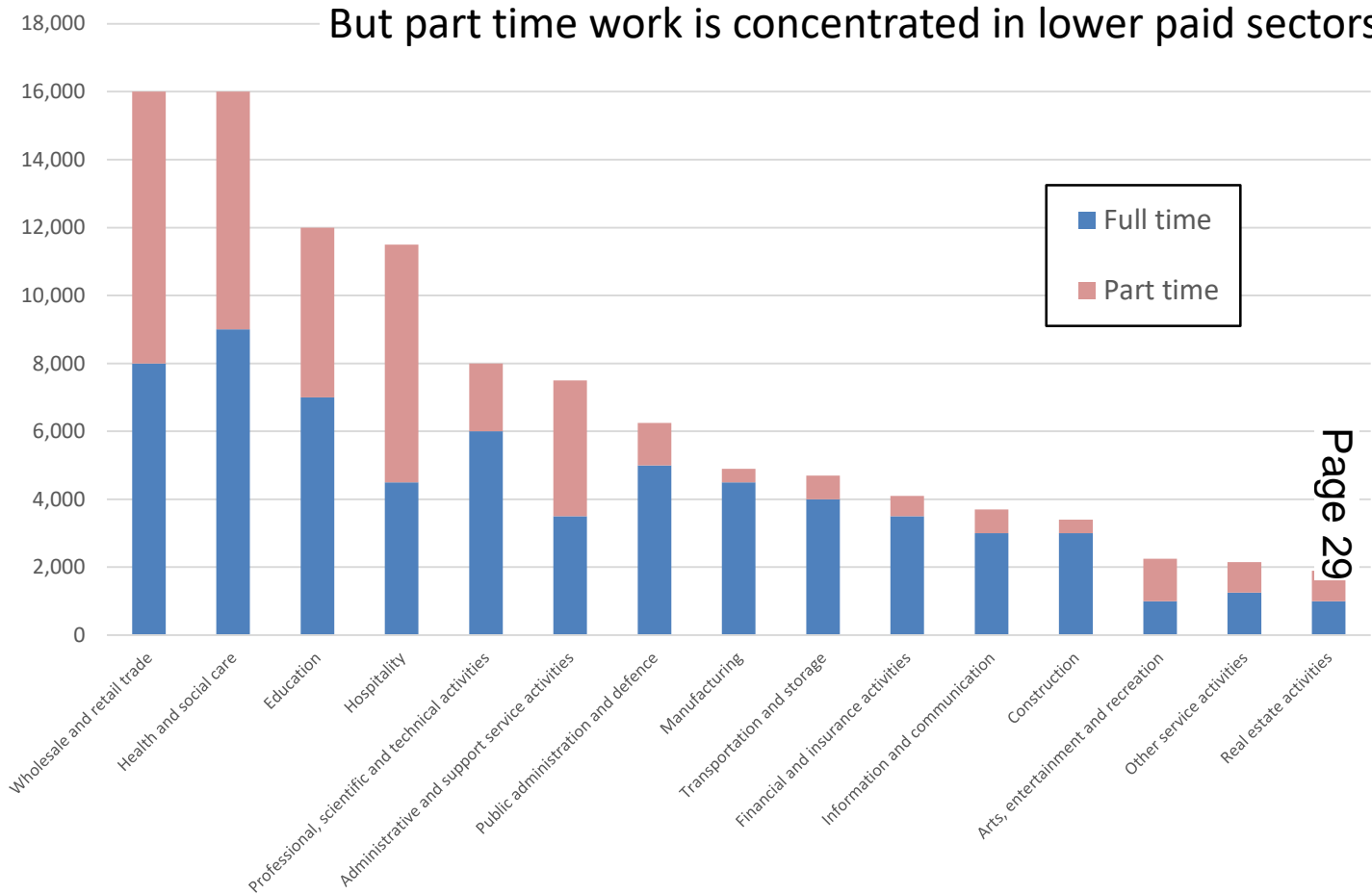
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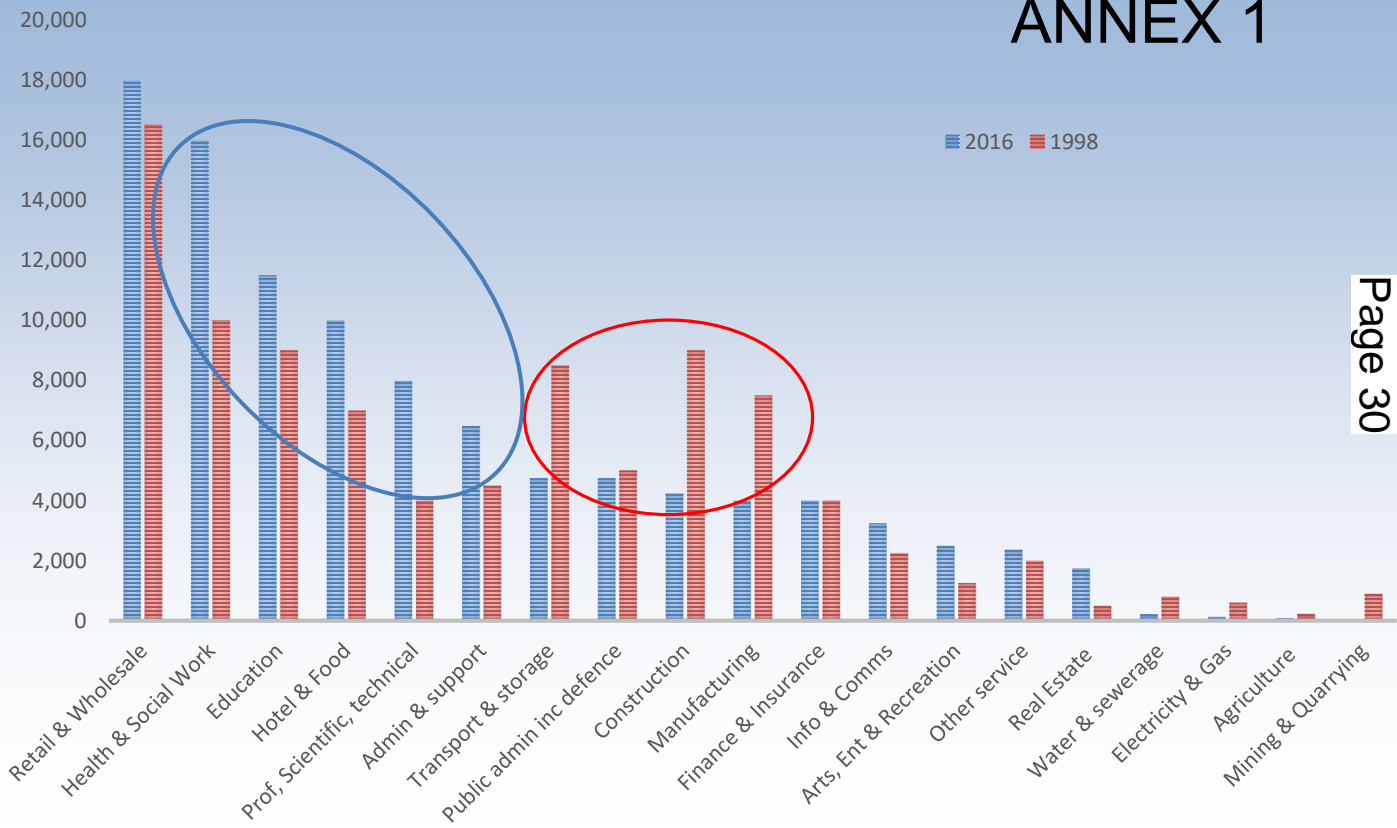
# ANNEX 1

## But part time work is concentrated in lower paid sectors



# AND WE HAVE LOST 16,000 WELL PAID LOWER SKILLED JOBS OVER THE PAST 20 YEARS

## ANNEX 1

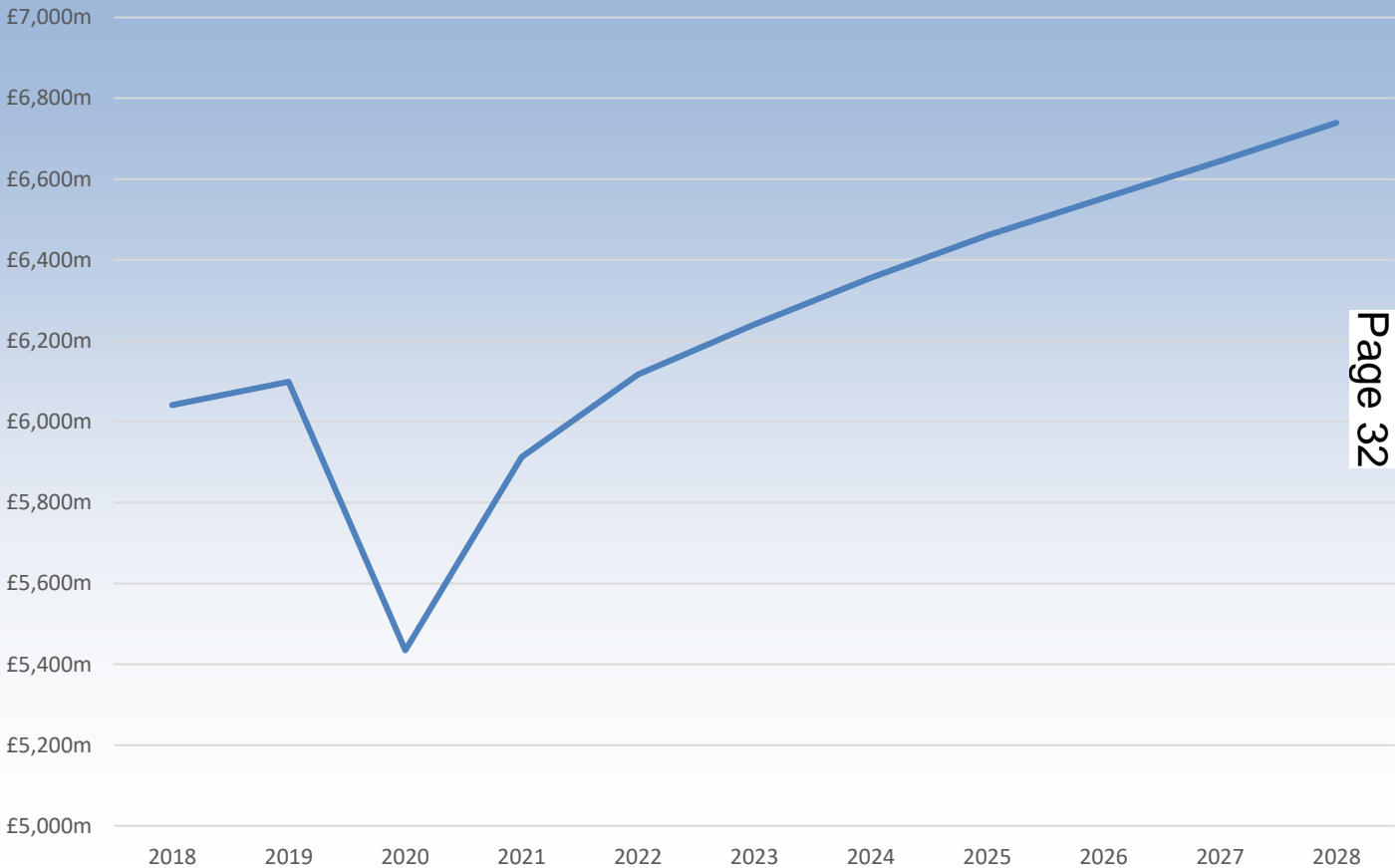


# Employment in York is forecast to continue to grow in the years ahead **ANNEX 1**



And GVA will grow too

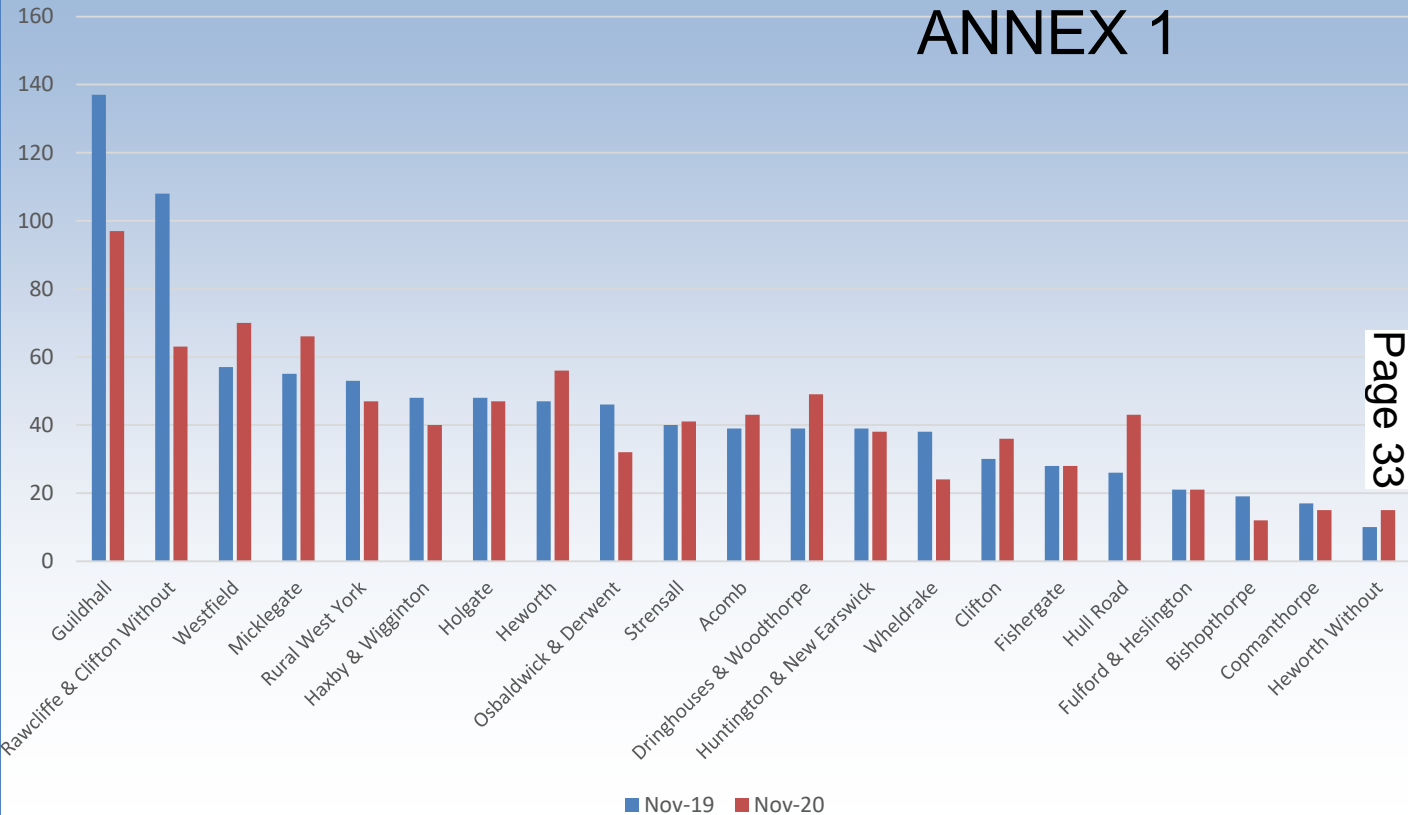
ANNEX 1



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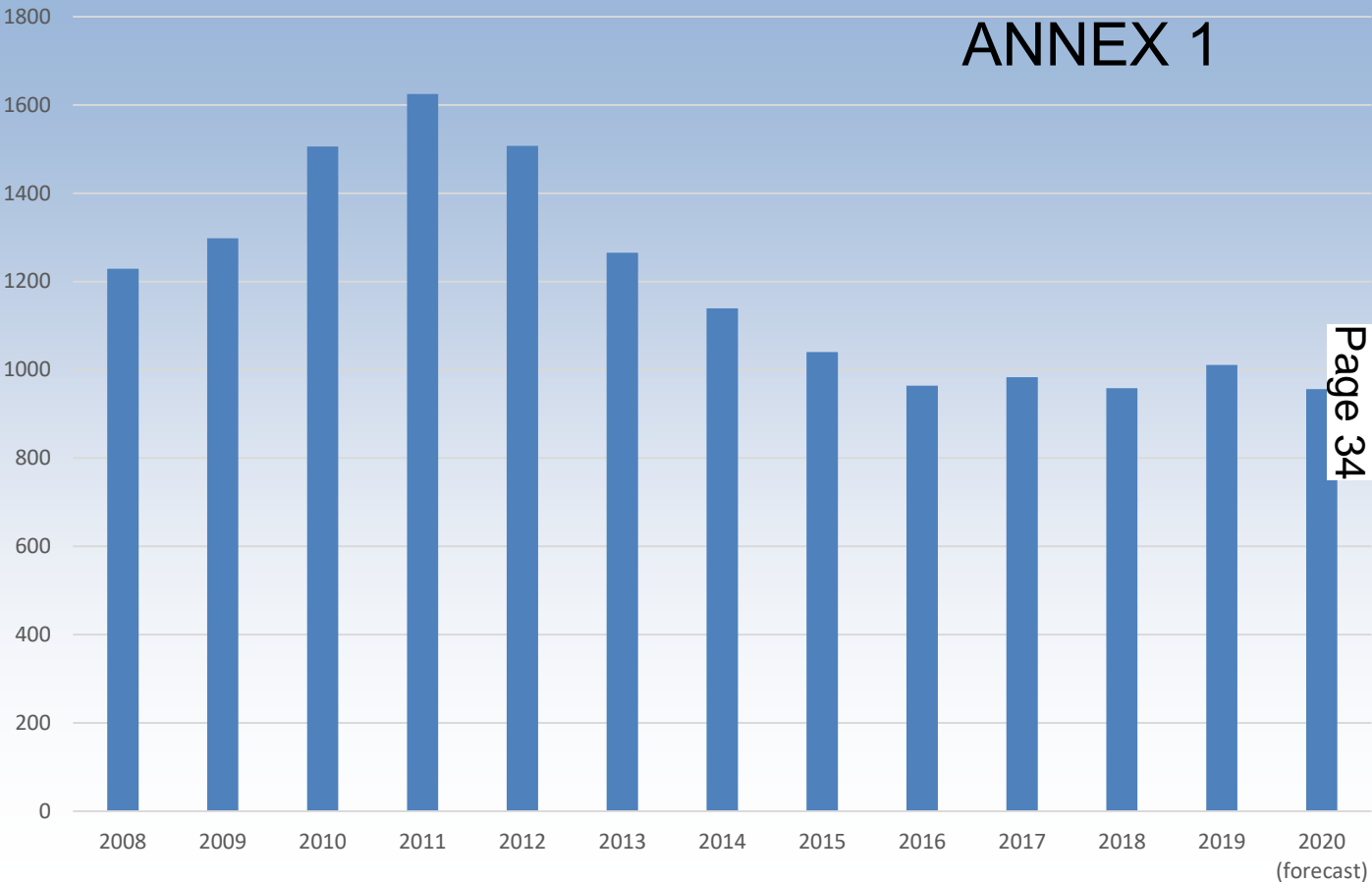
Start-ups in 2020 remain at similar levels to pre-pandemic, but are higher in more deprived wards

# ANNEX 1



# Around 1,000 businesses start in York each year

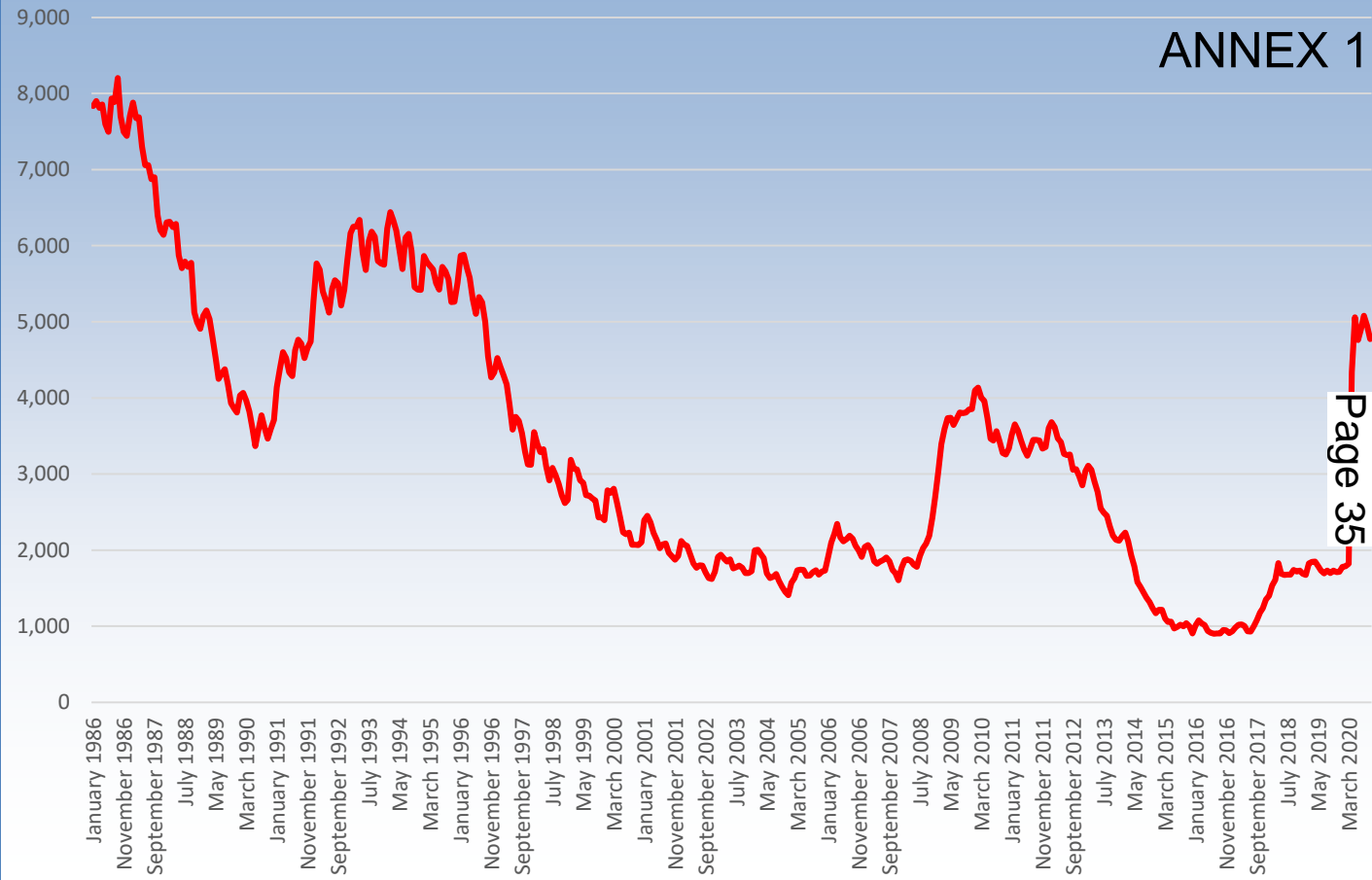
## ANNEX 1



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# York's claimant count is at its highest level for 25 years

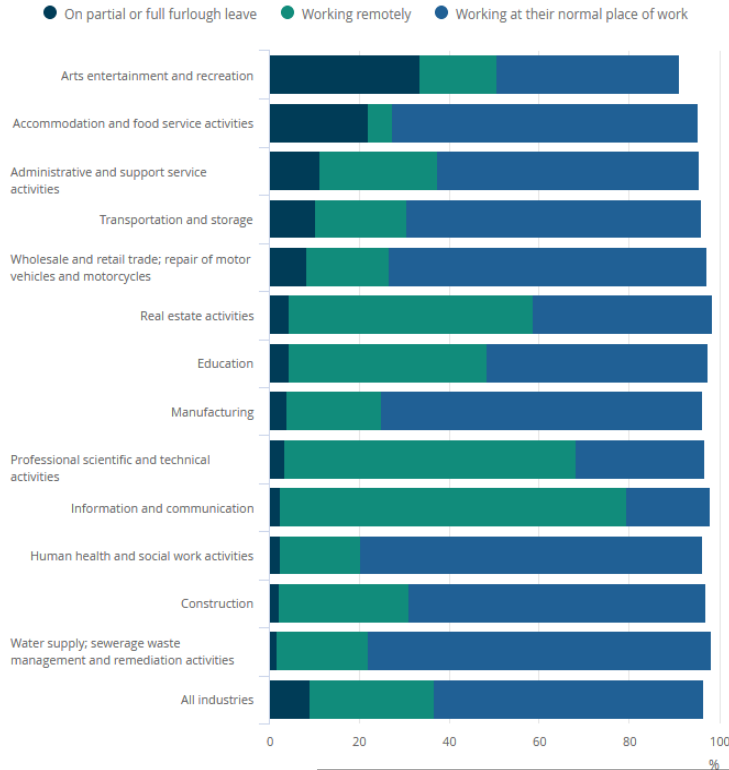
ANNEX 1



Page 35

## Working arrangements, businesses that have not permanently stopped trading, broken down by industry, weighted, UK, 19 October to 1 November 2020

November 2020



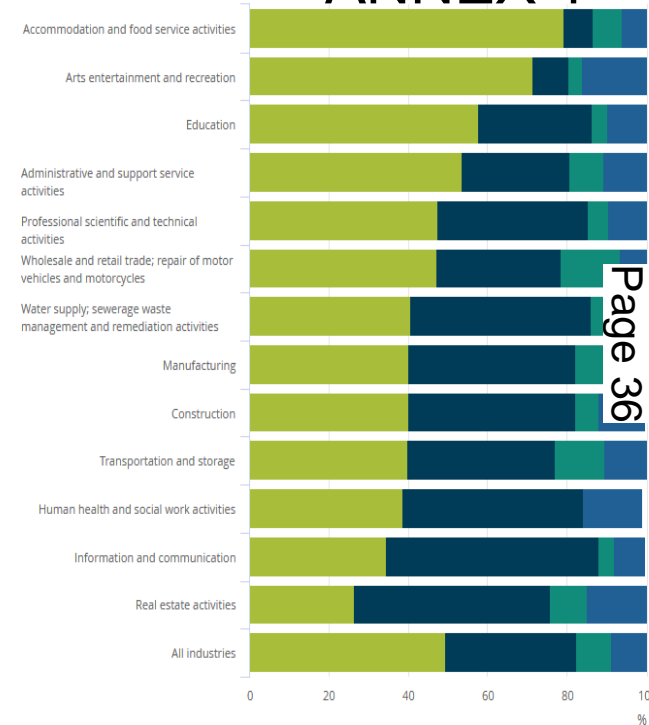
30<sup>th</sup> Sept 2020: York 6,800 Furloughed : 3,700 female, 3,100 male

Source: Office for National Statistics – Business Impact of Coronavirus

## Impact on turnover, businesses that are currently trading, broken down by industry, weighted, UK, 19 October to 1 November 2020

● Turnover has decreased ● Turnover has not been affected ● Turnover has increased ● Not sure

# ANNEX 1

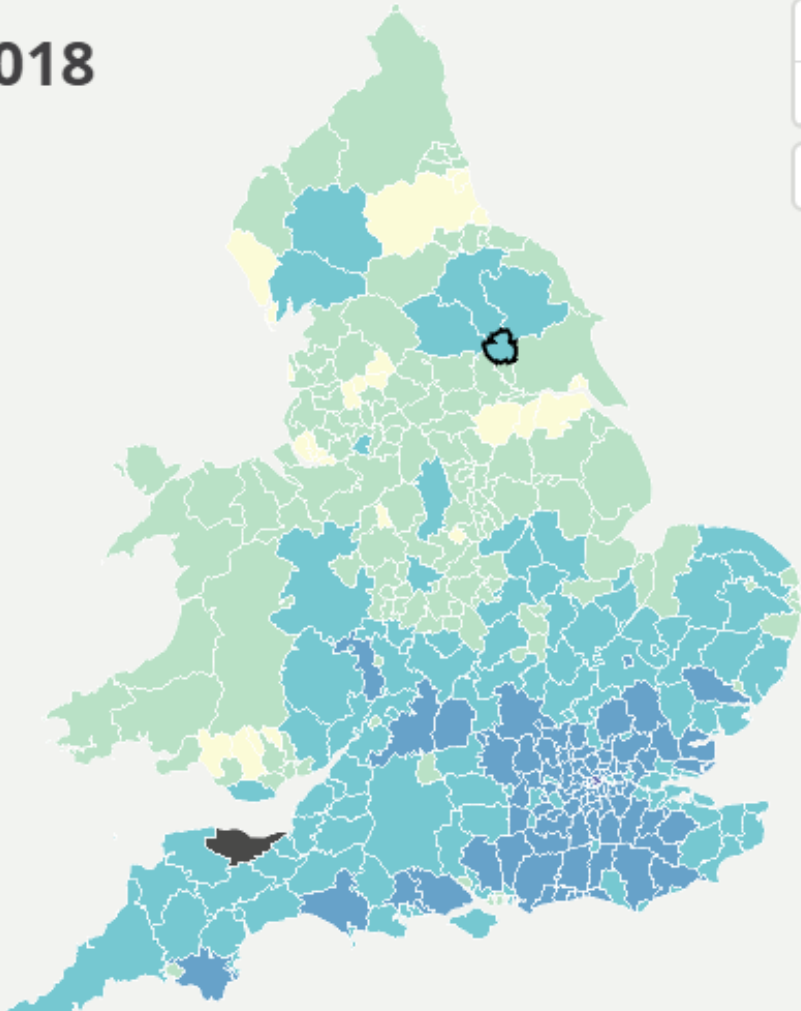


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Source: Office for National Statistics – Business Impact of Coronavirus



2018

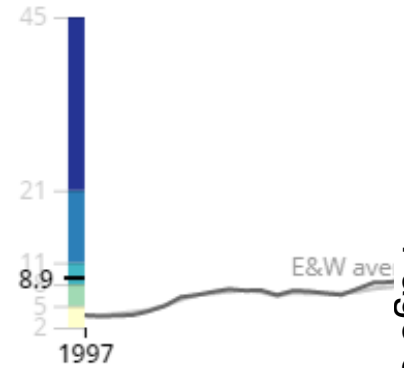


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York x

Property price to earnings ratio

# ANNEX 1

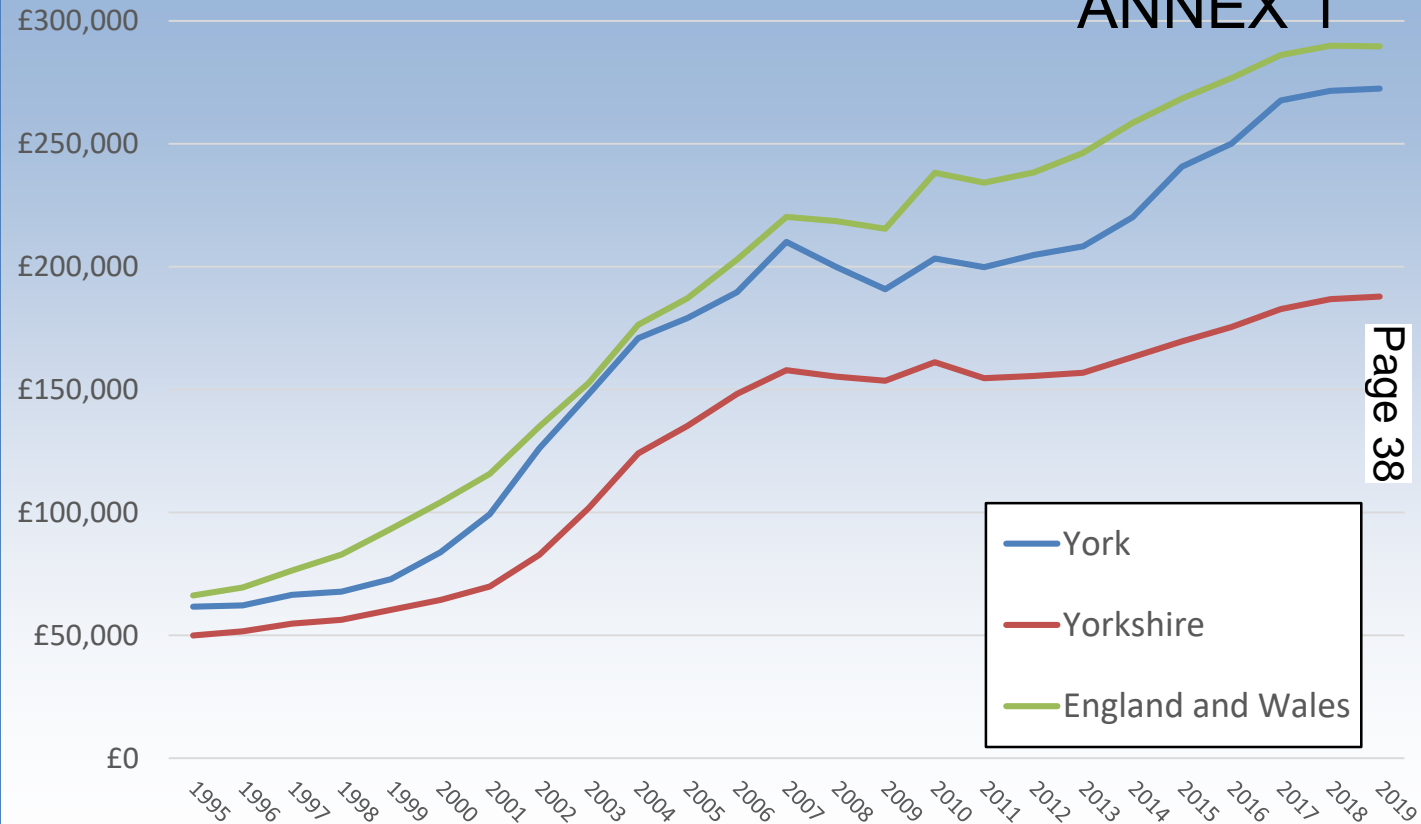


York's housing affordability is at UK average levels, but compares poorly to much of the north

Page 37

# York house prices remain close to the UK average

## ANNEX 1



# York's rental costs are like the south of England

## ANNEX 1



# York rents are among the least affordable in England

ANNEX 1

Rent as a proportion of pay



Page 40

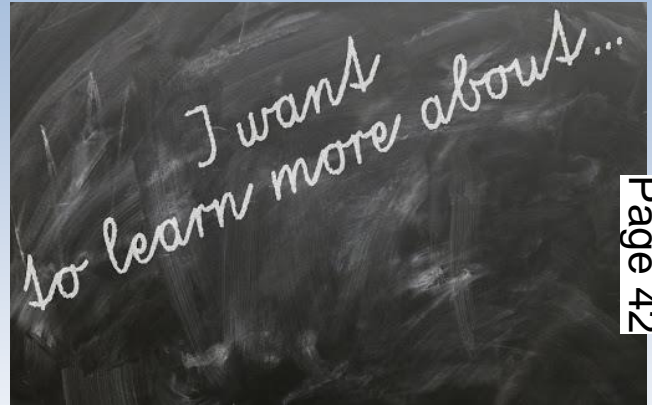
## So what do we know?

- Wages are not the whole story
- High employment but limited options for many
- High skills but limited opportunities for many
- In work poverty, insecure employment are issues
- Part time work options are limited
- Housing affordability can be challenging
- Many people do not feel well-off!

# What do we need to know more about?

## ANNEX 1

- Experiences of our residents
- Future skills needs of businesses
- A view from businesses on the advantages & disadvantages of being located in York
- Covid impacts
- Self employment & micro-businesses





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**Decision Session - Executive Member for  
Economy and Strategic Planning**

**26 January 2021**

Report of the Head of Development Services

**MHCLG Consultation: Supporting housing delivery and public service infrastructure.**

**Summary**

1. On 3 December 2020 the Ministry of Housing, Communities and Local Government (MHCLG) published a consultation entitled '[Supporting housing delivery and public service infrastructure](#)'. The consultation runs until the 28 January 2021.
2. The MHCLG consultation seeks views on a series of proposed measures which the consultation states: 'seek to support housing delivery, economic recovery and public service infrastructure.' Specifically, the measures being consulted on are:
  - a. A proposed new permitted development right for the change of use from Commercial, Business and Service use to residential to create new homes.
  - b. Measures to support public service infrastructure through the planning system – extended permitted development rights for Schools, Colleges, Universities and Hospitals; with the right to also include prisons and in the future Ministry of Defence sites, and
  - c. An approach to simplifying and consolidating existing permitted development rights following changes to the Use Classes Order.
3. Permitted development rights provide a national grant of permission for specific types of development as set out by the corresponding legislation. Usually permitted development rights are subject to a series of limitations which the development must accord with and in some cases the developer is required to notify the Local Planning Authority before they undertake a development, under the Prior Approval Process.

4. The proposed new permitted development right will subsume a range of existing rights which allowed for various existing uses, such as offices and shops to be changed, subject to a Prior Approval application, to a residential use. However the proposed new right will also go further to include uses such as gymnasiums, children's nurseries, crèches, clinics and health centres.
5. The overarching thrust of the consultation is to seek to support housing delivery through increasing the instances where permitted development rights can be exercised to bring forward development which creates more residential units. However as with so many of these measures, the relaxation of permitted development rights does not provide any assurances that once permission is granted by the Local Planning Authority the approved units actually materialise on the ground and are delivered.
6. The proposals also include measures to expand the permitted development rights afforded to schools, colleges, universities and hospitals. There are also proposals to include Prisons and Ministry of Defence sites.
7. The proposals also include measures which seek to streamline the formal planning application process for public infrastructure bodies such as school/college providers and NHS bodies. These measures include shortening the statutory timetable for a major planning application from 13 weeks to 10 for development involving public service infrastructure; there are also proposals to shorten the minimum consultation period for these applications from 21 days to 14 days.
8. The consultation paper also proposes an approach to simplifying and consolidating existing permitted development rights. Following recent amendments to the Use Class Order which were made in September 2020 this work will go some way to 'spring cleaning' the current regulations which have been subject to multiple amendments since their last major overhaul in 2015; and now make reference to Use Classes which will soon no longer exist following the publication of the new Use Classes Order.



## **Recommendation**

9. The Executive Member is asked to:
  - a. Note the content of this report and annexes; and
  - b. Delegate to the Assistant Director for Planning and Public Protection to submit the Councils response to the MHCLG consultation referred to in this report.

## **Background**

A proposed new permitted development right for the change of use from Commercial, Business and Service Use to residential to create new homes.

10. On 1 September 2020 amendments to the Use Class Order came into force. One of the major amendments was the consolidation of various established Use Classes into a simplified set of categories of Class E (Commercial, business and service uses), Class F.1 (Learning and Non-Residential Institutions) and Class F2 (Local Community Uses).
11. Whereas, prior to the amendments, distinct Use Classes existed for Shops (Class A1), Financial and Professional Services (Class A2), Restaurants (Class A3), Offices (Class B1) these have been subsumed into the amended Class E (Commercial, business and service uses). The same is the case of some uses such as Clinics, health centres, children's nurseries and gymnasiums which move from Class D1 and D2 into the amended Class E.
12. The proposed new permitted development right would replace the current rights for the change of use from Office to Residential (Part 3, Class O of Schedule 2, of the General Permitted Development Order) and from Retail to Residential (Part 3, Class M of Schedule 2, of the General Permitted Development Order). However the new right will significantly extend the right to also include restaurants, indoor sports and crèches. This right would apply across the whole of the Council's administrative area it would not be exclusive to the city centre or main urban areas.
13. It is proposed that, in order for a premises to benefit from this right, the premises must have been in the Commercial, Business and Service use class on 1<sup>st</sup> September 2020 when the new classes came into effect.

14. All homes would be required to meet the nationally described space standards. This will come into effect from 1 August 2021.
15. Any exercising of this right would be subject to the Prior Approval of the Local Planning Authority. Therefore developers would be required to submit details to the Local Planning Authority for assessment, albeit of specific matters, and any such proposals would be subject to public consultation.

Size of the buildings to which the right might apply

16. It is proposed within the consultation, that there should be no size limit on the buildings that could benefit from the new permitted development. This is already the case for the existing Office to Residential (Class O) PD right. However this is a significant change to the existing Retail to Residential PD right (Class M) which is currently limited to 150m<sup>2</sup>.
17. The omission of a specific size limit on the buildings which would benefit from this new PD right does raise the prospect that large retail units, such as those which may traditionally be occupied by high street department stores, could be seen as prime development sites to deliver high numbers of residential units. Similarly large out of town retail units would be subject to the permitted development right. Re-purposing of out of town retailing would be more appropriately considered through a planning application process given the scale of such schemes, their surroundings and location.

Where the right may apply

18. The consultation proposes that the new right should not apply in Areas of Outstanding Natural Beauty (AONBs), the Broads, National Parks and World Heritage sites. None of which are present in the Councils administrative area.
19. Having regard to Conservation Areas. Existing and previous rights for the change of use to residential, with the exception of Office to Residential did not apply in article 2(3) land (Conservation Areas, AONBs, the Broads and National Parks). The consultation paper outlines that the new right would apply in Conservation Areas. However the consultation states 'in recognition of the conservation value that retail frontage can bring to

conservation areas the right would allow for prior approval of the impact of the loss of the ground floor use to residential’.

20. Given the extent of existing Conservation Areas within the city it could be anticipated that this particular consideration in the prior approval process will assist with safeguarding retail frontages, particularly within the city centre. However it should be noted that this consideration would appear limited to the loss of the ground floor use to residential use. In practice this may mean ground floor only premises are afforded a greater degree of protection. However in the case of multi-floored developments, in larger buildings, it could be expected that the functionality of the ground floor is for one of access and or communal space, rather than living accommodation. Therefore there could be more scope to retain a retail type frontage; but it is not clear whether this would also safeguard the accompanying retail use. Or whether it would simply safeguard the appearance of a retail use.

Matters for local consideration through prior approval

21. The existing permitted development rights for the change of use to residential allow the Local Planning Authority to consider a closed list of issues during the prior approval process. The consultation paper proposes that the following issues for consideration would form part of the new Permitted Development Right:

Similar to other permitted development rights for the change of use to residential:

- a. flooding, to ensure residential development does not take place in areas of high flood risk
- b. transport, particularly to ensure safe site access
- c. contamination, to ensure residential development does not take place on contaminated land, or in contaminated buildings, which will endanger the health of future residents

To ensure appropriate living conditions for residents:

- d. the impacts of noise from existing commercial premises on the intended occupiers of the development
- e. the provision of adequate natural light in all habitable rooms
- f. fire safety, to ensure consideration and plans to mitigate risk to residents from fire

To ensure new homes are in suitable locations:

- g. the impact on the intended occupiers from the introduction of residential use in an area the authority considers is important for heavy industry and waste management

22. It should be noted that this approach would, still, not allow for the Council a mechanism to secure any kind of off-site infrastructure that may be required to mitigate the impacts of such developments; which are often secured via Section 106 legal agreement.

#### Applications for Prior Approval and fees

23. It is proposed that applications for Prior Approval would need be accompanied by detailed floor plans showing dimensions and proposed use of each room, including the position of windows, information necessary for the consideration of the matters for prior approval, and a fee.

24. It is proposed that the application fee for such prior approval applications would be £96 per dwellinghouse. This is the same as the fee applied to other prior approval applications at present. This fee would be capped at a maximum fee for 50 homes (£4,800). In contrast a full planning application for 50 homes would attract an application fee of £23,100.

25. Dependent upon the uptake of this new right there is a risk that income from application fees could be impacted upon. The proposed level of fee is unlikely to cover the LPAs costs in administering and determining the applications. This will impact on service provision. There is also no evidence that the higher application fees levied upon full planning applications acts as a prohibitive barrier to development occurring.

#### Potential impacts of the proposed changes

26. It is apparent from the consultation that the main thrust of these changes is to seek to increase the delivery of housing, pursue further deregulation of the planning process, by removing the need for a full

planning application and provide greater planning certainty to developers and reducing costs to the developers.

27. It should also be noted that the reduction in development costs would extend far further than the costs of making an application or preparing the required supporting information. Under these proposals, as is the case at present under the Office to Residential PD right. In schemes where 10 or more dwellings are created the Council would have no mechanism by which to secure planning obligations such as affordable housing either on site, or contributions for off-site provision, contributions towards education to provide school places, highways or sustainable transport infrastructure or open space provision
28. As a result there is the prospect of additional large developments coming forward, which have an impact upon local infrastructure and services such as schools, public open spaces, but these developments make no contribution to the ongoing provision of such services.
29. As with other Prior Approval processes. The matters that the Council can consider in the assessment of any such proposals are relatively narrow.
30. The proposed expanded PD right would in effect grant permission to allow uses falling within Class E to be changed to a residential use. As with the existing PD rights there is no requirement in the proposals that the premises must be vacant. Within the consultation there is no reference to the right also permitting any operational development that may be required to facilitate the change. It may therefore be the case that in the event of the new right coming into force, the council sees an increase in more minor applications for works and alterations which are not covered by the new PD right. This is something that has been seen with the Office to Residential prior approvals. Whereby the Prior Approval Application is made to facilitate the change of use, but the developer then makes a further full planning application to undertake minor operational development such as the provision of new door openings, or works to alter the external appearance of the building.

31. There can be no guarantees that these proposed measures will actually deliver more housing. This is a matter that is outside the control of the Local Planning Authority. The measures will likely lead to an increase in the number of dwellings which have extant planning approval to be built; however this is only one element of the overall delivery process. Furthermore there is the potential, particularly in historic areas, that new residential uses would be more popular for visitor accommodation, negating the benefits to residents outlined in the consultation.
32. The overall impact of a new permitted development right of this nature will be heavily dependent upon the uptake amongst developers and the owners of premises which benefit from the right. There is the possibility that the right could prove popular dependent upon how existing business respond and recover from the current Coronavirus pandemic. Depending on business recovery either as a result of businesses consolidating the physical space they occupy or some businesses not surviving there is the possibility that there could be a significant number of premises which could provide development opportunities.
33. Certain existing PD rights that allow changes of use to shops include, as part of the Prior Approval process, an assessment of the impact of the change upon the adequate provision of shops and services and the impact on the sustainability of key shopping areas. The consultation proposals do not include such safeguards, except for ground floor uses in conservation areas on historic character and appearance grounds. Whilst the impact of trading conditions on retailers and commercial property owners is acknowledged, there is concern that the consultation proposals may lead to the loss of retail and service uses that will undermine town and district centres and potentially isolate remaining commercial uses by reducing local footfall because of visitor perceptions at a street or shopping area level.
34. The new use class E includes the provision of medical and health facilities; crèche, day nurseries and day centres. The proposed PD right may result in the loss of such facilities to residential use undermining local and national policies to retain such uses and the potential loss of uses from accessible locations. This could be to the

detriment of working families and the ease in which they can access important support facilities such as childcare.

35. It is considered that the list of matters to be assessed as part of the prior approval process should include consideration of all potential noise sources that may impact on residential amenity and the health of future occupants; consideration of air quality impacts, and specific reference to waste and re-cycling storage.

### **Supporting public service infrastructure through the planning system**

36. At present Schools, Colleges, Universities and hospitals benefit from certain Permitted Development Rights under Class M, Part 7 of Schedule 2 of the GPDO. These rights currently contain various limitations to the scale of development. Extensions are limited to 25% of the gross floorspace of the original building up to a maximum of 100m<sup>2</sup> or 250m<sup>2</sup> in the case of schools. The overall height is also restricted to 5m and prevents development close to the boundaries in the case of schools, to protect neighbouring properties.

37. It is proposed that these rights would be extended by:

- a. Allowing such facilities to expand by up to 25% of the footprint of the current buildings on site at the time the legislation is brought into force or up to 250m<sup>2</sup> whichever is greater.
- b. Increase the height limit from 5m to 6m (excluding plant on the roof) – except where it is within 10m of the boundary or curtilage.
- c. The rights would also be extended to include Prisons.  
Consideration is also being given to extend the right to land and buildings located ‘within the wire’ of existing Ministry of Defence Sites.

38. At present permitted development rights in relation to Schools, Colleges, Universities and hospitals are not subject to any prior approval process. As such the operators of such facilities are free to exercise these rights if they can be satisfied that they are in full compliance with the necessary limitations contained within the legislation.

### Potential Impacts of the proposed changes

39. The proposed changes are deregulatory. Given the types of land and building use they relate to, they would, if brought into force benefit both public and private institutions.
40. As with the expansion of any permitted development right there is a risk that this would reduce the volume of planning applications relating to such existing uses and therefore a loss of income from planning application fees. However given the type of institutions involved such applications do not typically generate notably high volumes in any case; therefore any adverse impact upon fee income is unlikely to be significant. Furthermore, in the case of developments at schools, the albeit limited reduced costs as a result of not having to make a formal planning application would benefit other service areas of the Council such as Education, costs which could in turn be reallocated into the projects themselves.
41. The size limitation could allow for significant sized developments which in built-up areas could have amenity and traffic impact both in terms of traffic generation and loss of existing parking spaces which can in turn displace parking on to adjacent streets. The proposed limitations in the proposals provide some safeguards for the amenity of adjoining property. There is however no reference to the provision of windows in proximity to boundaries.

### **A faster planning application process for public service developments**

42. Existing permitted development rights for Schools, Colleges, Universities and Hospitals provide a degree of scope for expansion opportunities; and the proposed changes to permitted development rights would enhance these opportunities further. However, often expansion at these types of sites are far more extensive and complex and are therefore outside the scope of permitted development rights. Such development often constitutes Major development.
43. In the context of a formal planning application, an application for Major development has a statutory timetable of 13 weeks (or 16 weeks in the case of EIA (Environmental Impact Assessment) development.



44. Within the consultation paper it is proposed amendments are to be made to secondary legislation, principally the Town and Country Planning (Development Management Procedure) (England) Order 2015. The proposed amendments include:

- a. A shortened determination period – shortened to 10 weeks;
- b. Modified consultation and publicity requirements (reduced from a minimum of 21 days to 14) and;
- c. Measures to increase transparency – local planning authorities to have to notify the Secretary of State when a valid application of this type is received; and to notify the Secretary of State no later than 8 weeks from having validated the application, when the Local Planning Authority anticipate making a decision.

45. It is proposed that the as part of the amendments clear criteria would be included to define what types of development would benefit from this modified process. However the consultation paper does outline that definitions will be provided for the following:

- a. Hospitals;
- b. Schools and further education colleges;
- c. Prisons, young offenders' institutions and other criminal justice accommodation.

46. The Government consultation paper envisages that the types of project to benefit from these measures are principally those which are funded by government. It also states that in the first instance these measures would not apply to development which falls within the definition of EIA development. These will retain a statutory timetable of 16 weeks.

### **Potential Impacts of the proposed changes**

47. Given that these amendments are only likely to apply to a specifically defined subset of development types it is not anticipated that they would place an unduly excessive additional demand upon the Local Planning Authority. As an example during 2019 only 5.no Major Planning applications were received which may fall into the proposed

10 week application type; these applications were made by NHS bodies and Universities.

48. Within the context of York notable key beneficiaries of this particular change could be local NHS trusts and Education providers including the Universities – depending on the exact final definitions of who would benefit.
49. The proposed shortening of the statutory timetable to 10 weeks will likely place some additional pressures on resources in terms of ensuring statutory consultees respond in a timely manner. The consultation paper states that to assist in this regard the statutory consultees will be resourced to respond in the required time. However it is not clear whether this relates only to national bodies, such as the Environment Agency, Historic England, Highways England for example; or whether this will also include statutory consultees that are within the Council such as the Local Highway Authority.
50. The proposed shortening of the minimum consultation period from 21 to 14 days would assist with streamlining the application process bringing forward the earliest date from which the Local Planning Authority could determine the application, having discharged their obligations in respect of publicity. However it could also act to exclude third parties who may wish to participate in the planning process. Often major applications can be accompanied by a large volume of supporting information. It is not uncommon for third parties and Parish Councils to raise concerns that the current 21 day period being insufficient for them to be able to make a response to Major applications.

### **Consolidation and simplification of existing permitted development rights**

51. Finally, the consultation paper proposes the possible consolidation and simplification of the existing General Permitted Development Order (GPDO). The GPDO provides the national grant of planning permission for certain types of development. This can include material changes of use, such as the Office to Residential Use and also extensions and alterations to existing buildings; such as minor extensions to existing dwellinghouses.

52. The last major amendments to the GPDO were in 2015. Since then there has then also been periodic amendments made to various sections to update the legislation and introduce new permitted development rights. In addition to which other items of legislation have also been subject to quite radical change, most notably the Use Classes Order, which was revised in September 2020.
53. At present and until 31<sup>st</sup> July 2021 there is a transition period in relation to the Use Classes Order published in September 2020 and its forerunner. After the 31<sup>st</sup> July 2021 only the 2020 Use Class Order will survive.
54. The proposed consolidation of the GPDO is considered to be a logical step, insofar as it will allow for references to old Use Classes which are no longer relevant and in some cases PD Rights that are no longer relevant to be removed from legislation. However this could require the amendment of 49. no individual rights and additional paragraphs and articles.
55. At this stage the Government have identified 4 broad categories which could be applied to existing Permitted Development Rights:
- a. **Category 1** – the right is no longer required. Example – Class D (Shops to Financial and Professional); as these were previously two separate rights which are now within the broad Commercial, Business and Service Use Class.
  - b. **Category 2** – the right is unchanged by the amendments to the Use Class Order. Example Class L (Small Houses of Multiple Occupation to Dwellinghouse and vice versa) – only outside of the area covered by the HMO Article 4 Direction in York.
  - c. **Category 3** – the right may be replaced by the new proposed permitted development right from the Commercial, Business and Service Use class to residential. Example Class O (Office to Residential Use).
  - d. **Category 4** – the right requires detailed consideration. These are classes where more detailed consideration is required as a result greater divergence from the previous Use Classes Order. For example Class J (retail or betting office or pay day loan shop to assembly and leisure D2). This is as a result of some uses which

all fell into Class D2 having now been separated into the new F2 Local Community Use Class whilst others such as concert halls are now listed as not been in any use class.

56. The Government therefore propose to review and update the individual rights that have been affected by the amendments to the Use Class Order. The aim being to simplify and rationalise the rights where possible by revoking unnecessary rights and merging where appropriate. The intention being that the end result is a more accessible set of rights.
57. Whilst work towards a more accessible and consolidated set of permitted development rights would be welcomed, particularly in the context of the amendments and revisions made since the last major changes in 2015 and the changes to the Use Classes Order. It should be noted that the clear, general, direction of travel from Government is one of deregulation. It will therefore be necessary to be aware of the potential risks moving forward and ensure that the correct balance of safeguards are retained within any amended or consolidated rights.

## **Conclusion**

58. The further deregulation of the planning measures through the expansion of the permitted development rights will result in the further erosion of the Councils ability to shape and deliver development. The proposal to grant a new permitted development right to allow any Commercial, Business or Service use to be changed to residential has the potential to have a significant impact upon spatial development within the city.
59. The proposed measures to support public service infrastructure via the extended use of permitted development rights has the potential to benefit public service infrastructure providers; including the Council. Measures to streamline the formal planning application process for public service infrastructure developments outside the scope of permitted development are not expected to create an undue burden upon the Council. However, for these measures to be successful, it will be important for such projects to be 'front loaded' whereby the

developer engages with the Local Planning Authority at pre-application stage.

60. The consolidation and simplification of existing permitted development rights is the logical next step; particularly following changes to the Use Class Order. This work will be an opportunity to ensure that permitted development rights are fit for purpose, accurate and do not create areas of ambiguity. However the clear risk is that this is simply a further level of deregulation. Which whilst seeking to simplify things only does so for developers. There is the risk that it will remove some local decision making powers.

## Council Plan

61. The Council priorities for Creating Homes and world class infrastructure are relevant to the Development Management function. The proposals to deregulate the planning process and expand permitted development rights will remove, to a degree, the ability of the Local Planning Authority to proactively shape development within the city. Whilst the proposals to expand the permitted development rights in respect of the creation of dwellinghouses has the potential to increase the delivery of dwellinghouses, this is by no means guaranteed. The measures will do nothing to address or provide affordable housing or to secure other necessary infrastructure and has the potential to undermine the provision of shops and services.

## Implications

- **Financial** Further deregulation of the planning process by broadening the levels of development which are deemed to be permitted development, and therefore do not require planning permission, will lead to a reduction in the number of planning applications the Council receives. This will have an impact upon income from application fees in Development Services. The proposed fee for the new permitted development right is unlikely to cover the LPA costs in determining the application.
- **Human Resources (HR)** There are no HR implications
- **Equalities** The new use class E includes the provision of medical and health facilities; crèche, day nurseries and day centres. The proposed PD right may result in the loss of such facilities to residential use undermining local and national policies to retain such

uses and the potential loss of uses from accessible locations adversely impacting on the elderly, people with disabilities.

- **Legal** There are no legal implications
- **Crime and Disorder** There are no crime and disorder implications
- **Information Technology (IT)** There are no IT implications
- **Property** The proposals would apply to CYC owned property.
- **Other** The broadening of permitted development rights and the use of the prior approval process, where only very specific matters can be considered in assessing a set of proposals, may further limit the democratic element of the planning process. Whereby interested third parties and elected members have less of an input into decision making.

## Risk Management

62. There are no known risks

## Contact Details

### Author:

#### Author's name

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Tel: 01904 552814

Mark Baldry  
Development Management  
Officer  
Tel: 01904 552877

### Chief Officer Responsible for the report:

#### Neil Ferris

Corporate Director of Economy and Place

Report  Date 18/1/21  
Approved

### Wards Affected:

All

**For further information please contact the author of the report**

**Background Papers:** None

**Annexes:** Annex 1: City of York Council response to Ministry of Housing, Communities and Local Government consultation: Supporting housing delivery and public service infrastructure.

# Supporting Housing Delivery & Public Service Infrastructure

## About this Consultation

This consultation document and consultation process have been planned to adhere to the consultation principles issued by the Cabinet Office.

Representative groups are asked to give a summary of the people and organisations they represent, and where relevant who else they have consulted in reaching their conclusions when they respond.

Information provided in response to this consultation, including personal data, may be published or disclosed in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 (FOIA), the Data Protection Act 2018 (DPA), the General Data Protection Regulation 2016, and the Environmental Information Regulations 2004.

If you want the information that you provide to be treated as confidential, please be aware that, as a public authority, the Department is bound by the Freedom of Information Act and may therefore be obliged to disclose all or some of the information you provide. In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Department.

The Ministry of Housing, Communities and Local Government will process your personal data in accordance with the law and in the majority of circumstances this will mean that your personal data will not be disclosed to third parties. A full privacy notice is included on the next page.

Individual responses will not be acknowledged unless specifically requested.

Your opinions are valuable to us. Thank you for taking the time to read this document and respond.

Are you satisfied that this consultation has followed the Consultation Principles? If not or you have any other observations about how we can improve the process please contact us via the [complaints procedure](#).

**Please confirm you have read this page. \***

Yes	<input checked="" type="checkbox"/>
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## Privacy Notice

The following is to explain your rights and give you the information you are be entitled to under the data protection legislation.

Note that this section only refers to your personal data (your name address and anything that could be used to identify you personally) not the content of your response to the consultation.

### **1. The identity of the data controller and contact details of our Data Protection Officer**

The Ministry of Housing, Communities and Local Government (MHCLG) is the data controller. The Data Protection Officer can be contacted at [dataprotection@communities.gov.uk](mailto:dataprotection@communities.gov.uk).

### **2. Why we are collecting your personal data**

Your personal data is being collected as an essential part of the consultation process, so that we can contact you regarding your response and for statistical purposes. We may also use it to contact you about related matters.

### **3. Our legal basis for processing your personal data**

Article 6(1)(e) of the General Data Protection Regulation 2016 (GDPR) provides that processing shall be lawful if processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

Section 8(d) of the Data Protection Act 2018 further provides that this shall include processing of personal data that is necessary for the exercise of a function of the Crown, a Minister of the Crown or a government department.

The processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Ministry of Housing, Communities and Local Government. The task is consulting on departmental policies or proposals or obtaining opinion data in order to develop good effective government policies in relation to planning.

### **4. With whom we will be sharing your personal data**

We will not share your personal data with organisations outside of MHCLG without contacting you for your permission first.

### **5. For how long we will keep your personal data, or criteria used to determine the retention period.**

Your personal data will be held for 2 years from the closure of the consultation

### **6. Your rights, e.g. access, rectification, erasure**

The data we are collecting is your personal data, and you have considerable say over what happens to it. You have the right:

- a. to see what data we have about you
- b. to ask us to stop using your data, but keep it on record
- c. to ask to have all or some of your data deleted or corrected
- d. to lodge a complaint with the independent Information Commissioner (ICO) if you think we are not handling your data fairly or in accordance with the law. You can contact the ICO at <https://ico.org.uk/>, or telephone 0303 123 1113.

### **7. Storage of your personal data**

We are using SmartSurvey to collect data for this consultation, so your information will be stored on their UK-based servers in the first instance. Your data will not be sent overseas. We have taken all necessary precautions to ensure that your data protection rights are not compromised by our use of third-party software.

If your submit information to this consultation using our third-party survey provider, it will be



moved to our secure government IT systems within six months of the consultation closing date (28 January 2021).

**8. Your personal data will not be used for any automated decision making.**

**Please confirm you have read this page. \***

Yes	<input checked="" type="checkbox"/>
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## Respondent Details

This section of the survey asks for information about you and, if applicable, your organisation.

**First name \***

**Last name \***

**Email address**

**Are you responding on behalf of an organisation or as an individual? \***

Organisation	<input checked="" type="checkbox"/>
Individual	<input type="checkbox"/>

**Organisation (if applicable)**

City of York Council

**Position in organisation (if applicable)**

**Please indicate whether you are replying to this consultation as a: \***

Developer	<input type="checkbox"/>
Planning consultant	<input type="checkbox"/>
Construction company or builder	<input type="checkbox"/>
Local authority	<input checked="" type="checkbox"/>
Statutory consultee	<input type="checkbox"/>
Professional organisation	<input type="checkbox"/>
Lawyer	<input type="checkbox"/>
Charity or voluntary organisation	<input type="checkbox"/>
Town Council	<input type="checkbox"/>
Parish Council	<input type="checkbox"/>
Community group, including residents' associations	<input type="checkbox"/>
Private individual	<input type="checkbox"/>
Other (please specify):	<input type="checkbox"/>

**Please indicate which sectors you work in / with (tick all that apply): \***

Education section	
Health sector	
Prison sector	
None of the above	X

## Supporting housing delivery through a new national permitted development right for the change of use from the Commercial, Business and Service use class to residential

**Q1 Do you agree that there should be no size limit on the buildings that could benefit from the new permitted development right to change use from Commercial, Business and Service (Class E) to residential (C3)?**

Agree	
Disagree	X
Don't know	

Please give your reasons:

There needs to be limitation to ensure that an acceptable level of housing is achieved. The potential for large-scale conversions without the provision of for local community infrastructure is a significant concern. Similarly re-purposing out of town retail should be subject to planning permission given the scale, surroundings and location of such uses.

**Q2.1 Do you agree that the right should not apply in areas of outstanding natural beauty, the Broads, National Parks, areas specified by the Secretary of State for the purposes of section 41(3) of the Wildlife and Countryside Act 1981, and World Heritage Sites?**

Agree	X
Disagree	
Don't know	

Please give your reasons:

**Q2.2 Do you agree that the right should apply in conservation areas?**

Agree	X
Disagree	
Don't know	

Please give your reasons:

Only if subject to safeguards that allow the LPA to consider the impact on the character and appearance of the area in accordance with existing legislation. To ensure that the historic character is appropriately safeguarded. York is characterised by its historic nature and to not

have suitable considerations in place raises significant concerns

**Q2.3 Do you agree that, in conservation areas only, the right should allow for prior approval of the impact of the loss of ground floor use to residential?**

Agree	X
Disagree	
Don't know	

Please give your reasons:

The use and appearance of commercial buildings can be a key component of the character and appearance of conservation areas. Although consequential changes to buildings in historic areas also need to be considered and this is not confined to ground floors. the character of York's Conservation Areas needs full consideration when assessing any approvals

**Q3.1 Do you agree that in managing the impact of the proposal, the matters set out in paragraph 21 of the consultation document should be considered in a prior approval?**

Agree	X
Disagree	
Don't know	

Please give your reasons:

All the matters (outlined below) are key to assessing the acceptability of a proposal.

- Similar to other permitted development rights for the change of use to residential:
- flooding, to ensure residential development does not take place in areas of high flood risk
- transport, particularly to ensure safe site access
- contamination, to ensure residential development does not take place on contaminated land, or in contaminated buildings, which will endanger the health of future residents
- To ensure appropriate living conditions for residents:
  - the impacts of noise from existing commercial premises on the intended occupiers of the development
  - the provision of adequate natural light in all habitable rooms
  - fire safety, to ensure consideration and plans to mitigate risk to residents from fire
- To ensure new homes are in suitable locations:
  - the impact on the intended occupiers from the introduction of residential use in an area the authority considers is important for heavy industry and waste management

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**Q3.2 Are there any other planning matters that should be considered?**

Yes	X
No	
Don't know	

Please specify:

1. All elements of noise related impacts (eg transport related noise) not just commercial impact.
2. Air Quality impacts
3. Specific reference to the provision of adequate waste and re-cycling storage
4. The adequate provision of services provided by class E and the sustainability of a key shopping area. We are concerned that the proposed rights may result in the loss of retail and service uses that will undermine town and district centres and potentially isolate remaining commercial uses by reducing local footfall because of visitor perceptions at a street or shopping area level.
5. The adequate provision of medical and health facilities; crèche, day nurseries and day centres in an area. The proposed PD right may result in the loss of such facilities to residential use undermining local and national policies to retain such uses and the potential loss of uses from accessible locations.

**Q4.1 Do you agree that the proposed new permitted development right to change use from Commercial, Business and Service (Class E) to residential (C3) should attract a fee per dwellinghouse?**

Agree	X
Disagree	
Don't know	

Please give your reasons:

The work and resources required to undertake consideration of such applications should be funded through the application process

**Q4.2 If you agree there should be a fee per dwelling house, should this be set at £96 per dwellinghouse?**

Yes	
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No	X
Don't know	

Please give your reasons:

This is insufficient to cover all costs including the administration and assessment of the process, undermining the ability of the LPA to provide its other functions.

**Q5 Do you have any other comments on the proposed right for the change of use from Commercial, Business and Service use class to residential?**

Yes	X
No	

Please specify:

Serious reservations as to the implications for both city and local centres. Also concerns with regard to the quality of housing coming forward from the proposals.

The consultation proposals do not include safeguards on the adequate provision of shops and services and the impact on the sustainability of key shopping areas. Whilst the impact of trading conditions on retailers and commercial property owners is acknowledged, there is concern that the consultation proposals may lead to the loss of retail and service uses that will undermine town and district centres and potentially isolate remaining commercial uses by reducing local footfall because of visitor perceptions at a street or shopping area level. Retaining the existing permitted development right condition which allows the LPA to consider such issues, whilst recognising the changes taking place in the retail industry, would enable that balance to be achieved.

The new use class E includes the provision of medical and health facilities; crèche, day nurseries and day centres. The proposed PD right may result in the loss of such facilities to residential use undermining local and national policies to retain such uses and the potential loss of uses from accessible locations.

Whilst we encourage the provision of increased residential accommodation in our city and district centres. We consider that particularly in historic areas, new residential uses would prove to be more popular for visitor accommodation, negating the benefits to residents outlined in the consultation.

**Q6.1 Do you think that the proposed right for the change of use from the Commercial, Business and Service use class to residential could impact on businesses, communities, or local planning authorities?**

Yes	X
No	
Don't know	

If so, please give your reasons:

Businesses – this is too broad a definition, it could have a number of impacts on different businesses.

There is no provision that would provide safeguards for existing businesses who do not wish to leave premises at the end of their lease, or small businesses that may be put under pressure to loose space to allow for conversion. The planning process allows for such considerations, balancing the needs of communities with the rights of building owners to develop their properties. The proposals would preclude the examination of whether alternative businesses may wish to take up vacant space. The loss of this potential and alternative premises for businesses to relocate to will impact upon economic growth.

Other businesses may not feel that feel the monetary savings of applications brings a better outcome or service.

Communities – would no longer be able to have the same say in the planning application process due to the timescales in involved in prior approvals. Ad hoc and not plan lead development would lead to a mixture of developments and may lack social cohesion.

Local Planning Authorities – The Governments assertion 'Local planning authorities would benefit from reduced volume of planning applications, offset by a reduction in fees' is short sighted and questionable. Prior approvals require as much work if not more than a regular planning application with significantly less fee. Local Planning Authorities have been significantly under resourced for a number of years due to changes such as these proposed.

**Q6.2 Do you think that the proposed right for the change of use from the Commercial, Business and Service use class to residential could give rise to any impacts on people who share a protected characteristic?**

Yes	X
No	
Don't know	

If so, please give your reasons:

The new use class E includes the provision of medical and health facilities; crèche, day nurseries and day centres. The proposed PD right may result in the loss of such facilities to residential use undermining local and national policies to retain such uses and the potential loss of uses from accessible locations adversely impacting on the elderly, people with disabilities.



## Supporting public service infrastructure through the planning system

**Q7.1 Do you agree that the right for schools, colleges and universities, and hospitals be amended to allow for development which is not greater than 25% of the footprint, or up to 250 square metres of the current buildings on the site at the time the legislation is brought into force, whichever is the larger?**

Agree	X
Disagree	
Don't know	

Please give your reasons:

Agree in principle. However there are concerns regarding local considerations from what could be significant scale developments including heritage, traffic and amenity impacts. There appears to be no reference to the positioning of windows in new development or consideration of the potential impact from possible displacement of car parking and the knock-on effect for road safety in surrounding streets.

**Q7.2 Do you agree that the right be amended to allow the height limit to be raised from 5 metres to 6?**

Agree	
Disagree	
Don't know	X

Please give your reasons:

**Q7.3 Is there any evidence to support an increase above 6 metres?**

Yes	
No	
Don't know	X

Please specify:

**Q7.4 Do you agree that prisons should benefit from the same right to expand or add additional buildings?**

Agree	x
Disagree	
Don't know	

Please give your reasons:

Agree in principle. However there are concerns regarding local considerations from what could be significant scale developments including heritage, traffic and amenity impacts. There appears to be no reference to the positioning of windows in new development or consideration of the potential impact from possible displacement of car parking and the knock-on effect for road safety in surrounding streets.

**Q8 Do you have any other comments about the permitted development rights for schools, colleges, universities, hospitals and prisons?**

Yes	X
No	

Please specify:

Permitted development rights for such facilities should exist but local consideration should be a key point of the process.

The proposed right should include limitations regarding windows in proximity with boundaries to residential property so as not to significantly impact upon living conditions.

The proposed right should include limitations where existing car parking is proposed to be lost to development. Whilst supportive of moves toward more sustainable travel options for hospitals and schools, the potential for displacing parking to local streets and any mitigation should be part of a decision making process.

**Q9.1 Do you think that the proposed amendments to the right in relation to schools, colleges and universities, and hospitals could impact on businesses, communities, or local planning authorities?**

Yes	
No	
Don't know	X

If so, please give your reasons:

**Q9.2 Do you think that the proposed amendments to the right in relation to schools, colleges and universities, and hospitals, could give rise to any impacts on people who share a protected characteristic?**

Yes	
No	
Don't know	X

If so, please give your reasons:

**Q10.1 Do you think that the proposed amendment to allow prisons to benefit from the right could impact on businesses, communities, or local planning authorities?**

Yes	
No	
Don't know	X

If so, please give your reasons:

**Q10.2 Do you think that the proposed amendment in respect of prisons could give rise to any impacts on people who share a protected characteristic?**

Yes	
No	
Don't know	X

If so, please give your reasons:

**Q11 Do you agree that the new public service application process, as set out in paragraphs 43 and 44 of the consultation document, should only apply to major development (which are not EIA developments)?**

Yes	X
No	

Please give your reasons:

Yes but with the very strong caveat that the resources have to be made available to facilitate this. This would involve having sufficient officers for all elements of the planning application process. It would not be feasible without extra resources

**Q12 Do you agree the modified process should apply to hospitals, schools and further education colleges, and prisons, young offenders' institutions, and other criminal justice accommodation?**

Yes	X
No	

If not, please give your reasons as well as any suggested alternatives:

**Q13 Do you agree the determination period for applications falling within the scope of the modified process should be reduced to 10 weeks?**

Yes	X
No	

Please give your reasons:

Subject to the points raised in response to Q11 and with the retention for agreements to be made with the applicants as exist at present.

**Q14 Do you agree the minimum consultation / publicity period should be reduced to 14 days?**

Yes	
No	X

Please give your reasons:

Members of the public/consultees should be given sufficient time to fully consider applications. This change would undermine public confidence in the planning process.

**Q15 Do you agree the Secretary of State should be notified when a valid planning application is first submitted to a local planning authority and when the authority anticipates making a decision? (We propose that this notification should take place no later than 8 weeks after the application is validated by the planning authority.)**

Yes	
No	X

Please give your reasons:

This would require additional resources and would be a burden on the authority. It is unclear what benefit would be derived from such notification.

**Q16 Do you agree that the policy in paragraph 94 of the NPPF should be extended to require local planning authorities to engage proactively to resolve key planning issues of other public service infrastructure projects before applications are submitted?**

Yes	
No	X

Please give your reasons:

The wording of this question is concerning as Local Planning Authorities would always seek to proactively engage to resolve key planning issues. Pre-application engagement can only be initiated by the applicant. It is a key part of the planning process which is not always undertaken by public service bodies and if this was made a requirement it would a positive impact upon application timescales.

**Q17.1 Do you have any comments on the other matters set out in the consultation document, including post-permission matters, guidance and planning fees?**

Yes	
No	X

Please specify:

**Q17.2 Do you have any other suggestions on how these priority public service infrastructure projects should be prioritised within the planning system?**

Yes	X
No	

Please specify:

As outlined above pre-application engagement should be a requirement of the process and appropriately funded.

Should the public notification period be reduced to 14 days it should be a requirement that pre-application public consultation is undertaken by the public service body.

**Q18 Do you think that the proposed amendments to the planning applications process for public service infrastructure projects could give rise to any impacts on people who share a protected characteristic?**

Yes	X
No	

If so, please give your reasons:

Reducing the times scales for commenting on applications may cause a disadvantage.

## Consolidation and simplification of existing permitted development rights

**Q19.1 Do you agree with the broad approach to be applied to the review and update of existing permitted development rights in respect of categories 1, 2 and 3 outlined in paragraph 76 of the consultation document?**

Agree	X
Disagree	
Don't know	

Please give your reasons:

**Q19.2 Are there any additional issues that we should consider?**

Yes	
No	X

Please specify:

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**Q20 Do you agree think that uses, such as betting shops and pay day loan shops, that are currently able to change use to a use now within the Commercial, Business and Service use class should be able to change use to any use within that class?**

Agree	X
Disagree	
Don't know	

Please give your reasons:

The reuse of such shops for other uses should be supported

**Q21 Do you agree the broad approach to be applied in respect of category 4 outlined in paragraph 76 of the consultation document?**

Agree	
Disagree	
Don't know	X

Please give your reasons:

Further information is required around the specifics of this element before it would be fully supported. The examples given do not give sufficient information to allow a comprehensive response to be given.

**Q22 Do you have any other comments about the consolidation and simplification of existing permitted development rights?**

Yes	X
No	

Please specify:

Permitted development rights are complex and at times difficult to navigate





## **End of survey**

You have reached the end of the consultation questions. Thank you for taking the time to complete them and for sharing your views. Please note that you will not receive an automated email to confirm that your response has been submitted.

After the consultation closes on 28 January 2021 we will consider the responses we have received and publish a response, in due course.

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