

RUSHMOOR BOROUGH COUNCIL RECORD OF EXECUTIVE DECISION ROED2217



Decision taken by individual Cabinet member

DECISION MAKER

Councillor Adrian Newell, Planning and Economy Portfolio Holder

DECISION AND THE REASON(S) FOR IT

To confirm the following Article 4 directions:

- Article 4 Direction which removes permitted development rights granted by Class MA of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) at sixteen of the Borough's Strategic Employment Sites and Locally Important Employment Sites, as designated within the Rushmoor Local Plan (2019).
- Article 4 Direction which removes permitted development rights granted by Class M, Class MA and Class N of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) within specified parts of Aldershot Town Centre, Farnborough Town Centre and North Camp District Centre, as designated within the Rushmoor Local Plan (2019).

The effect of the Article 4 Direction which covers sixteen of the Borough's designated Strategic Employment Sites and Locally Important Employment Sites will be to remove the permitted development right which allows for the change of use of offices and light-industrial units within Use Class E (commercial, business and service) to residential use without the need to apply for planning permission. The Direction will enable the Council to regain control over the consideration of relevant planning issues, including matters which are not otherwise possible with change-of-use applications under permitted development, and to protect Class E employment floorspace at the specified employment sites which are of the greatest economic importance to the Borough.

The effect of the Article 4 Direction which covers specified parts of the Borough's designated town and district centres will be to remove the permitted development rights which allow for the change of use of various town centre uses (including those within Use Class E; hot food takeaway, betting office, payday loan shop or launderette; casino or amusement arcade or centre) to residential use without the need to apply for planning permission. The introduction of residential properties within the areas covered by the Direction could undermine the Council's aspirations to support the vitality and viability of its town and district centres. The Article 4 Direction will require such proposals to be considered through the submission of a planning application, which will be determined against the Local Plan policies.

Evidence papers have been published which further justify the introduction of the Article 4 directions in accordance with the National Planning Policy Framework and National Planning Practice Guidance.

The Article 4 directions were made on 4 March 2022. A statutory three-week public consultation was held between 4 March and 25 March 2022. No objections were received. The Article 4 directions cannot come into effect unless they are confirmed. If confirmed, the Article 4 directions will come into force on 6 March 2023.

The Council's Constitution allows the Planning and Economy Portfolio Holder to confirm Article 4 directions which restrict the scope of permitted development rights where there have been no objections. However, because the Constitution refers to previous legislation in relation to permitted development rights ('the Town and Country Planning (General Permitted Development) Order 1995 (as amended)'), the Head of Democracy and Partnerships has been informed of the need to update the Constitution to correct this clerical error.

DATE DECISION TAKEN

27 June 2022

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

Not to confirm the Article 4 directions. The Article 4 directions cannot come into force unless they are confirmed.

ANY CONFLICTS OF INTERESTS DECLARED

N/A

Signed _____



Designation: Planning and Economy Portfolio Holder