

# Raymond Stemp Associates

## Planning and Development Consultants

# e-Newsletter

March 2009

## Government Publishes Response to Killian Pretty Report

The Government welcomes the Killian Pretty Report in order to provide a strong foundation for the next stage of planning reform.



The proposals are intended to ease the pressure on businesses and cut their costs during the challenging economic climate.

Key proposals include extending permitted development rights to enable small businesses to develop their premises without needing full planning permission. This has the potential to take nearly 40% of smaller businesses and non-residential applications out of the system or making these subject to a quicker and simpler process. This should provide more time and resources for Local Planning Authorities to focus on the major applications that matter most.

The Government will review the use and discharge of planning conditions. Local Development orders are to be encouraged.

The Government agrees that pre-application discussions are critically important and benefit both developers and Local Planning Authorities in ensuring a better mutual understanding of objectives and constraints that exist. The Government will take a number of steps to strengthen the prospects of early and effective engagement at the pre-application stage.

The Government aims to produce proposals to restrict the use of planning obligations following the introduction of the new community infrastructure levy.

The Government welcomes and supports steps to be taken by Local Government to strengthen the relevance of Council training and to ensure consistency between planning policy and planning application decisions.



Planning policy statements are to be streamlined and will more clearly express National Development Control policy that applies to the consideration of planning applications.

The Minister for Housing and Planning indicated that the recommendations will be taken forward with consultations on the proposals being carried out in the summer of 2009 which will lead to formal introduction of new regulations in April 2010.

Watch this space for further details.

## Tending Core Strategy

Tending District Council Planning Department is about to commence consultation on the Core Strategy, a document produced as part of the Local Development Framework (LDF), which sets out a vision for the District, containing strategic objectives for development in Tending, including where housing and employment should be located.



The consultation period will run from 23rd March to 1st May 2009 and the Council wishes to hear the views of interested parties who have a view in the future of the District.

If you would like Raymond Stemp Associates to make a representation on your behalf then do give us a call.

## Award of Costs at Planning Appeals



A new circular is to be published in April 2009 revising the old award of costs circular. It is understood that costs may be awarded in a written representation appeal if one party acts unreasonably.

This circular will be discussed in more detail in next month's e-Newsletter.

If we can be of any assistance to you on any projects do give us a call on:-

Chelmsford - 01245 398702 or Crawley - 01293 763114



*An integrated Planning and Architectural design service*

Raymond Stemp Associates Ltd, Registered Office: Aquila House, Waterloo Lane, Chelmsford, Essex CM1 1BN

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### Appeal for relaxation of Part M of schedule 1 of Building Regulations 2000 - Ground floor WC

The two semi detached houses have ground floor space of 40 square metres each.

#### Appellants Case

The Appellant considers that the ground floor WC would take up an unreasonable amount of space and, although agreeing with the spirit of Part M, considers that it was not applicable to the development.

The Appellant also considered that granting permission for an entrance step into the dwellings was effectively relaxing the Part M requirement as the occupants are unlikely to have a disability (although any visitors to the houses may have a disability) as access to the dwellings is unsuitable for wheelchair users.

The Appellant stated that the Council had never mentioned the requirement for a ground floor WC in the properties.

#### Councils Case

The Council accepted that the entrance steps precluded unaided wheelchair access but whilst period of occupancy by residents cannot be determined the WC facilities would last the life of the building. The Council considered that the ground floor WC would assist those who have difficulty in climbing a full set of stairs whether resident or visitor

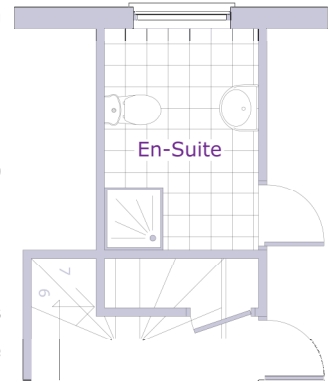
The Inspector took into consideration current and future occupiers' needs and that residents with mobility impairments should be prevented from using the dwellings. The Secretary of State considered that issues could have been resolved if alternative design had been adopted and providing a step is not a reason to fail to comply with Part M.

Whilst the Council did not point out the need for a ground floor WC, the Applicant used a building notice procedure, rather than full plans approval which would have brought the issue to the Councils attention.

The Secretary of State, dismissing the appeal, concluded that a relaxation of Part M of the Building Regulations 2000, is unacceptable expect in exceptional circumstances and in this case no such circumstances existed.

#### Conclusion

The appeal decision demonstrates that ground floor WC facilities have to be provided and this provision should be readily identified in the detailed planning application as well as the Building Regulation Application.



### Household Projection to 2031

The latest National statistics on household projective show that:-

- The number of households in England is projected to grown to 27.8 million in 2031, an increase of 6.3 million (29%) over the 2006 estimate of 252,000 households per year.
- Population growth is the main driver for household growth, accounting for nearly three-quarters of the increase in households between 2006 and 2031.
- One person households are projected to increase by 163,000 per year, equating to two thirds of the increase in households.
- By 2031, 32% of households will be headed by those aged 65 or over and up from 26% in 2006.

The conclusion is drawn that notwithstanding the current economic climate there is going to be an increase in the need for more homes to be built to meet the increasing demand and that there will need to be an increase in the number of small units built to cater for the increase in one person households.



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