

Motion: Article 4 Direction for Local Centres in Reigate and Banstead

Proposer: Councillor Khan

Seconder: Councillor McKenna

For the Council to resolve:

To note that:

In August 2021 new permitted development rights (Class MA) took effect, granting deemed planning permission for change of use from commercial to residential. This Council objected to changes in the PDR regime stating inter alia that the changes are “fundamentally flawed and will significantly undermine economic and employment opportunities”. This Council also acknowledged that the relaxation of PDR enabling conversion to residential use “without the need of planning permission is unnecessary, unwelcome and undemocratic”.

One local example of the use of these new Permitted Development Rights is where nearly all of a parade of shops in Nutfield Road, Merstham have been closed down by the landlord including much valued local community services such as a launderette. While the landlord systematically exercises its permitted development rights, such action is likely to adversely impact the remaining shops as well by undermining this local centre.

An Article 4 Direction would limit the action by landlords to secure vacant possession to enable redevelopment via Permitted Development Rights. Instead, a planning application would be required.

To agree that:

Therefore, these changes to Permitted Development Rights (2021) present a challenge to the continuation of our designated town and local centres, with many significant adverse impacts, including to local employment.

A number of other councils have initiated Article 4 Directions to counter the new permitted development rights. In November 2022, Reading Council applied the direction for change of use (classes MA, M and N) in district and local centres as defined in its Local Plan in order to remove certain permitted development rights that would result in new dwellings.

To resolve:

1. To bring forward the new ‘Retail Needs Survey’ required as part of its local plan to gather evidence to support this, as soon as is practicable, for the Council to identify where there is the potential for an Article 4 Direction over the four Town Centres and 27 Local Centres designated in the Development Management Plan (Policy RET 3) to restrict Permitted Development Rights PDR in these key locations; and,
2. Subject to the outcome of the Retail Needs Survey, to then consult on a potential Article 4 Direction to add protection to our Town Centres and Local Centres.