



Living Streets is the national charity that stands up for pedestrians. With our supporters we work to create safe, attractive and enjoyable streets, where people want to walk.

The House of Lords
London
SW1A 0PW

Dear

We are writing to draw to your attention the current lack of power for communities in seeking to protect essential local services from changes of use, and to commend to you some potential draft amendments to the Localism Bill that seek to address this.

The Localism Bill seeks to empower communities to take control over their neighbourhoods. Yet there are no provisions for communities to safeguard the local shops and services at their heart in order to help maintain vibrant, sociable, walking-friendly neighbourhoods. Changes of use to basic local shops and services such as community pubs or banks often fall under permitted development and can therefore proceed without the need to apply for planning permission. As a result the local community is left with no say at all.

Within the often very broad use classes categorising the different uses of buildings and land, some surprising changes of use can have major impacts on communities – for example, changes from a pub to a pawnbroker or a bank to a betting shop can currently occur with no voice for the local community.

Living Streets, the Campaign for Real Ale and Civic Voice, which together are supported by a membership of over 200,000 people and hundreds of local groups, are concerned at this lack of power for communities to shape their neighbourhoods and keep the essential local shops and services within walking distance that are so important to our High Streets and communities. Alongside the Community Rights to Buy and to Build, there is an urgent need for a Community Right to Protect, consistent with the Government's neighbourhood-focused localism agenda.

The enclosed amendments to the Localism Bill would address this issue by amending the General Permitted Development Order 1995, either to give the Neighbourhood Development Orders proposed in the Localism Bill genuine powers over changes of use in a neighbourhood, or by empowering local authorities to require express planning permission for changes of use of designated local services.

As debate on the Localism Bill begins in the House of Lords, we would be delighted to support any Members with an interest in tabling an amendment to give communities more power over the future of their local shops and services.

We would be very happy to discuss this further or to meet. Please contact Tony Armstrong at Living Streets on 020 7377 4929 or tony.armstrong@livingstreets.org.uk.

Yours sincerely,

Tony Armstrong
Chief Executive
Living Streets

Tony Burton
Director
Civic Voice

Mike Benner
Chief Executive
Campaign for Real Ale

Draft amendment 1 – neighbourhood development orders and changes of use

To move the following clause:

The Secretary of State must within 12 months of this Act being passed:

By regulations made by statutory instrument, amend the Town and Country Planning (General Permitted Development) Order 1995 (S.I. 1995/418) (the “GPDO”) removing permitted development rights specified in Neighbourhood Development Orders from the scope of the GPDO.

Purpose – to enable communities to decide locally whether or not to extend planning protection to valued local services, such as pubs

Draft amendment 2 – local authority protection of local services

New Clause 120A – insert:

“120A Protection of local services

(1) The Secretary of State must by regulations made by statutory instrument amend the Town and Country Planning (General Permitted Development) Order 1995 (the “GPDO”) so that a local planning authority in England may remove from the scope of the GPDO

- (a) all land or premises used or formerly used as a local service
- (b) a specified type or types of land or premises used or formerly used as a local service, or
- (c) such land or premises used or formerly used as a local service specified on a list prepared by the local planning authority

(2) The Secretary of State must lay regulations under section 120A(1) before Parliament before the end of the period of 12 months beginning with the day on which this Act is passed

(3) For the purposes of this Act “local services” include, but are not limited to, retail outlets, public houses, banks, health facilities, including hospitals and pharmacies, legal services, social housing, post offices, schools, public eating places, sporting and leisure facilities and open spaces and such other types of land or premises as the Secretary of State shall determine in Guidance issued to local authorities.”

Purpose – to introduce additional safeguards over the development or change of use of valued local services

Speaking notes

- The Localism Bill seeks to empower communities to take more control over their neighbourhoods. Yet there are no provisions for communities to safeguard the local shops and services at their heart in order to help maintain vibrant, sociable, walking-friendly neighbourhoods. Changes of use to basic local shops and services such as banks, grocers and community pubs often fall under permitted development and can therefore proceed without the need for express planning permission – and so without the local community having any say at all. Within the often very broad use classes categorising different uses of buildings, some surprising changes of use that can have major impacts on communities – for example, from a pub to a pawnbroker or a bank to a betting shop – currently count as permitted development.
- The Government's wider reform of use classes also appears likely to remove power from communities, rather than give them more power to shape their local areas. An amendment to the Localism Bill is needed to introduce a right for communities to protect local shops and services.
- This is an acute problem across urban, suburban and rural areas. More than half of those aged 55+ (58%) across Britain do not have a bank within walking distance.¹ Over 40 per cent of bank branches in the UK have closed since 1990, with over 2000 closing since the year 2000, across urban, suburban and rural areas.² Many have been converted to other uses, such as betting shops. Banks have promised not to close the last bank branch in smaller villages, but in several places, such as Southminster in Essex, this is now being done.³ The overall impact in terms of the rise of "clone towns" is now widespread with the new economics foundation identifying 41% of UK towns as clone towns and a further 23% on the verge⁴.

¹ YouGov. 2011. GB Panel Poll on behalf of Living Streets (fieldwork dates 15-17 February 2011). All figures, unless otherwise stated, are from YouGov Plc. Total sample size was 2019 adults. Fieldwork was undertaken between 15th - 17th February 2011. The survey was carried out online. The figures have been weighted and are representative of all GB adults (aged 18+).

² Campaign for Community Banking Services. 2010. *Branch Network Reduction: 2010 Report*. Available at: <www.communitybanking.org.uk/report_reduction_2010.htm>

³ Murray-West, R. 2011. More towns lose their last bank as lenders renege on promises. *Daily Telegraph*, 21 February 2011. Available at:

<www.telegraph.co.uk/finance/personalfinance/consumertips/banking/8338590/More-towns-lose-their-last-bank-as-lenders-renege-on-promises.html>

⁴ New Economics Foundation. 2010. *Re-imagining the High Street: Escape from Clone Town Britain*. Available at:

<www.neweconomics.org/sites/neweconomics.org/files/Reimagining_the_high_street_0.pdf>

- This has severe social repercussions. More than a quarter (28%) of British residents feel isolated, or have a friend or loved one who does, because of difficulty accessing shops and services.⁵ The less well-off are most affected: half of low-income households do not own a car.⁶ In addition, reduced walking journeys and increased car trips affect public health and environmental quality.
- The lack of power for communities to retain a balanced and useful mix of shops and services can also lead to neighbourhood decline. Over half of British adults (52%) have experienced an increase in fast food shops, and nearly a third (31%) in betting shops, in their nearest high street since they started living in the area⁷ – potentially discouraging investment and bringing other problems. Communities are disempowered to address unnecessary concentrations of such uses.
- Alongside the Community Rights to Buy and to Build, there is an urgent need for a Community Right to Protect, consistent with the Government's neighbourhood-focused localism agenda. 81% of British adults think communities should have a say on changes of use in their local area.
- Suggested amendment 1 modifies the Neighbourhood Development Order process set out in Schedule 9 of the Localism Bill. Under the current proposals, a Neighbourhood Development Order can only extend permitted development rights. If accepted the amendment would also allow qualifying bodies to remove certain changes of use from the scope of the General Permitted Development Order and thus ensure that local communities could register their support for or objections to such development through the planning process.
- Suggested amendment 2 empowers local authorities to designate all or specified land or premises used for the provision of local services, as defined, for removal from the scope of the General Permitted Development Order, to ensure that local communities could register their support for or objections to such development through the planning process.

⁵ YouGov for Living Streets, 2011.

⁶ Department for Transport. 2010. *National Travel Survey 2009*. See also Office of the Deputy Prime Minister. 2003. *Making the Connections: Final Report on Transport and Social Exclusion*. Available at: <www.ilo.org/wcmsp5/groups/public/---ed_emp/---emp_policy/---invest/documents/publication/wcms_asist_8210.pdf> and Palmer, G. 2010. *United Kingdom: ability to travel*. Available at: <www.poverty.org.uk/75/index.shtml>

⁷ YouGov for Living Streets, 2011.

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Background

Living Streets is the national charity that stands up for pedestrians. With our supporters we work to create safe, attractive and enjoyable streets, where people want to walk. We work with professionals and politicians to make sure every community can enjoy vibrant streets and public spaces.

We started life in 1929 as the Pedestrians Association and have been the national voice for pedestrians throughout our history. In the early years, our campaigning led to the introduction of the driving test, pedestrian crossings and 30mph speed limits. Since then our ambition has grown. Today we influence decision makers nationally and locally, run successful projects to encourage people to walk and provide specialist consultancy services to help reduce congestion and carbon emissions, improve public health, and make sure every community can enjoy vibrant streets and public spaces.

Civic Voice is the national charity for the civic movement. We work to make the places where everyone lives more attractive, enjoyable and distinctive and to promote civic pride. We speak up for civic societies and local communities across England. We believe everyone has the right to live somewhere they can be proud of and know how people feel about places because we feel the same way. Civic societies are the most numerous participants in the planning system. Since its launch in April 2010 Civic Voice has been joined by 275 civic societies with more than 71,000 members.

CAMRA campaigns for real ale, real pubs and consumer rights. We are an independent, voluntary organisation with over 125,000 members and have been described as the most successful consumer group in Europe. CAMRA promotes good-quality real ale and pubs, as well as acting as the consumer's champion in relation to the UK and European beer and drinks industry. We aim to:

1. Protect and improve consumer rights
2. Promote quality, choice and value for money
3. Support the public house as a focus of community life
4. Campaign for greater appreciation of traditional beers, ciders and perries as part of our national heritage and culture
5. Seek improvements in all licensed premises and throughout the brewing industry