

The Colin Wiles blog

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The light that never comes on

George Clarke's recent [Council House Scandal](#) on Channel 4 highlighted an office block in Harlow that had been converted into tiny flats, using Permitted Development Rights (PDR); in other words, no planning permission was required.

One of the more extreme recent examples of PDR was in Watford where a single-storey [industrial building](#) is being converted into 15 "homes" of which seven have no windows. The flats will range in size from 16.5 to 21 square metres. There's no parking at the scheme and residents will not be allowed to apply for a residents' parking permit.

Watford Council sought to block the conversion, noting that the flats "would not provide any meaningful outlook, daylight or even appropriate ventilation", and that the upper floors "would have no means of escape in case of fire" and that "the oppressive environment" would have "a serious impact on the health of future occupiers".

But a government-appointed planning inspector allowed the scheme to go ahead, arguing that none of the council's objections were relevant to the PDR.

"I recognise that the proposed units are small" he said, "and that, for example, living without a window would not be a positive living environment" but the creation of "cramped living environments with poor outlook and the lack of windows" was irrelevant because the PDR made no mention of these matters.

So, PDRs are allowing homes to be created that are cramped, unsafe and basically unliveable. In the centenary year of the Addison Act, which set out generous space standards for new homes, we seem to be heading back to the 19th century.

It's worth rehearsing how this appalling situation has come about.

Since 2013 the government has sought to liberalise planning laws to encourage the use of empty buildings and stimulate the construction sector. This started when homeowners were given greater freedoms to build house extensions. This was followed by PDR for taller mobile masts, click and collect services in shops, and suchlike. It's now been extended to a wider range of developments.

For planning purposes, properties are categorised into four main classes:

- Class A – shops and other retail premises such as restaurants and bank branches

- Class B – offices, workshops, factories and warehouses
- Class C – residential uses
- Class D – non-residential institutions and assembly and leisure uses.

Each class is split into a number of subclasses. In technical terms the [Town and Country Planning \(General Permitted Development\) \(England\) Order 2015](#) allows developers to switch from one subclass to another without permission, and in certain cases, from one class to another. One of the most controversial of these was Office to Residential (Class B to Class C), which started off as a temporary measure in 2013 but was made permanent in 2016.

Some areas – such as National Parks, Areas of Outstanding Natural Beauty and conservation areas – are excluded, but over the past five years thousands of tiny “homes” have been created in former offices and business units throughout England using PDR. In 2017/18, 29,720 new dwellings were created from Office to Resi out of a total of 222,190 net additions – that’s 13.4%.

Some of these new homes are as small as 13 square metres, barely big enough to pick up a cat let alone swing it. They are often in unsuitable locations next to polluted major roads and industrial units, far from amenities such as doctors, shops and schools. Residents have nowhere to store or dry clothes and lack the space or comfort to live a normal life. The flats are exempt from the government’s own standards for new build, which require 37 square metres as a minimum for a single person home. Developers also bypass any requirement to provide affordable homes.

PDR represents a classic example of government policies being at odds with each other. For example, the revised National Planning Policy Framework describes the objectives of the planning process as follows:

“Planning policies and decisions should ensure that developments...create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users...and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.”

Just a few weeks ago the government published *Creating Space for Beauty* by its own Building Better, Building Beautiful Commission, a subject I covered in [my last blog](#). The Commission was established to “tackle the challenge of poor-quality design and build of homes and places across the country and help ensure as we build for the future we do so with popular consent”.

PDR is in direct conflict with both of these government aims. It creates tomorrow’s slums today: ugly, unsafe, low-amenity homes that are bad places to live and injurious to mental and physical health.

Decisions like PDR do not happen in a vacuum, but they are often slipped through as a result of botched public consultations and poor impact assessments.

I have always argued that housing people should be more closely involved in planning issues. We should find the time to respond robustly to consultations and become more involved in strategic planning issues. Changes like PDR might seem rather arcane and technical, but they have a real and detrimental impact upon people's lives.

About the author

Colin Wiles has worked in affordable housing for almost forty years, for local authorities and housing associations. For the past eight years he has worked as a consultant, working on a range of projects for dozens of clients across the sector. He specialises in governance, service reviews, research and policy work. Colin has written extensively on housing and planning issues for Inside Housing, 24 Housing and The Guardian. He is a co-founder of SHOUT, the Campaign for Social Housing.

