

Single Member Cabinet Decision

Executive
Forward Plan
Reference

E2541 R16

**AN APPLICATION FOR AN EXEMPTION FROM THE RELAXATION OF
PERMITTED DEVELOPMENT RIGHTS IN RELATION TO THE CHANGE OF
USE FROM B1(a) OFFICES TO C3 RESIDENTIAL**

Decision maker/s	Cllr Paul Crossley Leader of the Council
The Issue	<p>The government is introducing a relaxation of permitted development rights, allowing a change of use from B1(a) office to C3 residential without the need for planning consent. Local Authorities have been given the opportunity to seek an exemption for specific parts of their area, however submissions must be made by 5pm on the 22nd February 2013. It is proposed that the Council submit an application for exemption in relation to the Bath City Riverside Enterprise Area.</p> <p>This decision was taken under Rule 16 Special Urgency provisions in the Council's Constitution. This course of action was agreed by the Chair of the Economic & Community Development PDS Panel, Chief Executive, Monitoring Officer and Section 151 Officer.</p>
Decision Date	22 nd February 2013
The decision	<p>The Cabinet Member agrees that under Rule 16 of Section 4b of the Council's constitution :</p> <p>A submission is made to the Department for Communities & Local Government by the deadline of 5pm on the 22nd February seeking an exemption from the proposed relaxation of permitted development rights in relation to the change of use from B1(a) offices to C3 residential in respect of the Bath City Riverside Enterprise Area.</p>
Rationale for decision	<p>The exemption would allow the Council to continue to manage the rationalisation and expansion of the office stock in the Bath City Riverside Enterprise Area in accordance with draft Core Strategy policies in order to promote the future growth of the local economy and expansion of local employment.</p>

Financial and budget implications	<p>Under the Retention of Business Rates arrangements that come into effect from 1st April 2013, Councils are able to benefit from a proportion of any increase in their Business Rate income arising from growth in the area's commercial stock, whilst also sharing the risks of any reductions that occur. The relaxation of permitted development rights could compromise future income levels.</p> <p>Within the Enterprise Area boundary defined under the fiscal arrangements for the City Deal the Council would be able to retain 100% of any business rate growth from the development of new commercial floor space. Conversely the Authority is liable for 100% of any loss of income and the uncontrolled loss of office space could pose a future financial risk.</p>
Issues considered	Sustainability; Property; Corporate; Other Legal Considerations
Consultation undertaken	Cabinet colleagues; Chair of the Economic & Community Development PDS Panel; Other B&NES Services; Section 151 Finance Officer; Chief Executive; Monitoring Officer
How consultation was carried out	<p>The Chief Executive, Statutory Officers and other Services were consulted in writing internally.</p> <p>The Chair of the PDS Panel was consulted in writing and verbally and agreed that the taking of the decision could not reasonably be deferred.</p> <p>The issues and decision were discussed at an Informal Cabinet meeting on the 22nd February 2013.</p>
Other options considered	None.

Signatures of Decision Makers	
Date of Signature	
This decision was taken under Special Urgency (Rule 16) and is not subject to Call-in. It will be implemented immediately	