

Single Member Cabinet Decision

Executive Forward Plan Reference	E 2992
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Article 4 Direction over permitted development rights on the Change of Use from Office to Residential in central Bath

Decision maker/s	Cllr {Tim Warren}, Council Leader
The Issue	This report recommended making a non-immediate Article 4 Direction to restrict Permitted Development Rights (PDR) on the Change of Use from Office to Residential uses in parts of central Bath.
Decision Date	25 th January 2018
The decision	<p>Cabinet Member agrees that;</p> <ul style="list-style-type: none"> a) Bath & North East Somerset Council makes a non-immediate Article 4 Direction under para 4(1) of the Town and Country Planning (General Permitted Development) (England) Order 2015 to withdraw permitted development rights for the Change of Use from Office (Class B1) to Residential uses (Class C3) in those parts of central Bath shown in Attachment 1 to this report; b) authority is delegated to the Divisional Director for Development, in conjunction with the Council Leader to give notice of the Article 4 Direction in accordance with Schedule 3 of the General Permitted Development Order; c) The Cabinet considers whether to confirm, abandon or amend the Article 4 Direction following the statutory consultation; and d) any public representations made in response to the notice concerning the direction will be reported to the Cabinet for consideration.
Rationale for decision	<p>The evidence supports the introduction of an Article 4 Direction over the high and medium risk parts of the BCAP (see Figure 3 above). There is particularly strong justification for the withdrawal of permitted development rights from parts of Bath City Centre in order to protect the wellbeing of the District's residents. This is because they are significantly undermining a key strategic objective of the Council to boost the city's profile as a more competitive economic centre for the District and enable a net increase the supply of office space in the City centre in order to address the longstanding problems of dependence on low wage sectors with the resultant severe housing affordability problems.</p>
Financial and budget implications	<p>There is a one off additional cost of around £3k to cover the costs of giving notice when making the order which will be absorbed by the LDF budget. Not bringing the order into effect for at least 12 months reduces the risk of financial compensation from those who made a case that they were financially prejudiced by the Article 4 Direction.</p>

Issues considered (these are covered in more detail in the report)	Customer Focus; Sustainability; Property; Other Legal Considerations
Consultation undertaken	Cabinet colleagues; Overview & Scrutiny Panel; Staff; Section 151 Finance Officer; Chief Executive; Monitoring Officer; Public consultation pending
How consultation was carried out	Internal arrangements
Other options considered	To decide not to pursue an Article 4 Direction
Declaration of interest by Cabinet Member(s) for decision, including any dispensation granted:	
Any conflict of interest declared by anyone who is consulted by a Member taking the decision:	

Signatures of Decision Makers	
Date of Signature	25 th January 2018

Subject to Call-in until 5 Working days have elapsed following publication of the decision