

**Consultation on
the making of three Article 4 Directions for
changes of use from Class E (commercial,
business and service) to C3 (dwellinghouses)
2021**

**Consultation Report
Date: October 2021**

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1. Introduction

An Article 4 Direction is a direction under Article 4 of the General Permitted Development Order 2015 which enables local planning authorities to withdraw specified permitted development rights across a defined area.

Permitted development rights are a national grant of planning permission which allow certain building works and changes of use to be carried out without having to make a planning application.

Class MA of the General Permitted Development Order 2015 relates to change of use from Commercial, Business and Service uses (Use Class E) to residential (Use Class C3).

Following [a decision by the Deputy Leader](#) on 29 July 2021 the council made three non-immediate Article 4 Directions withdrawing permitted development rights for 'Class MA' permitted development in the following locations:

Direction 1 - The London Plan Central Activities Zone as it relates to Lambeth.

Direction 2 - Land in Key Industrial and Business Areas not falling within the Brixton Creative

Enterprise Zone or the Central Activities Zone, and the West Norwood Creative Business Cluster.

Direction 3 - Selected town centre locations: the Brixton Creative Enterprise Zone, which includes Brixton town centre; Streatham town centre; Clapham High Street primary shopping area and nine locations in and around Clapham High Street town centre; and the West Norwood/Tulse Hill primary shopping area.

It is statutory requirement to consult on the making of an Article 4 Direction in accordance with Town and Country Planning (General Permitted Development) (England) Order 2015 ("the GPDO"). Whilst the statutory requirement is for a period of at least 21 days to submit representations to the Council, Lambeth extended this to 8 weeks to allow a reasonable time for submission of representations

2. The consultation

2.1 Consultation objectives

To invite representations on the making of three non-immediate Article 4 Directions.

An overview of equalities impact is provided in the [Cabinet Member decision report](#). Once any representations received have been considered, it is proposed at that stage to prepare an equalities impact assessment. That assessment can then be used to inform any consideration of whether the Article 4 directions should proceed to be confirmed.

2.2 Who we consulted

The three directions together encompass an estimated 22,400 properties, which included instances where there are numerous properties within a single building. The Council decided that it would be impracticable to attempt to serve individual notices on this number of owners and occupiers. Notice was therefore given by press advertisements and site notices, in

accordance with the requirements of the GPDO. In addition, the Council asked local Business Improvement Districts to notify their members within the areas affected by the proposed direction.

The directions were published on the Council's website together with details of when and how representations may be made.

Statutory undertakers¹ and the Crown were directly notified. The Secretary of State was also notified.

2.3 When we consulted

From 2 August to 27 September 2021.

2.4 How we consulted

Interested parties were able to respond to the consultation by completing an online survey on the council's webpage (one was set up for each of the directions), by email or in writing.

2.4.1 Press activity

Press advertisements were posted in South London Press on 30th July 2021.

2.4.2 Digital activity

Lambeth council consultation webpage.
Social media posts scheduled throughout the consultation via Facebook and Twitter.

2.4.3 Other activity

Notice was also given by site notices, in accordance with the requirements of the GPDO.

3. Responses from members of the public

See section 4 below.

4. Next steps

A report setting out the responses received, consideration of the comments made and a recommended way forward will be presented to the Deputy Leader (Planning, Investment and

¹ "statutory undertakers" means persons authorised by any enactment to carry on any railway, light railway, tramway, road transport, water transport, canal, inland navigation, dock, harbour, pier or lighthouse undertaking or any undertaking for the supply of hydraulic power and a relevant airport operator

New Homes) for decision ahead of the conclusion of the 12 months' notice period required for non-immediate article 4 directions (31st July 2022).

Appendix A – Consultation communications

[Insert press releases, stakeholder emails and letters, posters, leaflets, the consultation document, the consultation questionnaire, website screen grab, etc.,]

Email body	<p>Dear Sir/Madam,</p> <p>In March 2021 the government introduced a new ‘Class MA’ permitted development right for change of use from planning use class E (commercial, business and service) floorspace to use class C3 (dwellinghouses). This right comes into force on 1 August 2021 and means this form of development does not need planning permission.</p> <p>Lambeth Council has made three non-immediate Article 4 directions to remove this permitted development right in the following locations:</p> <ul style="list-style-type: none">• The London Plan Central Activities Zone as it relates to Lambeth.• Land in Key Industrial and Business Areas not falling within the Brixton Creative Enterprise Zone or the Central Activities Zone, and the West Norwood Creative Business Cluster.• Selected town centre locations: the Brixton Creative Enterprise Zone, which includes Brixton town centre; Streatham town centre; Clapham High Street primary shopping area and nine locations in and around Clapham High Street town centre; and the West Norwood/Tulse Hill primary shopping area. <p>If confirmed after 12 months, the Article 4 Directions will come into effect on 1st August 2022 and will replace the existing ‘Class O’ Article 4 Directions removing permitted development rights for change of use from office to residential. Those directions remain valid until then under the transitional arrangements allowed for by the government.</p> <p>You can read and comment on the making of each of the Article 4 directions on Lambeth’s consultation webpage. You can respond to the consultation by completing our online survey or by sending comments by email or post.</p> <p>The consultation runs for 8 weeks from 2 August to 27 September 2021.</p> <p>Notice that Lambeth Council has made these three non-immediate article 4 directions has also been given by press advertisement and site notice.</p> <p>If you have any further questions please contact Lambeth’s planning policy team by e-mail at planningpolicy@lambeth.gov.uk.</p>
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