

ST HELENS BOROUGH LOCAL PLAN 2020-2035 EXAMINATION

Inspectors Additional Initial Question – Changes to the General Permitted Development Order (GPDO)

1. The purpose of this note is to ask an additional question of the Council regarding recent changes to the GPDO. This question should be read alongside our previous notes to the Council dated December 2020 (INSP003), January 2021 (INSP004) and February 2021 (INSP005).
2. The answer will help inform discussion during the examination hearing sessions. We may have further questions during the preparation period which are not covered in this note. Our question is without prejudice to consideration of the soundness of the Plan's policies during the remainder of the Examination, including at the hearings.
3. Not all matters raised go to soundness but may assist with the clarity of the LP. Where a point could potentially be addressed by a Main Modification (MM) or Additional Modification (AM) to the LP, we will make this clear by including MM or AM in the text.
4. All references to paragraphs and policies relate to the Submission Draft version of the LP of January 2019 (SD001).

Changes to the GPDO

5. The Town and Country Planning (General Permitted Development etc) (England) (Amendment) Order 2021 came into force on 21 April 2021. Changes include a new permitted development right to allow for the change of use from Commercial, Business and Service use (Class E) to residential use (Class C3). It is likely this change may have implications for policies in the Plan, particularly those relating to employment land and town centres. We would ask that the Council consider the implications of these changes for the effectiveness of the Plan's policies and how the policy wording would need to be modified (MM).

Response

6. We would like a response by the Council to the above question by 7 May 2021. We are not inviting comments from other parties at this stage. We want to clarify the Council's position first. All parties with relevant representations will have the opportunity to respond in advance of the hearings should they wish. Please note that employment land and town centre policies are due to be discussed

during week 3 of the examination (Session 8 – Thursday 17 June 2021, Matter 6). As set out in the Examination Guidance Note the deadline for the receipt of hearing statements for week 3 is by 17:00 Friday 28 May 2021. Participants are also reminded that they can choose to rely on the content of their original representations and there is no requirement to produce a hearing statement.

7. As referred to earlier, if the Council consider that the point or question could be dealt with by a MM or AM, then please confirm. As the examination develops, Schedules of MMs and AMs should be produced. The former should be in place in draft form in advance of the hearings, preferably published at the same time as any statements when it will become an examination document and inform discussion at the hearings. It will be refined during and after the hearings.
8. With regard to the above, we acknowledge that the Council wish us to recommend any MMs that are necessary to resolve issues of legal compliance or 'unsoundness'. If you require clarification of any of the above points please contact us via the Programme Officer.

Mark Dakeyne and Victoria Lucas

INSPECTORS April 2021