



Department for
Communities and
Local Government

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Dear Colleague,

Permitted development rights for change of use from office to residential

I am writing further to your request for exemption from the permitted development rights for change of use from B1(a) office to C3 residential use.

As set out in Steve Quartermain's letter of 24 January, requests with reference to **the loss of a nationally significant area of economic activity** have been assessed by considering:

- the scale of the adverse impact in absolute terms
- the significance of the adverse impact at a national level
- the degree to which there is likely to be a strategic and long-term adverse economic impact
- whether the proposed area of exemption is the smallest area necessary to address the potential adverse economic impact

Requests with reference to **substantial adverse economic consequences at the local authority level which are not offset by the positive benefits the new rights would bring** have been assessed by considering:

- the scale of the impact in absolute terms
- the significance of the adverse impact at the level of the local authority or wider
- the degree to which there is likely to be a strategic and long-term adverse economic impact
- whether the proposed area of exemption is the smallest area necessary to address the potential adverse economic impact

The submissions received have all been independently assessed against these criteria, and each site has been awarded a score for strength of the case and robustness of the evidence. The scoring matrix showing how scores have been calculated is set out at annex A.

As set out in Steve Quartermain's letter, exemptions have only being granted in exceptional circumstances. For the Category A national test, Ministers have decided to set the bar for exemptions at 28 out of 40, which represents an average of 3.5 out of 5 across the scoring criteria. For the Category B local test, Ministers have decided to set the bar for exemptions at 36 out of 40, which represents an average of 4.5 out of 5 across the scoring criteria. Significant national economic loss is harder to demonstrate and is by its nature much more damaging to the UK economy than any local loss which may be offset by broader economic benefits.

Following detailed assessment of your request, I can confirm that the outcome is as follows:

Category A sites		
	Score	Exemption granted
Kensington & Chelsea	39	Yes

Category B sites		
	Score	Exemption granted
Kensington & Chelsea	39	Yes

Full details of the scores for each site are set out at Annex B.

The permitted development rights will apply in areas which have not been granted exemptions from 30 May 2013. The measures are being taken forward in the Town and Country Planning (General Permitted Development) Order 1995, as amended by the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2013. This is available to view on www.legislation.gov.uk.

Areas which have been granted an exemption are specified in the above statutory instrument. Maps of the relevant areas, which I have signed, are available for inspection at the offices of the Secretary of State for Communities and Local Government, and copies of the maps are available to view at <https://www.gov.uk/government/publications>.




Ruth Stanier
Deputy Director
Planning Directorate

Annex A Scoring matrix

Four criteria were assessed for both Category A and Category B exemption requests, as set out in the Chief Planner letter of 24 January. The assessment of each criterion was split into two parts: strength of case and robustness of evidence base. A possible maximum of five marks was awarded for each, with a possible minimum of one mark. An equal weighting was given to each mark, and the marks were then summed to give an overall score for each site. This gives a possible maximum of 40 marks overall. The codes refer to the codes in Annex B.

Category A

	Strength of case	Robustness of evidence base	Total for each criterion
Scale of the adverse impact in absolute terms	A1S	A1R	
Significance of the adverse impact at a national level	A2S	A2R	
Degree to which there is likely to be a strategic and long-term adverse economic impact	A3S	A3R	
Whether the proposed area of exemption is the smallest area necessary to address the potential adverse economic impact	A4S	A4R	
Total of all marks awarded for this site			

Category B

	Strength of case	Robustness of evidence base	Total for each criterion
Scale of the adverse impact in absolute terms	B1S	B1R	
Significance of the adverse impact at the level of the local authority or wider	B2S	B2R	
Degree to which there is likely to be a strategic and long-term adverse economic impact	B3S	B3R	
Whether the proposed area of exemption is the smallest area necessary to address the potential adverse economic impact	B4S	B4R	
Total of all marks awarded for this site			

