

PLANNING BRIEFING NOTE

FEBRUARY 2016

CONSULTATION ON UPWARD EXTENSIONS IN LONDON

OVERVIEW

The current housing crisis which exists within the UK, and in particular London, is well documented. In response, the government and the Mayor of London have launched a joint consultation on proposed reforms which would offer greater freedom to 'build up' and therefore to create higher density residential developments in the capital.

THE KEY PROPOSALS

The consultation document proposes three measures designed to secure the delivery of upward extensions. These measures could be implemented either separately or together.

1. The introduction of a new permitted development right, subject to prior approval

A new permitted development right is proposed to allow the addition of up to two additional storeys on an existing building, up to the height of the adjoining roofline. Under the proposal, the permitted development right would apply for residential extensions only, though could be implemented above a range of uses (e.g. offices, existing residential, retail). In addition, it would be subject to neighbourhood consultation.

The consultation also proposes that the permitted development right for upward extensions would be removed in some instances, such as where the building is listed. The new permitted development right may also be subject to prior approval (effectively a 'light touch' planning application) in order that local planning authorities can take into account issues such as space standards.

2. Local Development Orders (LDOs)

The consultation proposes that London boroughs could use existing powers to bring forward LDOs granting permission for upward extensions in specific areas. These could be implemented borough-wide, or within certain areas such as transport hubs. It could also allow for extensions greater than two storeys within specific areas. This option would allow boroughs to place more specific restrictions on upwards extensions than a London-wide permitted development right would; for example, they could choose to only allow extensions above buildings which are already in residential use.

3. Support in the London Plan

Under this option, the Mayor of London could bring forward new planning policies to support additional storeys for new dwellings when reviewing the London Plan. It should be noted that, unlike the two options above, a full planning application for these extensions would still be required. Any new policies in the London Plan would be subject to public consultation so, if implemented, this option would likely come into effect in the mid to long term.

POTENTIAL OPPORTUNITIES

The document is an open consultation, and as such the government and Mayor of London are seeking comments from all areas of the development sector. They are especially keen to understand developers' current experiences of the planning system for securing applications to extend residential buildings upwards.

We would be delighted to provide further advice on the proposed measures, and to advise on any response to the consultation. The deadline for making comments on this document is 15 April 2016.

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#UpwardExtensions

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