

# EVEBRIEF

## Legal & Parliamentary

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### COMMUNITY RIGHT TO BID: MORE POTENTIAL DELAYS TO DEVELOPMENT!



**Peter Dines**  
Editor

At item 2 we report on the provisions of the Localism Act "Assets of Community Value" provisions coming into force. This new system is now in place and, whilst it does not require landowners to sell to local communities, it does enable local communities to delay potential land sales on relevant properties whilst they prepare their own bid for the property. I am sure that a number of local environmental action groups are looking at this very closely and may well be developing strategies, similar to those relating to Village Green claims, in order to delay unwelcomed development.

On a more local level, we also report on the Mayor's new Supplementary Planning Guidance in respect of Land for Industry and Transport. This is an important working note for the London Plan and, in particular, sets out the policy for the managed release of employment land in appropriate locations. The guidance document identifies the release of some 90 acres of employment land per year, especially to housing. Landowners should be considering a strategy for potential surplus sites now so that they can be managed through the planning process.

Again, on a positive note the time limit for applications for the extension of planning permissions has been extended by a year. Also, by Order, from 1 December 2012 a local planning authority now has to include a statement with every decision letter explaining how, in dealing with a planning application, it has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with a planning application. This requirement applies when applications are either approved or refused. I look forward to reading some of those statements!



**GERALDEVE**

## LOCALISM

01 Statutory Instrument

### SI 2012/2420 The Localism Act 2011 (Commencement No. 1) (England) Order 2012

This Order brought into force on 21.09.12 Chapter 3 of Part 5 of the Localism Act 2011 (ss87 to 108) concerning assets of community value.

<http://www.legislation.gov.uk/uksi/2012/2420/contents/made>

02 Statutory Instrument

### SI 2012/2421 The Assets of Community Value (England) Regulations 2012

Chapter 3 of Part 5 of the Localism Act 2011 makes provision for England and Wales in relation to assets of community value and includes powers for the Sec of State to make further detailed provision in relation to England. These Regulations came into force on 21.09.12 and contain the details to give effect to the assets of the community value scheme.

<http://www.legislation.gov.uk/uksi/2012/2421/contents/made>

## LOCAL GOVERNMENT

03 CLG Consultation

### Technical Reforms to Council Tax: Determining the circumstances in which dwellings should not be liable to the empty homes premium – Consultation Deadline for Responses: 09.11.12

The Local Government Finance Bill contains provisions that will allow a billing authority to charge an empty homes premium (the Premium) as an incentive to encourage these homes back into productive use and to remove the blight that they cause to local neighbourhoods. This consultation seeks views on the government's proposals on exceptions to the Premium – dwellings which may otherwise be liable for the Premium, but which are subject to circumstances which mean that it would not be appropriate for it to apply.

<http://www.communities.gov.uk/publications/localgovernment/emptyhomespremium>

## PLANNING

04 Court of Appeal

### Appeal against enforcement notice alleging change of use of property from dwelling to commercial leisure accommodation

MOORE V SEC OF STATE FOR COMMUNITIES AND LOCAL GOVERNMENT  
(2012) PLSCS 189 – Decision given 18.09.12

**Facts:** The appellant, M, owned a property which had formerly been used as an eight-bedroom family dwelling pursuant to a 1999 planning permission. From 2008 M used the property for holiday lets for groups of up to 18 people for periods of between three and seven nights. The lpa issued an enforcement notice alleging change of use from a Class C3 dwelling to use as commercial leisure accommodation falling outside Class C3 and requiring such use to stop. A planning inspector subsequently upheld the notice as he found that the use of the property for holiday letting was quite different in character from a private dwelling house, involving more traffic movements, the unlikelihood of occupation by family or household groups, the sizes of the parties and potential lack of consideration for neighbours.

**Point of dispute:** Whether M's appeal against the ruling of the court below upholding the notice would be allowed. M contended that a permitted use as a "dwelling" or "dwelling-house" lawfully included not only occupation by an individual or family as a permanent home, but also holiday or temporary occupation. She alternatively argued that if the current use was in breach of planning control, its description in the notice as "commercial leisure accommodation" was too wide since not all forms of leisure accommodation amounted to a change of use.

**Held:** M's appeal was dismissed.

- i. Whether the use of a dwelling-house for commercial letting or holiday accommodation would amount to a material change of use was a question of fact and degree in each case and would depend upon the particular characteristics of the use in question. The inspector had correctly recognised that a dwelling-house could lawfully be used for some degree of holiday letting without there being a material change of use and had then asked the question whether there was anything about the particular characteristics of this case which meant that there had been such a change. He had been entitled to conclude, examining the characteristics of the lettings that they constituted a material change of use from the permitted use as a dwelling-house.
- ii. Even if the description of the breach of planning control was too wide, it was neither misconceived nor unintelligible. The description of the current use as "commercial leisure accommodation" covered the particular use to which the property was being put, since holiday accommodation was a form of leisure accommodation.

## 05 Administrative Court

**Planning permission granted for three retail developments in same town – whether lpa had failed properly to assess retail capacity or to apply sequential test in PPS 4**

\*R (ON THE APPLICATION OF SALFORD ESTATES (NO 2) LTD) V DURHAM COUNTY COUNCIL  
(2012) PLSCS 190 – Decision given 19.09.12

**Facts:** The claimant and two interested parties each applied to DCC for planning permission to develop a retail store in Peterlee, County Durham, a town which already had a supermarket in its centre. The claimant's site was in the town centre, the first interested party's was on the periphery of the town centre and the second interested party's was five miles away. Having considered all three applications concurrently DCC decided to grant permission for all three, concluding that Peterlee could support four large retail stores. The applications were voted on in order of sequential merit.

**Point of dispute:** Whether to allow the claimant's application for judicial review of DCC's decision to grant permission to the first interested party. (The claimant's application for permission for a challenge to the second interested party's development remained outstanding at the date of this hearing.) It argued that DCC had failed to carry out a proper assessment of the retail capacity of the area and, secondly, that DCC's planning committee had ignored the advice of their officials that Peterlee could not accommodate more than two new stores.

**Held:** The claim was dismissed.

- i. The court had to respect the planning judgment of the members of DCC's planning committee. The weight they attached to individual relevant considerations was a matter for the exercise of their own planning judgment and they did not have to slavishly follow the views or advice of their officials. Although it might have been sensible for the planning committee to have commissioned further work on the potential impact of approving all three applications they had not acted irrationally; they were well acquainted with the local situation and were very familiar with the relevant planning policy statements, the local plan and other material considerations.
- ii. The planning committee had not been under any misapprehension as to their approach to the issues before them with regard to the sequential test under PPS4 – they were entitled to consider all the applications together so that all views could be advanced fairly and thereafter to vote on the applications in order of sequential merit.

## 06 Statutory Instrument

**SI 2012/2372 The Town and Country Planning (Control of Advertisements) (England) (Amendment) Regulations 2012**

These Regulations, which came into force on 12.10.12, amend the 2007 Regulations by widening the range of flags displaying advertisements for which deemed consent is given.

<http://www.legislation.gov.uk/ukxi/2012/2372/contents/made>

## 07 London Assembly Government – Supplementary Planning Guidance

**Land for Industry and Transport SPG**

This document contains guidance which supplements the policies in the 2011 London Plan (LP) relating to land for industrial type activities and transport. The SPG provides advice on how to implement these policies, in particular LP Policy 2.17 on Strategic Industrial Locations, Policy 4.4 on Managing Industrial Land and Premises and Policy 6.2 on Providing Public Transport Capacity and Safeguarding Land for Transport. The SPG provides guidance on the following:

- To ensure an adequate stock of industrial capacity to meet future needs and functional requirements of different types of industrial and related uses in different parts of London;
- Planning, monitoring and managing the release of surplus industrial land so that it can better contribute to strategic and local planning objectives, especially those relating to the provision of more housing and, in appropriate locations, to provide social infrastructure and to contribute to town centre renewal; and
- Ensuring that sufficient land is provided in suitable locations for the development of an expanded transport system to serve London's needs.

<http://www.london.gov.uk/publication/land-industry-and-transport-spg>



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08 London Assembly Government – Supplementary Planning Guidance

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### Shaping Neighbourhoods: Play and Informal Recreation SPG

This SPG, which replaces the 2008 SPG “Providing for Children and Young People’s Play and Informal Recreation”, aims to:

- promote an approach that supports the presence of children and young people in the built environment and encourages the creation of ‘shared’ public and communal space used by adults and children at the same time;
- introduce the concept of lifetime neighbourhoods and the importance of play and recreation opportunities to create places that meet the needs of Londoners at every stage of their lives;
- promote more innovative approaches to play provision in terms of facilities, locations, design and management, such as the opening of schools’ play facilities to the community;
- promote healthy lifestyles and access to nature;
- provide benchmark standards on play requirements that can be used as a reference to guide boroughs in the development of their own local standards and to secure play spaces in existing and new developments;
- support community involvement and volunteering to increase the use and enhance the quality of play provision; and
- provide more detailed guidance on the Community Infrastructure Levy.

<http://www.london.gov.uk/publication/shaping-neighbourhoods-play-and-informal-recreation-spg>

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09 House Builders Federation (HBF) publication

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### HBF residential planning data – housing planning permissions have slumped to a three year low

- Fewer than 25,000 housing permissions were granted in Q2, less than half the number needed to meet housing requirements.
- The Q2 2012 figure is the lowest number of permissions granted since 2009.
- The 12 months to Q2 2012 delivered the lowest number since HBF started the survey in 2006.
- The number of projects given planning permission (499) is the lowest since 2009.
- The downward trend for social units continued with only 2718 units granted permission.

The figures have been released in HBF’s latest Housing Pipeline report.

<http://www.hbf.co.uk/media-centre/news/view/housing-planning-permissions-slump-to-three-year-low/>

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10 TCPA Tomorrow Series Paper

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### Land value capture and infrastructure delivery through SLICs

This paper moves the Garden Cities campaign on a step by contributing to the debate about how sustainable new communities can be created as part of the solution to the UK’s current housing crisis. Building on the lessons of the New Towns, and in particular Milton Keynes, it presents a new SLIC (Strategic Land and Infrastructure Contract) that would enable timely and predictable provision of essential infrastructure to be committed at an early stage which would enhance both investor and community confidence in the quality and deliverability of new Garden Cities and Suburbs.

<http://www.tcpa.org.uk/pages/land-value-capture-and-infrastructure-delivery-through-slics.html>

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11 CLG Letter

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### Letter to Chief Planning Officers: Extending planning permissions and the positive and proactive statement in decision notices

This letter to local authorities confirms that the Sec of State has announced a one year extension to the temporary provisions introduced in October 2009 which allow applicants to extend the time limits for implementing a planning permission. A new 12-month cohort of planning permissions is now brought within the scope of these provisions. The amendments allow applicants with unimplemented extant permissions granted on or before 01.10.10 (previously the deadline was 01.10.09) to apply for a replacement permission for the same development, subject to a new time limit for implementation. As before such applications will be subject to a lower fee, less onerous information and consultation requirements and a design and access statement will not be required.

<http://www.communities.gov.uk/publications/planningandbuilding/letterextendingpermissions>

## HOUSING

12 HCA Bulletin

### Housing Market Bulletin, August 2012

The Housing Market Bulletin provides the latest information on the housing market, the economy and the housebuilding industry. The information is drawn from several different sources and includes:

- House price changes from the top house price indices including Nationwide, Halifax, the Land Registry and the Royal Institute of Chartered Surveyors;
- Housing market forecasts;
- Housing starts and completions as reported by DCLG; and
- Mortgage trends and overall economy information.

In August average UK house prices fell slightly; there remains a north–south divide with the strongest markets in London and the surrounding areas. The number and value of loans for house purchases were lower than last year, but there were more loans to first time buyers.

The UK economy is in recession for the third consecutive quarter; the UK bank rate remains at 0.5%; inflation levels are slightly above 2011 rates and target levels. Unemployment continues to fall but remains high in comparison with the long term average.

<http://www.homesandcommunities.co.uk/ourwork/market-context>

## CONSTRUCTION

13 TCPA Guidance

### Good Practice Guidance: Sustainable Design and Construction

This guidance, which has been prepared by local planning authorities in England, together with landowners, developers, businesses, town and parish councils and community groups, aims to assist plan–making and development management in support of local planning authorities' statutory duty to contribute to the achievement of sustainable development of which sustainable design and construction is an integral part. The guidance cannot, however, cover all planning policy issues that have a bearing on sustainable design and construction, some of which, including flood risk, are included within the Technical Guidance to the National Planning Policy Framework. The guidance should also be considered alongside other guidance available on climate change, green infrastructure and the natural environment.

<http://www.tcpa.org.uk/pages/good-practice-guidance-sustainable-design-and-construction.html>

14 Design Council Publication

### Building for Life 12

This publication, which has been prepared in partnership with the Home Builders Federation and Design for Homes, is an updated version of Building for Life reflecting the Design Council's vision of how new housing developments should be – functional, attractive and sustainable places. It is based on the new NPPF and the Government's commitment to build more, better homes and to involve local communities in planning.

<http://www.designcouncil.org.uk/our-work/cabe/sectors/housing/building-for-life/>

## ENERGY

15 Department for Energy and Climate Change – Call for Evidence

### Onshore Wind Energy Deadline for Responses: 15.11.12

Two calls for evidence on onshore wind energy are being issued in parallel seeking information on:

- Part A: Community Engagement – the different types of activities being carried out between onshore wind developers and communities and the various community benefit packages being used across the UK and internationally. This information will be used to examine how communities can have more of a say and receive greater economic and wider social benefits from hosting onshore wind farms.
- Part B: Costs – latest data on predevelopment costs, capital costs, operating costs and financial costs of onshore wind development in the UK.

[http://www.decc.gov.uk/en/content/cms/news/pn12\\_105/pn12\\_105.aspx](http://www.decc.gov.uk/en/content/cms/news/pn12_105/pn12_105.aspx)



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## ENVIRONMENT

16 London Assembly Government Report

### Water Matters: Efficient water management in London

This report sets out a range of measures to help London manage its limited water supplies more effectively and avoid drought restrictions in the future. The report calls for:

- Ofwat to fully include long-term economic social and environmental costs of supplying water and to consider assessing the true value of water;
- DECC to reconsider excluding cold water efficiency measures when the national Green Deal comes in;
- Water companies to step up the pace of installing water meters in all properties by 2025; and
- Ofwat to work with water companies to implement social tariffs for water billing to support essential water usage by vulnerable people.

<http://www.london.gov.uk/publication/water-matters-efficient-water-management-london>

## GENERAL

17 Technology and Construction Court

### Whether claimant could adduce expert evidence in judicial review of decision to award development contract to alternative bidder – whether expert evidence admissible in public procurement cases

\*BY DEVELOPMENT LTD V COVENT GARDEN MARKET AUTHORITY  
(2012) PLSCS 193 – Decision given 28.09.12

**Facts:** The defendants, CGMA, wished to redevelop the New Covent Garden Market site and commenced a tender process. The claimant, BDL, reached Stage 3 of the process but was then notified that its tender had not been successful and the contract was to be awarded to a rival bidder. BDL sought to challenge CGMA's decision on the grounds that its evaluation of the bids contained a number of manifest errors, particularly in relation to planning matters.

**Point of dispute:** Whether BDL should be granted permission to rely on expert evidence in the fields of both planning and finance.

**Held:** The application was dismissed. Under the Public Contracts Regulations 2006 (as amended) the court's function in cases such as this was limited to reviewing the disputed decision solely to ascertain whether there was a manifest error or whether the process had been in some way unfair. The court was not reviewing the tender evaluation process and in judicial review or procurement cases of investigation into manifest error or unfairness expert evidence would not generally be admissible, although it might in some cases be required by way of technical explanatory evidence or in a very complex case of manifest error. The questions identified by BDL in this case were concerned with the tender and evaluation process itself, and the real issue was whether this was an unusual case where the court should admit opinion evidence as to the way the tender process unfolded and the merits or otherwise of CGMA's evaluation of the bids. BDL had not demonstrated that this case was unusual enough for the general rule that expert evidence would not ordinarily be allowed in a case such as this not to apply.

18 Defra Publication

### Statistical Digest of Rural England 2012 – September 2012

This Digest is a collection of statistics on a range of social and economic subjects, split by rural and urban areas in order to allow for comparisons between different rural and urban area classifications. The first section is concerned with rural and urban populations in England, followed by data on social issues such as housing, broadband, crime and education, and an economic section which contains indicators on productivity, earnings and economic activity as well as a selection of indicators relating to economic growth.

<http://www.defra.gov.uk/publications/2012/09/25/pb13820-stats-digest-rural-england/>

19 Defra Statement

### Rural Statement 2012

The aim of this Statement is to set out what the Government is doing to support rural areas and is effectively a contract with them, based around the following three key priorities:

- Economic Growth – the Government wants rural areas to make a sustainable contribution to national growth;
- Rural Engagement – the Government wants to engage directly with rural communities; and
- Quality of Life – the Government wants rural people to have fair access to public services and to be actively engaged in shaping the places where they live.

<http://www.defra.gov.uk/publications/2012/09/12/rural-statement-2012/>

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20 Defra Publication

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**Habitats and Wild Birds Directives: Evidence plans for nationally significant infrastructure projects**

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From September 2012 developers of nationally significant infrastructure projects in England will be able to agree evidence plans with relevant statutory nature conservation bodies. An evidence plan is a formal mechanism to agree upfront what information the developer needs to supply to the Planning Inspectorate as part of a Development Consent Order application to help ensure compliance with the Habitats and Wild Birds Directives. The purpose of this guidance is to explain the new evidence plan process.

<http://www.defra.gov.uk/publications/2012/09/28/habitats-evidence-plans/>

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## Abbreviations

The following abbreviations are used in evebrief:

BLD	Lexis Nexis Butterworths (internal abbreviation)
EG	Estates Gazette
EGLR	Estates Gazette Law Reports
EWCA	England & Wales Court of Appeal
EWHC	England & Wales High Court
P&CR	Property, Planning and Compensation Reports
PLSCS	Property Law Service Case Summaries

## The star system

Cases are marked with one, two or three stars as follows:

- \*\*\* Essential reading on the point of law or valuation with which the case is concerned, because it adds to, or clarifies or changes, the law.
- \*\* Noteworthy case which does not significantly alter the law or which relates to a relatively obscure point.
- \* Interesting but non-essential reading.

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# EVEBRIEF

## Legal & Parliamentary

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### SCOTLAND

#### PLANNING

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- 01 Statutory Instrument
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#### **SSI 2012/260 The Town and Country Planning (Prescribed Date) (Scotland) Regulations 2012**

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These Regulations specify 31.03.14 as the date prescribed for the purposes of s26AA(2) of the Town and Country Planning (Scotland) Act 1997 (“the Act”). The effect of this is that 31.03.14 is, in the absence of a prior grant or refusal of planning permission under s31A of the Act, the earliest date on which planning permission would be required for the operation of a marine fish farm using equipment that was in place on or before 01.04.07.

<http://www.legislation.gov.uk/ssi/2012/260/contents/made>

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- 02 Scottish Government Publication
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#### **National Planning Framework 3: A Plan for Scotland: Ambition, Opportunity, Place**

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A new NPF for Scotland is to be prepared which will set out the Government’s development priorities over the next 20–30 years. Three publications mark the start of the formal preparation process:

- The Participation Statement sets out how, when and with whom Ministers will consult in reviewing the NPF;
- Call for Candidate National Developments – these must be of more than regional significance and must also make a significant contribution to one or more of eight listed aims, which include climate change, the quality of the natural environment, reduction in emissions and job creation; and
- Proposal Form – for interested parties to suggest nationally important deliverable projects. Completed forms must be returned by 14.12.12.

<http://www.scotland.gov.uk/Topics/Built-Environment/planning/National-Planning-Policy/npf/NPF3>



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03 Scottish Government Report

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### **Affordable Housing Securing Planning Consent 2011/12**

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This report presents key statistics from the sixth annual survey of planning authorities on the amount of affordable housing provision granted planning consent during the 2011/12 financial year and the four previous years.

<http://www.scotland.gov.uk/Publications/2012/09/2844>

## **CONSTRUCTION**

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04 Scottish Government Consultations

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### **Review of the Building (Scotland) Regulations 2004: Technical Handbooks – Section 7 (Sustainability)**

### **Review of the Building (Scotland) Regulations 2004: Technical Handbooks – Section 3 (Environment) and Section 4 (Safety)**

### **Review of the Building (Scotland) Regulations 2004: Technical Handbooks (Non-Domestic) – Section 2 (Fire)**

#### **Deadline for Responses: 12.12.12**

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These consultations are concerned with proposals for changes to building regulations for introduction in the autumn of 2013.

- Section 7 is concerned with the proposal to extend non-domestic sustainability labelling to school buildings.
- The Section 3 changes relate to carbon monoxide detection, water efficiency, precipitation, waste storage, changing places, toilets and protective barriers.
- Section 2 is concerned with proposals to amend standard 2.15 automatic fire suppression systems in relation to existing school buildings and the introduction of a new Standard 2.16 Fire Safety Information

<http://www.scotland.gov.uk/Publications/2012/09/2306>

<http://www.scotland.gov.uk/Publications/2012/09/5905>

<http://www.scotland.gov.uk/Publications/2012/09/4547>

## **GENERAL**

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05 Scottish Government Publication

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### **Rural Scotland Key Facts 2012**

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This publication compares and contrasts statistics on key policy topics such as People and Communities, Services and Lifestyle, Economy and Enterprise broken down by Remote Rural, Accessible Rural and Rest of Scotland.

<http://www.scotland.gov.uk/Publications/2012/09/7993>

## **WALES**

### **PLANNING**

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06 Statutory Instrument

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### **WSI 2012/2318 The Town and Country Planning (General Permitted Development) (Amendment) (Wales) (No. 2) Order 2012**

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This Order, which came into force on 05.10.12, amends Parts 6 and 7 of Schedule 2 of the 1995 General Permitted Development Order in relation to Wales to clarify that permitted development rights apply to buildings on agricultural or forestry land to house micro-generation equipment and in particular to house hydro-turbines, to house biomass boilers and anaerobic digestion systems and to store associated fuel and waste as long as the fuel or waste is produced on the agricultural or forestry land or by the boiler or system.

<http://www.legislation.gov.uk/wsi/2012/2318/contents/made>

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07 Statutory Instrument

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### **WDI 2012 2319 The Town and Country Planning (Compensation) (Wales) (No. 2) Regulations 2012**

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These Regulations which came into force on 05.10.12 prescribe various matters for the purposes of s108 of the Town and Country Planning Act 1990. Section 108 provides for the payment of compensation in certain cases where planning permission for development granted by a development order or a local development order is withdrawn and where on an application for planning permission for that development the application is refused or is granted subject to conditions. Section 108(2A) and (3B) to (3D) limits the circumstances in which compensation is payable. These Regulations prescribe types of development for the purposes of s108(2A) and (3C), prescribe the manner in which planning permission is to be withdrawn and prescribe the manner and maximum period in which notice of withdrawal, revocation, amendment or directions is to be given. The prescribed development now includes the installation of non-domestic micro generation equipment.

<http://www.legislation.gov.uk/wsi/2012/2319/contents/made>

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08 Welsh Assembly Government Report

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**Towards a Welsh Planning Act: Ensuring the Planning System Delivers**

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This report, which was commissioned by the Welsh Government from an Independent Advisory Group, considers the future delivery of planning services in Wales. The review has:

- identified the key policy objectives for the planning system, now and in the future;
- assessed existing institutional delivery arrangements, noting areas of good practice and areas that are in need of improvement; and
- proposed 97 recommendations to improve the future delivery of the planning system in Wales.

<http://wales.gov.uk/topics/planning/planningresearch/publishedresearch/towardsawelshplanningact/?lang=en>

**NORTHERN IRELAND**

**PLANNING**

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09 Statutory Instrument

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**SRNI 2012/329 The Planning (General Development) (Amendment) Order (Northern Ireland) 2012**

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This Order came into force on 19.09.12 and provides revised permitted development rights for industrial buildings and warehouses and new permitted development rights for shops, financial and professional services establishments, office premises, schools, colleges, universities and hospitals and the demolition of buildings. The new and revised permitted development rights will be subject to specified limitations and conditions. The Order will also reduce the maximum number of copies of forms, plans and drawings that need to accompany planning applications from 6 to 3.

[http://www.planningni.gov.uk/index/news/news\\_policy/news\\_policy\\_revised\\_permitted\\_development.htm](http://www.planningni.gov.uk/index/news/news_policy/news_policy_revised_permitted_development.htm)

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10 Direction on Demolition and Development

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**Planning (Northern Ireland) Order 1991 Planning (Demolition – Description of Buildings) Direction 2012**

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The new permitted development rights for demolition of buildings are part of an adjustment to the controls over demolition of buildings in order to comply with EC-based case law. From 19.09.12, although the demolition of most types of buildings will still be regarded as development, the demolition of many buildings will have "permitted development rights". Minor day-to-day demolition of buildings outside Areas of Townscape and Village Character will not require a planning application, but, where demolition is likely to have significant effects on the environment, permitted development rights are set aside and a planning application accompanied by an environmental statement will be required.

[http://www.planningni.gov.uk/index/news/news\\_policy/news\\_policy\\_revised\\_permitted\\_development.htm](http://www.planningni.gov.uk/index/news/news_policy/news_policy_revised_permitted_development.htm)

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11 Supplementary Planning Guidance

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**Supplementary Planning Guidance – Policy PED 8: 'Development Incompatible with Economic Development Uses'**

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On 01.10.12 the Department of Planning and Economic Development published the final version of this guidance. This follows consultation on the draft SPG published in March 2012.

<http://www.planningni.gov.uk/pps4-planning-and-economic-development.htm>



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